

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON NATURAL RESOURCES, AGRICULTURE,
AND MINING**

**Eightieth Session
April 3, 2019**

The Committee on Natural Resources, Agriculture, and Mining was called to order by Chair Heidi Swank at 4:04 p.m. on Wednesday, April 3, 2019, in Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada, and to Room 125, McMullen Hall, Great Basin College, 1500 College Parkway, Elko, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/App/NELIS/REL/80th2019.

COMMITTEE MEMBERS PRESENT:

Assemblywoman Heidi Swank, Chair
Assemblywoman Shannon Bilbray-Axelrod, Vice Chair
Assemblyman Alex Assefa
Assemblywoman Maggie Carlton
Assemblyman John Ellison
Assemblyman Ozzie Fumo
Assemblywoman Alexis Hansen
Assemblywoman Sarah Peters
Assemblyman Greg Smith
Assemblywoman Robin L. Titus
Assemblyman Howard Watts
Assemblyman Jim Wheeler

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

None



STAFF MEMBERS PRESENT:

Jann Stinnesbeck, Committee Policy Analyst
Allan Amburn, Committee Counsel
Nancy Davis, Committee Secretary
Alejandra Medina, Committee Assistant

OTHERS PRESENT:

Warren B. Hardy II, representing The Humane Society of the United States
Lisa Wathne, Manager, Captive Wildlife Protection, The Humane Society of the United States
Chuck Callaway, Police Director, Office of Intergovernmental Services, Las Vegas Metropolitan Police Department
John T. Jones, Jr., representing Nevada District Attorneys Association
Linda Faso, Private Citizen, Las Vegas, Nevada
Tina Brandon Abbatangelo, Private Citizen, Las Vegas, Nevada
William E. Chamberlain, Private Citizen, Sparks, Nevada
Tim Stoffel, Private Citizen, Reno, Nevada
Kelvin Buchanan, President, Board of Trustees, Animal Ark, Reno, Nevada
John Potash, Private Citizen, Reno, Nevada
Mauricio Duran, Manager, Sierra Safari Zoo, Reno, Nevada
Joseph Turner, Private Citizen, Reno, Nevada
Kera Turner, Private Citizen, Reno, Nevada
Joshua Cowart, Private Citizen, Las Vegas, Nevada
Scott Shoemaker, Director, Responsible Exotic Animal Ownership (REXANO)
Zuzana Kukol, President, Responsible Exotic Animal Ownership (REXANO)
Johnathan Wallace, Private Citizen, Henderson, Nevada
Ken Foose, Private Citizen, Las Vegas, Nevada
Tyler Turnipseed, Chief Game Warden, Department of Wildlife
Kyle Davis, representing Coalition for Nevada's Wildlife, Inc.
Chase Whittemore, representing Nevada Bighorns Unlimited
Willie Molini, Director, Coalition for Nevada's Wildlife, Inc.
Jonathan Lesperance, Director, Coalition for Nevada's Wildlife, Inc.; and Private Citizen, Reno, Nevada
Tiffany East, Board of Wildlife Commissioners, Department of Wildlife
Mike Reese, President, Southern Nevada Coalition for Wildlife
Karen Boeger, Co-Chair/Secretary, Backcountry Hunters and Anglers; and Director, Coalition for Nevada's Wildlife, Inc.
Tobi Tyler, Member, Executive Committee, Toiyabe Chapter, Sierra Club
Karen Layne, Private Citizen, Las Vegas, Nevada
Tony Wasley, Director, Department of Wildlife
Jana Wright, Private Citizen, Las Vegas, Nevada
Stephanie Myers, Private Citizen, Las Vegas, Nevada
Fred Voltz, Private Citizen, Las Vegas, Nevada

Mendy Elliott, representing Nevada Humane Society
Patrick Donnelly, Nevada State Director, Center for Biological Diversity
Linda Platshon, Private Citizen, Sparks, Nevada
Jeff Dixon, Nevada State Director, State Affairs, The Humane Society of the United States
Caron Tayloe, Private Citizen, Reno, Nevada
Barbara Santner, Private Citizen, Reno, Nevada
Elaine Carrick, Private Citizen, Reno, Nevada
Stewart White, Private Citizen, Reno, Nevada
Constance Howard, Private Citizen, Reno, Nevada
Jason James, Private Citizen, Elko, Nevada
Don Noorda, Private Citizen, Wells, Nevada
Dave Galyen, Private Citizen, Elko, Nevada
Walt Gardner, Private Citizen, Ruby Valley, Nevada
Rich Sandoz, Private Citizen, Elko, Nevada
Neil McQueary, Private Citizen, Elko, Nevada
Joel Blakeslee, President, Nevada Trappers Association
John Sullivan, Vice President, Nevada Trappers Association
Jim Curran, Private Citizen, Fallon, Nevada
Mitch Bailey, Washoe County District Director, Nevada Trappers Association
Tracy Truman, Private Citizen, Las Vegas, Nevada
Paul Crawford, Private Citizen, Las Vegas, Nevada
Dave Stowater, South Nye County and Clark County District Director, Nevada Trappers Association
Randen Buckles, Private Citizen, Henderson, Nevada
Rachel Espil, Private Citizen, Sparks, Nevada
Trish Swain, Private Citizen, Sparks, Nevada
Donald A. Molde, Private Citizen, Reno, Nevada

Chair Swank:

[Roll was called. Rules and protocol of the Committee were reviewed.] We will begin with the work session on Assembly Bill 62.

Assembly Bill 62: Revises provisions related to water. (BDR 48-215)

Jann Stinnesbeck, Committee Policy Analyst:

Assembly Bill 62 was brought forth on behalf of the Division of Water Resources, State Department of Conservation and Natural Resources, and was heard in this Committee on March 13, 2019 (Exhibit C). The bill revised the provisions relating to extending the deadline set by the State Engineer by which construction related to the appropriation of water must be completed. Specifically, this bill limits the extension of the deadlines that may be authorized by the State Engineer to:

- 15 years for a project that includes the municipal use of water;
- 10 years for a project that does not include municipal use of water and includes the diversion of two or more cubic feet of water per second or the cultivation of 100 acres of land or more; and
- 5 years for any other purpose.

Further, the bill authorizes the State Engineer to suspend the limitation of time for the completion of construction set forth in a permit or an extension if the permit holder submits sufficient proof to the State Engineer demonstrating that the person has been unable to complete the work because of certain pending administrative or court actions.

There is one amendment proposed by the Division of Water Resources that provides that the 15-year limit for a project that includes the municipal use of water also applies to a project that includes the quasi-municipal use of water.

Chair Swank:

I will take a motion to amend and do pass A.B. 62.

ASSEMBLYMAN WATTS MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 62.

ASSEMBLYWOMAN PETERS SECONDED THE MOTION.

Is there any discussion?

Assemblywoman Titus:

Although I appreciate the acting State Engineer's amendment and the discussion to change the quasi-municipal component, I have significant concerns over the time and extensions. I will have to be a "no" on this bill.

Assemblyman Fumo:

If the City of Las Vegas has plans for growth for 50 years in advance, and if there is a recession, or a boom in growth, will they be able to adjust the 15-year cap?

Chair Swank:

During this process, we have engaged all stakeholders to see if there needed to be an adjustment to those years; we did not get any other suggestions for a set number of years. I do believe that the extension does not hold.

Allan Amburn, Committee Counsel:

In looking at the amendment [pages 2-4, ([Exhibit C](#))], section 2, subsection 2, paragraph (a), deals with the 15-year requirement. The only time that period of time is tolled, I believe, is

in subsection 3. That is where if you have a court action or are applying to the federal government. If it is an economic recession, the 15-year period will still be occurring.

Chair Swank:

I will reiterate that we did reach out to all stakeholders to see if there was another number that would be more amenable, and we did not receive any feedback.

Assemblyman Fumo:

Just to be clear, the only way to get the extension is through legal action.

Allan Amburn:

Through legal action or applying to the local, state, or federal government for some type of consent or approval that is necessary to complete the construction.

Chair Swank:

Is there any further discussion? [There was none.] We will vote.

THE MOTION PASSED. (ASSEMBLYMEN ELLISON, HANSEN, TITUS,
AND WHEELER VOTED NO.)

I will assign the floor statement to Assemblyman Fumo. I will move on to Assembly Bill 265.

Assembly Bill 265: Requires the Desert Research Institute to conduct a study concerning water treatment and recycling. (BDR S-901)

Jann Stinnesbeck, Committee Policy Analyst:

Assembly Bill 265 was sponsored by Assemblywoman Peters and was heard in this Committee on March 27, 2019 ([Exhibit D](#)). The bill requires the Desert Research Institute to conduct a study concerning water treatment and recycling and to submit a report of its findings and any recommendations for legislation to the 81st Session of the Nevada Legislature.

There are two amendments to this bill. The first is proposed by Truckee Meadows Water Authority. The amendment provides that urban areas need to improve water supply resiliency for existing uses, sustainability, and environmental benefits.

The second amendment proposed by Assemblywoman Peters:

- Provides that the Desert Research Institute shall, contingent on funding, conduct an assessment instead of a study;
- Provides that the assessment be intended to help inform water planning efforts through this state; and

- Requires the report of the results of the assessment to also be transmitted to the State Department of Conservation and Natural Resources.

Chair Swank:

I will take a motion to amend and do pass A.B. 265.

ASSEMBLYMAN ASSEFA MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 265.

ASSEMBLYMAN WHEELER SECONDED THE MOTION.

Is there any discussion? Seeing none, we will vote.

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblywoman Peters.

[Assemblywoman Bilbray-Axelrod assumed the Chair.]

Vice Chair Bilbray-Axelrod:

I will open the hearing on Assembly Bill 479.

Assembly Bill 479: Enacts provisions relating to the importation, possession, sale, transfer and breeding of dangerous wild animals. (BDR 50-903)

Assemblywoman Heidi Swank, Assembly District No. 16:

I am here to assist on this bill, and I will hand the presentation over to Mr. Hardy.

Warren B. Hardy II, representing The Humane Society of the United States:

This is an issue I became involved with in 2013. There were two issues we came forward with during that session, the first was dealing with first offense felony cockfighting [Senate Bill 83 of the 77th Session], and a form of this legislation to prohibit the ownership of dangerous exotic animals [Senate Bill 245 of the 77th Session]. The reason I felt strongly about this is that we were one of very few states—in fact we are surrounded by states that had very strong laws regarding cockfighting—that had virtually nothing in statute, which led to this state being a bit of a gathering place for that behavior and activity. That has since stopped because of the legislation.

This legislation is much the same, in my opinion. We are one of four states in the United States that do not have at least some law on the private ownership of dangerous exotic animals. This legislation seeks to remedy that. During the 2013, 2015, and 2017 sessions this bill came forward [Senate Bill 245 of the 77th Session, Assembly Bill 361 of the 78th Session, and Assembly Bill 238 of the 79th Session]. We worked with stakeholders and those concerned to try to find a resolution. Last session there was some concern expressed by the Nevada Resort Association (NRA) about how this might impact

their shows. We pulled back last session and spent the interim and the first part of this legislative session working with the NRA. They are not here today, but they authorized me to say that the document we now have is acceptable to them and they feel that it protects their ability to continue with the shows and exhibits that they have.

I have not been approached by any other opposition to this bill. I think we have some folks here in support.

I would now like to introduce Lisa Wathne, who is The Humane Society's national expert on these matters. She is here to walk the Committee through the bill and answer any questions you may have about the intent and what we are trying to accomplish.

Lisa Wathne, Manager, Captive Wildlife Protection, The Humane Society of the United States:

Thank you for hearing this bill today and for giving us the opportunity to provide our comments. We fully support Assembly Bill 479. The last time we were before you regarding this issue, Nevada was one of five states that had virtually no laws regarding keeping dangerous wild animals as pets. Now, it is one of only four states in that category. South Carolina has since passed legislation.

The private possession of wild animals puts communities and first responders at risk, often has devastating animal welfare consequences, and is detrimental to legitimate conservation efforts. Assembly Bill 479 will ban the private possession of a specific and limited list of wild species including big cats, bears, wolves, primates, and crocodiles. The bill allows anyone who currently possesses dangerous wild animals as pets to keep the animals they already have, but they cannot breed or otherwise acquire more animals. In addition, they must meet some basic requirements, including maintaining liability insurance, an emergency plan for animal escapes, and they can have no convictions for animal abuse.

Federal law currently requires anyone who exhibits animals to the public to have a Class C exhibitor license from the U.S. Department of Agriculture (USDA) and A.B. 479 exempts Class C licensees. Zoos licensed by the USDA can continue to acquire dangerous wild animals and exhibit them to the public as long as the facility complies with a few additional requirements, including liability insurance, emergency plans, and no USDA citations within the past three years for violations in which a dangerous wild animal's health and well-being or public safety was jeopardized.

The bill will also prohibit public contact with dangerous wild animals. Baby tigers, lions, and bears are frequently used by exhibitors for public photo and play sessions, typically, until they are just a few weeks old. The animals then end up warehoused at poorly run roadside zoos, in the hands of animal dealers, or in private menageries. More babies must be continually produced to fuel this lucrative business. The cycle of breeding, exploiting, and then dumping baby animals fuels the exotic pet trades, puts animals at risk, endangers the public, and creates a burden for both law enforcement and sanctuaries. Assembly Bill 479 is

a sound and reasonable framework for improving animal welfare and public safety in Nevada. Please support this important bill. [Letters of support were submitted ([Exhibit E](#))].

Assemblywoman Swank:

With that, we are ready for any questions the Committee may have.

Assemblywoman Titus:

I have some concerns about this bill. I appreciate the amendment; this has been brought forward for several sessions and did not pass because the NRA was concerned about it. I appreciate your modifying who is involved with this. I am wondering where the crisis is. Since it did not pass in the last three sessions, I have not seen nor heard any data that says that we as Nevadans are at risk. As a matter of fact, it is quite the contrary. Looking at the incidents that have happened in the last 30 years, there have been no incidents in the last three years. Prior to that, out of 30 years, there were 29 incidents of children being bitten, a cougar jumped on a school bus but no one was hurt, et cetera. Granted, there was an incident where a wild tiger did kill its owner, who was a handler. I am concerned. What has happened that you continue to bring this back when it has not passed previously, and yet we have survived?

Assemblywoman Swank:

I would like to ensure that we do not have that happen here in Nevada. We know it has happened in other states; we know that this has been a problem in other states. The animals are the same in Nevada as they are in any other state, and I would like to make sure that no Nevadan is killed by any of these dangerous animals. I think there is no downside to getting ahead of this to ensure we are protecting kids, families, and other folks, and we do not have to wait for some horrible incident to happen in order to protect Nevadans.

Warren Hardy:

The other thing we need to concern ourselves with is the fact that we are one of only four states. That, by definition, makes us a sanctuary for individuals who own these animals. That is the process and will continue to drive up the number of dangerous wild animals we have in our state. I think that should be of concern to everyone. People point out that this is not the kind of issue I normally get involved with—well, in the state of Nevada, I do not know if my neighbor has a tiger in his basement while my grandkids are playing in my backyard. The number of these animals will increase; that is how it works. We saw it with cockfighting and we are seeing it with folks fleeing into Nevada with dangerous animals because other states have laws.

Assemblywoman Titus:

Do you have any idea how real the problem is, as far as how many animals we have in Nevada? Or is this a hypothetical issue, that because we are only one of four states, we have a suddenly large contingency?

Lisa Wathne:

We do not have hard numbers on private owners of dangerous wild animals in this state. That is part of the problem; because there is no oversight in most areas, there is no way to know that. There is no central collecting point for any data. Clark County keeps some records, but you would have to do constant public records requests to get that information. I would like to point out that one of the incidents on your list that occurred in Pahrump in 2016 was a woman who fled Texas because of legal problems with her dangerous wild animals. She came to Nevada with her three tigers and eight monkeys because she knew that Nevada was a safe haven. We did not know she was here, and we still would not know to this day, except for the fact that her three juvenile tigers, weighing 85 pounds to 105 pounds each, were running free in her backyard with a four-foot fence between them and the next-door neighbor's young children. Those animals did end up being confiscated for that reason. It is only when incidents like that happen that most of these situations come to light; otherwise, it is pretty much under the radar.

Assemblywoman Titus:

There are certainly some public safety concerns, but it seems as though these incidents are, for the most part, located in either Washoe County or Clark County. I am wondering if this is not something better left up to the individual counties that have animal ordinances as opposed to a state regulation.

Warren Hardy:

Clark County has a very effective ordinance with regard to this. Washoe County has been working on it. The problem is, if it is not a statewide solution, we still run into the issue of people fleeing to this state because we are underregulated—in fact, not regulated at all. That is the concern.

Assemblyman Fumo:

I remember Buddy, the chimpanzee, when he escaped in 2012 in Las Vegas. The officer had to take action and shoot him because he was in a residential area and could get near children. I think this law would bring uniformity throughout the state and keep people from coming here from other states. It does happen more often than we think, and I am fully supportive of the bill.

Assemblyman Ellison:

You mentioned that Clark County has some good regulations. I have received so many emails about another bill [[Assembly Bill 473](#)] that is going to be heard today about catching wild animals, it seems there is more of a threat of cougars, mountain lions, and coyotes coming into neighborhoods versus what is in someone's backyard. It seems that as the towns are growing, we are invading their areas, so bears and wolves are posing a greater threat.

Also, are the hybrids of wolves included in this?

Assemblywoman Swank:

My response regarding more of a concern about a bigger threat with the wild animals of Nevada is, I believe many of those animals have a healthy fear of humans and tend not to come near humans. Also, as humans, we presume that if we are out in the wild, we are going to be a little more careful about the animals that we might come upon. Whereas if we are in our backyard or at a neighbor's house visiting, we would not necessarily have that same expectation.

Lisa Wathne:

The bill does include gray wolves and red wolves. It does not include wolf hybrids. We have found law enforcement agencies are reluctant to include wolf hybrids in these bills because testing an animal to determine if it is part wolf is very costly and time-consuming. Most animal control agencies, which would normally deal with wolf hybrids, do not have the resources to do that testing.

Assemblywoman Hansen:

When you speak of Elapidae, those are asps, and there are over 300 types. I read that many of the asps are not a danger. There are also the Hydrophiidae, which tend to be the water snakes, including some very deadly snakes. The next section is the Viperidae, which includes the rattlesnake, but this exempts them. If you have a rattlesnake in your house, that would be exempt. There seems to be an inconsistency here. A rattlesnake is one of my biggest fears. The other snakes being captured in this list are not as dangerous, but belong to a certain classification.

Lisa Wathne:

It is my understanding that rattlesnakes were not included in here because they are already regulated by the state and did not need to be included. It is also my understanding that all of the family names mentioned in the bill are venomous. It seemed obvious to us that venomous snakes were dangerous in general. These are species that are kept as pets, some more frequently than others. If there were species that the Department of Wildlife (NDOW) felt were not necessary to include, we would be very open to that.

Assemblywoman Hansen:

Put my mind at ease; horned toads are not on the list?

Assemblywoman Swank:

That is correct.

Allan Amburn, Committee Counsel:

The general approach that we have taken is we are exempting species native to Nevada from these classifications. For example, American black bears that have been bred in captivity are considered a dangerous wild animal. If that bear was not bred in captivity, then they are not included in this list. That is the same with mountain lions. When looking at the Viperidae, the fact we are excluding snakes that are indigenous to this state is working along that same logic.

Assemblyman Wheeler:

How did we come up with this list? I have known some people in the past who had a couple of full-grown, full-blooded wolves. They herded sheep with them. These were the nicest, sweetest wolves ever. Now someone's pet is going to be a dangerous animal. That worries me.

Lisa Wathne:

We keep records of incidents that happen across the country. Most of those records are news reports. Most incidents that happen with captive dangerous wild animals we only know about if they are reported in the media. It is generally agreed that most incidents never get reported and are never known about. We have kept records for years, and we have found that, with the exception of the many venomous snakes, the mammals that are listed here are the animals that are most frequently involved in dangerous incidents with people. The only exception to that would be hyenas. We included them because we are finding that, unfortunately, they are becoming more popular in the pet trades. We tend to see fads in many dangerous wild animals, and hyenas seem to be becoming more and more popular and we would like to see that stopped before we have a similar problem that we have with tigers, lions, and bears.

Vice Chair Bilbray-Axelrod:

Seeing no other questions, I will open up testimony in support.

Chuck Callaway, Police Director, Office of Intergovernmental Services, Las Vegas Metropolitan Police Department:

I am here in support of this bill. I think this is good policy. As was mentioned, we had the incident a few years back with the chimpanzee. I personally have had several incidents working as a patrol officer, one in the northwest area command where a person had a panther as a pet that escaped and was roaming the neighborhood. When we were finally able to have animal control capture the panther, the owner said, I must have forgotten to lock his cage when I was feeding it. It does happen, especially in an urban area where you have a lot of families, and this can be a danger.

John T. Jones, Jr., representing Nevada District Attorneys Association:

I want to lodge our support for Assembly Bill 479.

Linda Faso, Private Citizen, Las Vegas, Nevada:

I have worked on the exotic animal problem in Nevada for the last 30 years. It has not gotten better; it has gotten worse. Because we have no laws, people from other states have relocated here. I want to mention one example, whose name is Abby Hedengran who lived in California. One of his tigers was loose for three weeks and was finally found, shot, and killed. Since he had other issues with the law, this man has moved to Pahrump. When he did move there, Nye County was soon aware of his problems and they confiscated some of his animals in November 2016. Three of his cats were in poor condition, were rescued in November 2018, and are now in a reputable sanctuary in Arizona. Unfortunately, he still has

animals on his property. He is a perfect example of why we need a law—because people are moving here.

It is imperative that public contact be banned, including photo shoots. This past summer, a man named Jeff Lowe from Oklahoma brought baby tigers to Nevada to make money from photo shoots. He had a bus that picked up people and took them to a house to do photo shoots with the cubs. He likely chose Nevada because of the lax laws pertaining to this activity.

The unsuspecting public does not understand the danger and cruelty of breeding these animals for this purpose. The tigers are only cubs for a short time and are dumped after about five months when no longer manageable. It was mentioned that in 2001, a young man named Eric Bloom was getting a tiger ready for a photo shoot and was killed by the 350-pound pet tiger. This needs to stop. There are responsible owners of exotic animals, but many more who are not. These irresponsible owners create such a burden on the sanctuaries, taxpayers, communities, and emergency responders. I ask you to please support A.B. 479. It is long overdue and it is the right thing to do.

Tina Brandon Abbatangelo, Private Citizen, Las Vegas, Nevada:

I am here today in support of A.B. 479. I am a human dentist and a professor at the University of Nevada, Las Vegas School of Dental Medicine. I have been a volunteer with the Peter Emily International Veterinary Dental Foundation, a nonprofit that has provided dental care to captive and exotic animals for over ten years.

I come with a different perspective. We pay our own way to travel to these sanctuaries throughout the United States. The Peter Emily Foundation has worked on over 450 animals. We have gone on over 87 missions, been to 21 different sanctuaries, performed over 650 root canals, 375 extractions, and over 275 other dental procedures. We treat dental disease in order for the animals to eat and survive.

I speak as a person who has been in the trenches, along with many other committed veterinarians and dentists who are highly trained, to provide this type of care to these animals. I have seen firsthand what happens when these majestic animals are no longer needed and discarded. These are animals that were once private pets, casino show attractions, roadside exhibit attractions, or in zoos that went bankrupt, as well as in circuses. Unfortunately, I have seen constant trends in these animals' mouths. I have seen numerous cases of canines drilled down to the nerves of these very intimidating teeth—teeth that are vital to their survival, yet teeth that have been intentionally reconstructed to inhibit their full potential so that the owners and the caregivers can feel safer. I have seen fractured canines from cage biting, blunt trauma to the head causing broken teeth, and sometimes loss of eyes. I worked on a seven-year-old white tiger that was once a Las Vegas show attraction. The tiger was both declawed and four canines were drilled down. Both of these procedures are illegal. We had to do four root canals on this tiger. I ask you for support of this bill so that one day the sanctuaries are not bombarded and beyond maximum capacity and so that one

day my services with the Peter Emily Foundation will no longer be needed. [Photographs were also provided ([Exhibit F](#)).]

Vice Chair Bilbray-Axelrod:

Is there anyone in Elko who wishes to speak in support? [There was no one.] I will now move to those in opposition, starting in Carson City.

William E. Chamberlain, Private Citizen, Sparks, Nevada:

I am the curator and director of operations, United States Wolf Refuge. I have been dealing with wolves for 35 years; please note, I still have ten fingers and ten toes. I have probably dealt with 600 or 700 wolves. I am in strong opposition to A.B. 479. I vehemently urge you not to proceed with this misguided legislation. It is far overreaching and unnecessary. It is misguided for several reasons. First, it is being drafted by outside organizations coming into Nevada with their devious self-serving agenda. This information they provided is either embellished or flat-out wrong. Over 90 percent of the citizens of this state want you to represent them, not the outsiders who come here urging you to enact laws that serve their agenda. This proposal differs drastically from the desires of the vast voting public that put you in office.

Second, other states where they have come in and tried to interject their agenda have found that the information that they were given was either misleading or fabricated. Those states immediately dropped any further consideration of their proposed legislation. I suggest that Nevada do the same.

Third, the only thing that I can think of that would substantiate your creating this fiasco is public safety. As any and all of the statistics will bear out, the number of incidents where a citizen was harmed by a captive wild animal is extremely miniscule. Do not waste your time or the public's time or resources to fix a problem that does not exist.

The fourth reason this legislation is misguided is because Nevada's Legislature has a very limited understanding of the issues involved. None of the Board of Wildlife Commissioners, NDOW, have any upper-level education or real-world work experience in either wildlife conservation, wildlife management, or even biology. I am most certain that they have a far greater understanding of the issues related to this draft than any legislator. Therefore, they are the ones who should retain all authority concerning this subject and not any legislative body. It should be under their policies and regulations, not state laws. I strongly oppose A.B. 479.

Assemblywoman Carlton:

It is hard for me to sit still when the Legislature is being attacked by someone from the testimony table. It is also hard to sit still when folks come forward with good intentions on a bill and their reputations are impugned and they are accused of fabricating. Since the gentleman testifying used the term "fabricating," I would like some proof of the fabrication. We do not accept fabricated testimony in this building. I also do not appreciate someone saying it is not the Legislature's purview.

Tim Stoffel, Private Citizen, Reno, Nevada:

I am very strongly opposed to this bill. I am with the Sierra Safari Zoo, and I also represent Feline Conservation Federation and Responsible Exotic Animal Ownership (REXANO). This bill is here to support an agenda of eliminating animal ownership. They are starting with the exotics because they are easy targets and because they are high profile. There are a lot of things that I was listening to that made me wonder. For instance, public safety, the danger of the tiger next door to children. Did you know that since 1992, there has been one case in the entire United States of an exotic cat hurting a child in a neighborhood? There has not been a single person killed that we know of by a big cat outside the perimeter of their facility in the entire United States as far back as we have records. This is all done thanks to the animal rights people who have done such a good job putting together information for us to refute these points. In the meantime, we have 15 to 20 people killed every year crossing the street in Reno. Maybe that is what we should work on instead of animals.

As far as the Class C exhibitors go, we can still keep our animals. The Class C exhibitors include zoos and facilities like that. We can keep our animals, but they put such a high standard performance on us that, if the USDA accused us of having the lid off of a garbage can, they can take our animals away. Is this really fair to us? This is punishment and it is something that is designed to try to shut down the facilities as quickly as possible.

We have never had a problem. In fact, we have only one recorded case of someone bringing in animals into the state. The Texas tiger lady who was violating existing laws bringing those animals in, and those laws stopped her. Jeff Lowe, the guy who was mentioned earlier, he is wanted; he is a felon in this state. He has escaped to Oklahoma. It is time we stopped having to put up with this and not have to fight this every year. We try to be responsible and we are being mistreated by this. Please oppose A.B. 479.

Vice Chair Bilbray-Axelrod:

I would like to point out that a person would have to have been convicted or fined by a federal, state, or local government, not just accused.

Tim Stoffel:

Read your bill.

Vice Chair Bilbray-Axelrod:

I just did.

Kelvin Buchanan, President, Board of Trustees, Animal Ark, Reno, Nevada:

Animal Ark is a wildlife sanctuary sited on 100 acres, located off of Red Rock Road about 12 miles north of Reno. Animal Ark has been a going concern since 1983. We currently house over 30 animals: bears, bobcats, mountain lions, wolves, cheetahs, birds, and turtles. Our larger animal enclosures are between one-third and one-half acre. Animal Ark is subject to strict regulations by Washoe County. We currently host 25,000 visitors per year. We work closely with the Washoe County School District and with the Tahoe Truckee Unified School District in their education programs. We have 9 full-time staff and over

50 volunteers. We run cheetahs off-leash on a 300-yard track, four to five times a year. With the revenue of \$20,000 to \$25,000 that we generate, we support cheetah recovery programs in South Africa. We believe that we are well-regulated by Washoe County, and we do not see the need for additional state regulations.

While I appreciate the good intentions of Mr. Hardy and The Humane Society of the United States, there are some issues in this bill. For example, it refers to USDA citations. As you all know, there are USDA officers and then there are USDA officers. We are closed on Mondays. Let us suppose that a USDA officer comes to our electrified gate and he cannot get in on a Monday because we are not open; he could issue us a citation. In all likelihood he would not because he would realize we were closed on Mondays; but you just never know, these things can happen. Animal Ark sanctuary does oppose A.B. 479.

John Potash, Private Citizen, Reno, Nevada:

I am here today to express my opposition to A.B. 479 as written. A brief history about me, I am the owner of Get Rattled, a rattlesnake avoidance training for dogs. I am also the president of Close Encounters Wildlife Adventures. I also sit on the boards for the International Herpetological Symposium, Sierra Safari Zoo, and University of Nevada, Reno Institutional Animal Care and Use Committee. I also founded and ran the Wildlife Rescue Foundation in Nevada. As you can tell, I am heavily vested in animals. While this bill has many areas of extreme concern, some of which you have already heard, I want to focus solely on my personal issue.

My business, Get Rattled, has grown to be in six states in our seven years of operation. We train and save thousands of dogs every year from dangerous wildlife encounters. I have been permitted by NDOW for 25 years for my various ventures. We have been working on a proposal for the past two years which would allow us to expand our operations, but would involve the possession of some currently prohibited species.

We have also been working on plans to open a public reptile museum, allowing for additional educational opportunities to the public. Over the previous year, I have spent hundreds, probably thousands of hours working with a professor from Loma Linda University to expand my skills in handling other types of venomous reptiles. If this bill were to pass as written, it would put an end to all of this hard work, as there would be no exemptions to allow this. The USDA exemption mentioned does not regulate reptiles or birds; therefore, I would not be eligible for any exemptions. Please consider some of the language from REXANO that would eliminate a majority of the concerns by zoos, private keepers, and myself while still addressing the spirit of the bill. Better yet, just oppose it, as it is not necessary. Educating people about wildlife is critical to people developing a sense of stewardship to wildlife and the environment.

Mauricio Duran, Manager, Sierra Safari Zoo, Reno, Nevada:

I am also a wildlife handler for Get Rattled. I am here today to vehemently oppose A.B. 479 for several reasons. This is an unnecessary bill. It is attempting to find a solution for a problem that does not exist. Incidents with wild exotic animals are few and far between.

The incidents that do occur are by criminals who are already breaking the law. The state does have laws in place for exotic animals; for example, reptiles are already regulated under the *Nevada Administrative Code* (NAC). If this bill were to pass, they would fall under the *Nevada Revised Statutes* (NRS), which, with all due respect, would be dealing with people who do not completely understand animals, especially reptiles. People need to have a specialty experience, which Class C exhibitors have when dealing with them. According to the bill, many of the regulations on there would mandate and limit direct contact with these animals. We have an alligator we have to bring in every winter so that she can be housed properly and will not be exposed to the cold temperatures. That would be considered direct contact and we could ultimately lose our license for that, which is for the safety of the animal, so it really does not make any sense.

This bill keeps popping up, but we do not need it. It is brought up by organizations with ulterior motives. These organizations have shown to oppose a lot of the core beliefs that I believe many of us Nevadans have, such as hunting, fishing, and other recreational activities that deal with nature. Organizations that do support dangerous wild animals help foster stewardship and compassion throughout. The Sierra Safari Zoo was founded by Jimmie Martin and Dale McDaniel. Their belief was to bring forward stewardship and compassion by bringing people and animals together.

Vice Chair Bilbray-Axelrod:

I would like to let you know that Class C licensees are exempt from the prohibition of direct contact.

Joseph Turner, Private Citizen, Reno, Nevada:

I am here today to voice my concerns over this bill, which is similar to the bills introduced here over the previous ten years. One of my primary concerns is that this legislation takes the control out of the hands of the Wildlife Commission, which is guided by the biologists, veterinarians, and professionals at the NDOW. Due to the ever-changing information and conditions, the Wildlife Commission needs to retain flexibility to handle these situations as they may arise. With all due respect, these decisions need to remain with these professionals in the field and not with lawmakers who are lobbied, misinformed, and propagandized by special interest groups. We have heard a lot of anecdotal evidence without any actual statistics today by the proponents of this bill. A great deal of species listed are already regulated by NDOW under NAC. The rest of the species listed are regulated by local jurisdictions as was written and intended by NRS. The purpose for this is, it may make sense for a person with 100 acres in Nye County, but may not make sense for a person living in a condominium on the Strip, either in Las Vegas or Reno. These should be regulated at the local level. One-size-fits-all cookie-cutter solutions do not solve anything; they create more unintended consequences and other forms of various prohibition are designed to specifically put business out of business for competition. Due to the anecdotal and severe rarity of incidents, it is extremely unnecessary, it is a waste of taxpayers' dollars, and it is a waste of legislators' time.

Kera Turner, Private Citizen, Reno, Nevada:

I am here to oppose A.B. 479. While this bill is intended to give the appearance of a pass to compliance, the conditions put in place to be eligible for exemption are extremely unreasonable and eradicate due process. For example, a local animal control officer with absolutely no experience with exotic animals can revoke or suspend a permit. Regardless of the reason or the outcome of appeals or litigation, the permittee would no longer be exempted from provisions of this code. The USDA does not announce visits or inspections. If you happen to not be home when they decide to pop in unannounced, you will lose your exemption. If you had a lid off of a garbage can, have dust on the floor in the kitchen, a bag of wood shavings on the floor and not on a pallet, or have wild bird droppings on an animal enclosure, all of which have happened, you can receive a citation, or letter of warning, or a violation from the USDA inspector. The citation is really nothing more than a fix-it ticket, but regardless of the reasoning or outcome, you are no longer exempt under provisions in this code.

The fact is, zoos have many moving parts. Many people are responsible for different parts. It is completely unrealistic to expect every zoo or institution caring for a large number and variety of animals to be 100 percent all the time. It is also not reasonable to shut down an entire zoo over one mistake that might be made by one employee or even a volunteer. This code does not give flexibility for an institute to rectify an issue internally; it simply is one mistake and you are closed down. Even The Humane Society-run sanctuary in Texas would have been shut down under these rules due to USDA violations. Also, it is very ripe for malicious abuse. A person could sneak into a zoo or a private property and cut the lock off of a cage and leave the door open for the animal to escape, which is something that has happened here in Nevada that certain people here today are aware of. The escaped animal, through no fault of the owner, is in violation and they would permanently lose this animal due to malicious tampering. I am in opposition.

Allan Amburn:

Section 8, subsection 6, refers to a Class C licensee; paragraph (d) and paragraph (e), refer to a citation that has been issued by the USDA within the past three years. Essentially, you are not an exempt person, even with a Class C license, if you have been cited in the last three years for providing inadequate veterinary care to the dangerous wild animal, inappropriately handling the dangerous wild animal—including a situation that causes stress or trauma to the animal or a threat to public safety—or providing inadequate food. Additionally, if you have been cited for refusing access to your property to the USDA or interfering with the inspection, that would be reason to not be exempt. Not having a lid on a garbage can probably would not fall under this.

Vice Chair Bilbray-Axelrod:

Not being home when the inspector came would not apply either, correct?

Allan Amburn:

That is correct.

Vice Chair Bilbray-Axelrod:

Thank you for that clarification. I will now hear those in opposition in Las Vegas.

Joshua Cowart, Private Citizen, Las Vegas, Nevada:

I am a 30-year resident of Clark County. I would like to point out that we were here just two years ago. Since then, nothing has changed in Nevada. No animals have caused damage or injury to anyone. I am at odds why we are here again with the same bill. I would encourage you to vote no on this bill. There is no reason that we in Nevada should be subject to a cookie-cutter bill put out by a national group like The Humane Society of the United States (HSUS). Just to point out how we can tell this is a cookie-cutter bill, if you look at the animals listed in the bill, there is a giant panda and a polar bear. I am pretty sure neither of those animals is owned here in Nevada, or has been, or probably ever will be owned in Nevada. This bill is really not about Nevada, it is about the HSUS agenda that they are pushing to try to force in Nevada. The HSUS has also brought up a story about someone having a tiger in their basement. As we all know, criminals do not follow laws. Keeping a tiger in your basement is currently against law in Nevada. By passing a bill like this, how are we changing anything? I would encourage you to vote no on this.

Vice Chair Bilbray-Axelrod:

As a clarification, we are including all species of bears, except black bears that were not bred in captivity.

Scott Shoemaker, Director, Responsible Exotic Animal Ownership (REXANO):

The Pahrump seizure and the animals in 2016 that were seized actually came to us. We have the seized animals and they have been signed over to us permanently. The bill mentions temporary, which is probably an oversight. Also, to put things into perspective, in the last 15 years, there have been zero deaths related to exotic animals, but in that time there have been 14 animal-related deaths, 5 by horses and 9 by dogs. I have provided an inventory of exotic animals in Nevada, and it is contrary to what has been said ([Exhibit G](#)). The number of animals and owners has been going down over the last decade. We oppose A.B. 479. This is a ban and confiscation bill and sets conditions for animals being confiscated. It removes property rights for some while exempting others, circumvents and conflicts with NDOW regulations, and does not address public safety whatsoever because there are no caging requirements. No criteria has been stated on what is used to designate a species as dangerous. I do not think a seven-pound lemur can require a \$250,000 liability insurance. This bill also contradicts USDA guidance on public contact. Densely populated counties already regulate; 13 counties out of the 17 counties in Nevada already have regulations. It is an unfunded mandate on the county because seizing animals gets expensive. If this does pass, 20 to 30 animals will be immediately confiscated because the bill is retroactive.

Zuzana Kukol, President, Responsible Exotic Animal Ownership (REXANO):

I have been a Nevada resident since 2000, I pay my taxes, and I am not paid to be here. I am here on my own free will. First of all, Nevada is different, that is why I moved here. Just because Arizona has vetting of some animals does not mean Nevada should. Maybe Arizona

should have gambling so you could visit there. That is not a good idea; I am just being sarcastic. Let Nevada be different. Let us keep gambling, prostitution, and animals legal.

That being said, I am the other half of my partner, Scott Shoemaker. I am federally licensed by the USDA, licensed on the state level by NDOW, and licensed by Nye County. All of these confiscations that were mentioned here, it was me who was called by first responders to pick up the tigers, and they are still under our possession. Some were sick, some were not, but the fact that they were confiscated and they are with us means that we do have laws and they are being enforced. The people who are coming here are breaking already existing laws. How are more laws going to stop these idiots from coming here? It is not. Idiots are idiots, that is why we call them idiots, and they are illegal. More laws are not going to do it.

I also have a problem with people who are not animal experts bringing these bills up or enforcing them. If we need more bills, let NDOW deal with it because they are the people who deal with animals on the ground.

I have a question about why cougars and bears are exempt. Let us imagine I am a city slicker living in Summerlin and there is a cougar in my yard. How do I know it is a wild cougar—the "safe" cougar—or a captive cougar and a dangerous animal? How can animal control tell the difference between wild or captive? I cannot tell the difference from far away. There is no way. This bill cannot be enforced.

If animals are confiscated and given to people like me, it is up to me to get the money out of the owners who may or may not be guilty. I do not want to deal with angry owners. As for the USDA, there is a federal privacy act which mandates that the USDA inspections are redacted documents. This is not enforceable because people might have different mailing addresses, all they will get are fix-it citations, there is not going to be name, address, or license number, you will not know who got the citations. You cannot force us to give up our privacy. [Written testimony was also provided ([Exhibit H](#)).]

Johnathan Wallace, Private Citizen, Henderson, Nevada:

I am a 20-year resident of Nevada. I strongly oppose A.B. 479. I find the bill to be unnecessary and bordering on oppressive. It takes the power to regulate out of qualified hands and places it in the laps of legislators who unfortunately do not have the experience needed to make qualified decisions regarding animals and their care. This means that they will inevitably turn to others for advisement who may or may not have less than honorable intentions at heart. This bill sets unreasonable and in many cases unattainable expectations for not only private keepers but zoos or potential zoos as well.

If passed, A.B. 479 would create a hardship for most, if not all, zoos, rescues, and educational programs. In the state of Nevada, it is unnecessary as it focuses on many problems that simply do not exist or have been blown out of proportion. It is oppressive in that it seems to want to punish the majority for the actions of the few. Legislation should not be passed with a knee-jerk reaction to a few isolated incidents but rather as a measured response to a consistent and real problem. I fear that if this bill proceeds as it is currently

written, the Las Vegas Valley will never see the world-class zoo it deserves that the Las Vegas Zoological Society is working so hard to bring to us right now. Zoos bring experiences to folks that might otherwise be impossible. They spark passion in people of all ages to want to save the animals they exhibit. The few bad actors that we have seen over the years in Nevada should not be able to take away the rights of the many responsible keepers, private or otherwise.

Vice Chair Bilbray-Axelrod:

Once again, for clarification, this bill does not prevent zoos.

Ken Foose, Private Citizen, Las Vegas, Nevada:

I own Exotic Pets and I also have a master's degree in zoology. For the record, pandas are not bears. That is why we are opposed to legislators, as opposed to biologists, making up these laws. The state mandated that counties regulate animals in the last session, Washoe County, Clark County, and the City of Las Vegas implemented sweeping regulations on species being proposed already. Duplicating this makes no sense. Let the counties and the cities decide what is legal and what is not legal in their boundaries.

Non-native venomous snakes and crocodilians have been illegal to own in Nevada for almost 50 years. Making them illegal again is nothing more than a publicity stunt. No exotic, not a single one, has ever escaped its property line and so much as attacked anyone ever in the history of the United States. This is a myth perpetuated by the animal rights groups. I would challenge actual documented evidence to the contrary. There has been one exotic-involved death recorded in Nevada. It was a trainer who knew the risk and accepted that as part of the job. Some jobs have risks: rodeo performers, taxi drivers, construction workers, none of which are being banned in Nevada. This was a onetime issue and has not been repeated.

This entire issue is fueled by the radical animal rights agenda and is meant to instill fear and misinformation. If we enable the animal rights people now, they will gain traction for their published goals to have an animal-free country by 2025. Tigers are just the beginning. Dogs are targeted and will be on the banned list sooner or later. There are very responsible people dealing with large cats, primates, and other large fauna. These people have a spotless record and do much to promote wildlife and education. These are animal welfare people who actually care about the animals they are working with. Animal rights groups do not care about the welfare of animals. They do not support local shelters or animal welfare groups; their goal is to remove animal-human interactions of all kinds. Please do not support their bizarre agenda.

Assemblywoman Carlton:

I want to make it very clear: we have heard numerous times that this authority belongs with the NDOW. For the public's information, the Legislature sets the rules for NDOW. They do not set their own rules—they have no authority unless we give it to them. If we do not know what we are doing, according to some of the people who have spoken, then whatever we have sent down to the NDOW probably will not work either. The issue starts here and ends

here. The NDOW is part of the Executive Branch and they implement what we pass. I want that on the record that this authority lies with the Legislature only.

Vice Chair Bilbray-Axelrod:

I will also add that giant pandas have the molecular structure that indicates that they are, in fact, bears.

Tyler Turnipseed, Chief Game Warden, Department of Wildlife:

I am here to testify as neutral. Philosophically we are on board with the concept of limiting dangerous wild animals to certified facilities rather than backyard owners. Beyond that, it is a spaghetti bowl of jurisdictions with USDA, NDOW, counties, and cities; it gets a little complicated on which species fall under which jurisdictions. My only caution would be that I learned a little bit of a lesson in prior sessions with some bills that philosophically we were on board with, which then generated a lot of workload that we were not prepared for and were not staffed for.

The other concern I have is liabilities. The bill deals with escape plans. We sometimes get called by animal control agencies to assist with big cats and other things that do not fall under our jurisdictions. Of course, we are always going to err on the side of public safety. If there is an animal that we perceive as being dangerous in a neighborhood, we will err on the side of euthanizing that animal if it is causing a public safety risk. It is the same with some of the snakes. As has been mentioned, some of the snakes are covered in NAC 503.110 about prohibited species, simply because they are so venomous. Whenever we come in contact with one of those snakes at a house, we euthanize it. We do not let those snakes go any further. Beyond that, we are neutral on this bill.

Vice Chair Bilbray-Axelrod:

Is there anyone else here in neutral? Seeing no one, I will invite the bill sponsor back for some closing remarks.

Warren Hardy:

I am a 48-year resident of Nevada. I appreciate the Committee for hearing this legislation. I think what we have before you is a very reasonable, measured piece of legislation to deal with this. The list of species has been narrowed down to what we believe are the most dangerous of the dangerous. We tried to listen to everyone who has concerns. I appreciate Chief Turnipseed for coming forward. He spoke with me before the hearing, and we are going to work on addressing those few tweaks he mentioned. I would like to have Ms. Wathne address a couple of things that were said.

Lisa Wathne:

Most important, I would like to say that if any of you feel you have been given fabricated information or have any questions at all about that, please contact myself or Mr. Hardy directly. We can provide documentation for any of the information that we have given you and are happy to do so. I appreciate the legal counsel clarifying the issue of the USDA citations. That is very important. No one is going to be eliminated or have their zoo taken

away from them because they do not have a garbage can lid or because of bird droppings. There are a number of other things that I would like to respond to, but I will do it in writing so as not to take any more time. We very much appreciate your having us here and listening.

Vice Chair Bilbray-Axelrod:

Thank you. [Also provided but not mentioned are ([Exhibit I](#)), ([Exhibit J](#)), ([Exhibit K](#)), and ([Exhibit L](#)).] With that, I will close the hearing on Assembly Bill 479. I will now open the hearing on Assembly Bill 474.

Assembly Bill 474: Revises provisions relating to wildlife. (BDR 45-902)

Assemblywoman Heidi Swank, Assembly District No. 16:

I am here with Mr. Kyle Davis to present Assembly Bill 474. We will have a minor amendment to the portion that Mr. Davis is presenting ([Exhibit M](#)). I am going to talk about the first portion of the bill that deals with the Wildlife Heritage Account in the State General Fund. This is a program that is administered by the Department of Wildlife (NDOW) that issues tags for big game and wild turkey to organizations that are selected through a process. Organizations are allowed to receive these tags and hold auctions or sealed bid events to provide a unique hunting opportunity for individuals who participate in these auctions. The proceeds from these auctions go back to the Wildlife Heritage Account to manage wildlife and conduct predator control.

Over the last few biennia, the money in this account has grown significantly. There is currently almost \$8.2 million in this account. Current statute only allows for 75 percent of the money deposited from the previous year to be expended. This bill would keep that requirement, should the account dip below \$5 million. It would also allow NDOW to expend funds in excess of \$5 million. The Board of Wildlife Commissioners, NDOW, would, as usual, have oversight over these expenditures. The kinds of things we anticipate these monies being used for are along the same lines as wildlife management and predator control. This could include habitat restoration with the many fires we have had recently. This is a bit of money that could be used to do some good in our state instead of sitting in an account. With that, I will hand the presentation off to Mr. Davis who will talk about the proposed tag donation program.

Kyle Davis, representing Coalition for Nevada's Wildlife, Inc.:

Coalition for Nevada's Wildlife, Inc., is a coalition of sportsmen and sportswomen who are working on wildlife conservation in our state and include a number of different organizations that do a lot of on-the-ground work for wildlife resources. The genesis for section 2 of this bill comes to us from a number of organizations that we work with and are aware of that work to provide hunting opportunities. They do this primarily by working with willing landowners who provide landowner compensation tags that allow for this opportunity. Sometimes those landowner compensation tags are not available. It came to our attention that there are a number of other states where they have a program in place where someone who draws a big game hunting tag and is not able to use it has the opportunity to donate the tag to a qualified nonprofit that can use it to provide such a hunting opportunity.

If you take a look at section 2 of the bill, essentially it authorizes the Board of Wildlife Commissioners to adopt regulations to allow for this type of transfer to a qualified organization for use by a person who either has a disability or life-threatening condition, or is 16 years of age or younger, and is otherwise eligible to hunt in this state.

Further in the section, it defines what we are talking about with disability and qualified organization. "Disability" is a permanent physical impairment that substantially limits one or more major life activities and requires the assistance of another person or a mechanical device for physical mobility. "Qualified organization" that these tags are being donated to would be a 501(c)(3) charity and provides opportunities either for disabled individuals or for youth. The bill provides that there should be a preference for youth with a disability or life-threatening medical condition or a household income of not more than 150 percent of the federally designated poverty level.

The one technical amendment that Chair Swank mentioned that we want to discuss is more of a cleanup amendment that we discovered just to ensure that we are getting at the intent of the bill ([Exhibit M](#)). Essentially, it amends the last portion of section 2 where it talks about providing opportunities to engage in various experiences, and it clarifies that when we are talking about youth, it is either youth with a disability or life-threatening condition or a low-income youth. We are also talking about any person regardless of age with a disability or life-threatening medical condition.

Just to give the Committee a couple of examples of organizations that do this type of work here in Nevada: Nevada Outfitters and Guides Association operates a program every year called the Wounded Hero Project. This is for individuals in our state who have served our country and have been hurt in the line of service. This project tries to provide an outdoor experience for one person each year. Another organization that we work very closely with is called Nevada Outdoorsmen in Wheelchairs. This program works primarily with landowners such as Newmont Mining in order to provide opportunities for those who are not able to have a traditional hunting experience. We think this program is a great addition to our laws so that those who do draw tags are able to donate the tags to such qualified organizations.

Assemblywoman Titus:

If the hunter donates his tag in this program, does he get to keep his preference points for reapplication?

Kyle Davis:

Because this bill authorizes the Commission to develop the regulations of this program, the Commission would have the ability to think about and determine what they want to do through that regulatory process. I know that NDOW is aware of this issue, and I think that is their intent, but I will leave it to them to answer that question.

Assemblyman Ellison:

According to the bill, the Wildlife Heritage Account money comes from sales of goods from sporting goods outfits. Does part of that money also come from the hunters?

Kyle Davis:

The Wildlife Heritage Account is a specific account at NDOW. We are not talking about their overall funds for many of their activities. This is a specific account that was set up and primarily funded through specialty tag programs, whether it be the auction tags that are sold by conservation organizations, or programs like the Silver State Tag. That is where the funding comes from and it is all voluntary into the fund either by the people who buy the tags at events or the opportunities to potentially win them in a raffle. Where that money can be spent is outlined in state law. We are not trying to change the way that money should be spent; it is just allowing for more of that money from that account to be spent on those activities. One example I can give you of what brought this to the front of our mind is the amount of wildlife habitat we lost to wildfire. You and I, Assemblyman Ellison, have talked a lot about the amount we have lost in your district—thinking about things we can do to restore those areas and that habitat is what brought this to the forefront.

Assemblyman Ellison:

Basically, some of this money could be used for reseedling, correct? Also, page 2, lines 27-30, says "the Department may, at any time, expend from the Account any portion of the amount of money in the Account which exceeds \$5,000,000." Who determines where the money is to be spent and who has control over that money?

Assemblywoman Swank:

Line 30 continues, "The Commission shall review and approve expenditures from the Account." It goes through the Commission.

Vice Chair Bilbray-Axelrod:

Are there any more questions? [There were none.] I will open it up for those in support.

Chase Whittemore, representing Nevada Bighorns Unlimited:

We really appreciate the sponsor of this bill for bringing it forward and your consideration of it. We think it is a great effort and program that the Commission could adopt regulations and help people in need experience what are sometimes the best events in peoples' lives—experiencing the outdoors.

Willie Molini, Director, Coalition for Nevada's Wildlife, Inc.:

As Mr. Davis mentioned, the Coalition is a number of organizations. But let me suggest to you who some of those organizations are that are members of the Coalition: Nevada Bighorns Unlimited, Safari Club International, Backcountry Hunters and Anglers, Nevada Waterfowl Association, Carson Valley Chukar Club, Nevada Trappers Association, Nevada Outfitters and Guides Association, Truckee River Flyfishers, Rocky Mountain Elk Foundation, Trout Unlimited, and Nevada Sporting Dog Alliance.

We requested this bill and many of you know Larry Johnson, the founder of our organization. Mr. Johnson has been quite involved with Nevada Outdoorsmen in Wheelchairs, and he was very dedicated in trying to get the provisions that would allow people who were unable to use their tags, or did not care to use their tags, to donate them to people with disabilities. The

language has been expanded; I guess the devil is in the details with the Commission in terms of how they will regulate, especially the youth hunters with a 150 percent of the poverty level. We are in very strong support of this and we thank you for your attention.

Jonathan Lesperance, Director, Coalition for Nevada's Wildlife, Inc.:

Thank you for the opportunity to express our support for this bill. I was tasked to try to encourage representation of some of those groups that would be recipients of the donated tags. I was feeling quite proud that I had been successful, but no one was able to attend tonight. I can tell you that I spoke with a number of representatives from Nevada Outdoorsmen in Wheelchairs, and there is a ton of genuine excitement about this opportunity. I also spoke with Christopher Parkhurst from Freedom Hunters, specializing in providing opportunities for disabled veterans. He was ecstatic to hear that Nevada had finally jumped on board. I can say that similar although different opportunities exist in states surrounding us for disabled veterans as well as disabled persons in general, such as the Arizona program after which this has been emulated.

Tiffany East, Board of Wildlife Commissioners, Department of Wildlife:

The Legislative Committee of the Board of Wildlife Commissioners supports A.B. 474, and we thank the sponsors of the bill for bringing it forward. Each year the Wildlife Heritage Committee accepts applications for projects related to wildlife habitat, studies, management of our wildlife, and others that fall under the *Nevada Revised Statutes* and make recommendations to the Commission for adoption and expense of the funds. For some time members of the Commission have thought that there may be beneficial uses to expend some of the principal to worthy projects. In addition, we have had several community advisory boards, sportsmen and nongovernmental organizations as you have heard seek support or petition the Commission to authorize a tag transfer to a person with a disability, veteran, or youth to help propagate the sport and to help get people outside. We are open to working on regulations to help identify the best use of those tags.

Mike Reese, President, Southern Nevada Coalition for Wildlife:

We are wholeheartedly behind this bill. We are excited to see this pass and put some of those monies to work on the ground, letting some of these handicapped people enjoy our great resources in the state of Nevada. Ditto to everything that has already been said.

Vice Chair Bilbray-Axelrod:

Is there anyone else in support in Las Vegas? [There was no one.] Is there anyone in support in Elko? Seeing no one, we will finish with those in support in Carson City.

Karen Boeger, Co-Chair/Secretary, Backcountry Hunters and Anglers; and Director, Coalition for Nevada's Wildlife, Inc.:

Thank you for hearing this bill and a tremendous thanks to Chair Swank for sponsoring this bill and bringing it before you. I think it is one of the more exciting bills that I have had the opportunity to speak on in a long time. Everyone has already said what needs to be said. Our organization is very much in support of this bill. We know the needs and the fires, but also from a personal standpoint, I know a number of parents of children with cancer. I had a

little grandson who had cancer. He was a spunky guy and if he had survived long enough, he would be so thrilled to get one of these tags. I am excited that this could be offered to those other families.

Tobi Tyler, Member, Executive Committee, Toiyabe Chapter, Sierra Club:

The Toiyabe Chapter of the Sierra Club, representing more than 30,000 members and supporters in Nevada, supports the passage of A.B. 474.

As wildlife and their habitat are increasingly impacted by the effects of climate change such as wildfires and rising temperatures, it is imperative that an escalation in efforts is made to conserve, restore, and improve wildlife habitat. This legislation would allow for increased funding from the Wildlife Heritage Account to be used towards these efforts.

Additionally, this bill would establish a program to provide opportunities for youth and people with disabilities to engage in outdoor activities by way of tag transfers. This program will help to encourage the enjoyment of the great outdoors by those who may not otherwise have such opportunities.

We are very grateful to the sponsors of this bill and look forward to its swift passage. [A letter was also provided ([Exhibit N](#))].

Vice Chair Bilbray-Axelrod:

I will now move to testimony in opposition. Is there anyone here in opposition? [There was no one.] Is there anyone in Elko? [There was no one.] Is there anyone in Las Vegas?

Karen Layne, Private Citizen, Las Vegas, Nevada:

I am a former wildlife commissioner. I am certainly not opposed to the discussion about the tags. My concern has more to do with section 1, subsection 4, specifically the addition on page 2 in lines 28 through 30, pertaining to the fact that the money can be spent for any amount above \$5 million. I support the habitat issue and have for a long time. Applications are made to the Wildlife Commission to a subcommittee and they make a determination of how these grants are awarded. Certainly in terms of section 1, subsection 1, trying to deal with wildland fires is very important. By the same token, there is also the issue in section 1, subsection 1, paragraph (b), which is about the management and control of predatory wildlife. My concern is that there is already a lot of money being spent on predator control, particularly from the \$3 tags. In 2015, 80 percent of that money had to be spent on predator control. My concern is that of this additional money that is going to be made available, more money is not going to necessarily be for the protection of the landscape, but more toward predator control.

Vice Chair Bilbray-Axelrod:

I will now move on to neutral. I see no one in Carson City, no one in Las Vegas, and no one in Elko. I will invite the bill sponsors back up for closing remarks.

Kyle Davis:

The only thing I would like to note is that I have the list of projects that were funded from the Wildlife Heritage Account last year. I am not seeing a single predator control project on the list.

Vice Chair Bilbray-Axelrod:

Thank you. [Also provided but not mentioned is ([Exhibit O](#)).] I will now close the hearing on Assembly Bill 474.

[Assemblywoman Swank reassumed the Chair.]

Chair Swank:

We will now open the hearing on Assembly Bill 473.

Assembly Bill 473: Revises provisions relating to trapping. (BDR 45-904)

Assemblyman Howard Watts, Assembly District No. 15:

I am here to present Assembly Bill 473. I know that there is a lot of interest in the bill and I will keep my presentation fairly short. I am a hunter and angler, and I know it may surprise some of my fellow sportsmen that I am here presenting this bill. I do want to make clear right away that I am presenting the amended form of the bill ([Exhibit P](#)). What I will say is that it is not my intent with this bill to end trapping. It is not to stop the taking of any legal species. It is not to stop the control of predators and their impact on agriculture. I received a lot of feedback on this bill, as I am sure other Committee members have. I wanted to get involved with working on the bill and take that feedback into consideration.

One of the first things you will notice as you look at the amendment is that it is fairly short and composed of only two elements. The first is the ban on leghold traps has been removed. Instead, what we are looking to do is limit the use of body-gripping or Conibear-style traps on dry land. These are lethal traps and are primarily set in water to take aquatic species such as beavers. They have the high potential for lethal incidental takes. That is one of the reasons why professionals in fish and wildlife management have recommended very tight controls on when these types of traps are used on dry land.

Additionally, as a hunter, one of the things that is enforced frequently in hunter safety education is the importance of ethics and, when you are taking an animal, to strive for a quick and clean kill. When these traps work properly, they do that, but sometimes they do not. If they are working underwater, you will get that result. On land, you do not. You will also see in that amendment that I have made it clear that in trying to describe exactly what a body-gripping trap is, that mouse traps are not considered one. People can still do their residential pest control. I am also open to working with stakeholders if we need to modify that language. I understand that sometimes it may be used to control other pests that get into homes. I want to make clear that it is not the intention to prevent pest control.

The other major provision of the bill is reducing the trap visitation time from the current 96 hours to 48 hours, not 24 hours as was presented in the original bill. The 96-hour window that our state currently has puts us alone for the longest visitation time for leghold traps. Most of the western states have 24-hour, daily leghold traps visitation times. There are three states that have 48 hours and two that have 72 hours for visitation. We are looking to institute some best practices to bring us more in line with some of the other western states. I have heard during previous bills about interfering with the North American Wildlife Conservation Model. It is a science-based, decision-making model that our wildlife agencies and commissions make. I firmly believe that as amended, this bill does not do that. Trap visitation is a policy decision, just like many other policy decisions related to wildlife that this body has considered. By taking a very narrow approach based on some research that I did on body-gripping traps, I think we are still operating within the research that has been done and within the policy purview of this body.

I will close by saying sportsmen are a minority. I believe this bill will help guarantee that we maintain public support so that we can continue to do what we love to do: preserve our traditions and the role of sportsmen in conservation, while also balancing some of the issues and concerns that have been raised by members of the public.

Assemblywoman Titus:

I have some questions and concerns. I do not know if you have ever been out to my rural community and the alfalfa fields that are out there. Periodically, you will see a little flag in the alfalfa field, including in my backyard, where we have traps set up to kill ground squirrels—those things can destroy a field. I am concerned that with this bill the way it is written, I will no longer be able to capture that pest the way I typically do. Have you had any input regarding ground squirrels? I also live in a rural area that has sheep—beautiful sheep—and lambs. Coyotes do not care that folks like the lambs. The coyotes like to eat the lambs. I am concerned that we will no longer be able to trap coyotes using a trap that will hold them. What do you say to my ranchers who will lose their lambs and to me who will fall into those holes in my field?

Assemblyman Watts:

I will address your second question first. I do not believe that the ability to trap coyotes will be harmed under the amended version of the bill. Leghold traps can still be used to trap coyotes, which, it is my understanding, are fairly effective. As to the ground squirrels, I know they are problematic and traps are used to handle them. Again, my intention is not to limit pest control activities. I am glad to work with you on some language to clarify that.

Assemblywoman Hansen:

Thank you for looking to amend and being reasonable. This does not apply to snares, correct?

Assemblyman Watts:

No, it originally had the definition of leghold traps, and I have tried to be very specific in defining what a body-gripping trap would be. It is my intent that snares would not be included under that definition.

Assemblywoman Hansen:

Along the lines of questioning from Assemblywoman Titus, gophers are a huge problem, particularly in Diamond Valley in Eureka County. I can recall about 12 to 15 years ago, it was not unheard of to trap 2,000 gophers in a ten-day period. They really do pose an economic threat to the crops. It is my understanding that those devices would be classified as a body-gripping device. I think that might need to have a workaround.

Heritage is important and I think you appreciate that. There are many traditions in Nevada that I think all of us hold very key in preserving our history. In the center of the Nevada State Capitol Mall is a statue of Kit Carson, who was a trapper. I know there is no intent to shame trappers. Trapping has a place in our heritage and as a wildlife management tool. I hope we can work a little more on this and address some of the concerns.

Assemblyman Watts:

I generally agree with your comments and I am happy to work on some clarifying language around the pest control aspect. I have seen all of the holes that ground squirrels and gophers dig up.

Assemblyman Ellison:

This is going from 96 hours to 48 hours on checking traps, is that correct?

Assemblyman Watts:

That is correct.

Assemblyman Ellison:

In some rural areas this time of year, someone can set his traps, and that night there might be two feet of snow. There is no way he can get up there. With the window closing to 48 hours, that makes it almost impossible in some areas.

Assemblyman Watts:

I have received a lot of feedback around the difficulties that some trappers see from any reduction in the time. I looked at some of the issues that people have brought forward with the current time, and I looked at what other western states had in place and tried to find something in the middle. While Nevada is very large and has a lot of public land, other western states also have good amounts of public land and it takes time to travel the roads and get from place to place. That is the process I tried to use. Again, I understand some of the concerns about the impacts on trapping lines and was trying to do a comparison and set a policy that people would see as being in line with the rest of the region.

Allan Amburn, Committee Counsel:

If you look at section 4 of the bill, which is *Nevada Revised Statutes* (NRS) 503.570, subsection 3, states that the Commission [Board of Wildlife Commissioners] shall adopt regulations setting forth the frequency at which a person has to check his traps. That provision set a ceiling of 96 hours, but the Commission can determine, through regulation if they want to go under that ceiling, and they have. The current requirement is that a person has to check the trap at least once every other calendar day. The way we interpret that is every 48 hours.

Assemblyman Ellison:

Nevada is one of the largest public land states in the United States, other than Alaska. You can have a hard time getting into some of these areas and the miles traveled sometimes are massive. We are trying to make sure that it is fair and equitable for everyone to be able to get to their traps timely.

Chair Swank:

Just to be sure, Mr. Amburn, currently it is set in regulation at 48 hours.

Allan Amburn:

Regulation says at least once every other calendar day and that is interpreted as every 48 hours.

Chair Swank:

In regulation it is once every 48 hours.

Assemblyman Ellison:

Thank you for the clarification. Just as we were speaking, *USA Today* reported a woman fought off a cougar attacking her son. She had to pry its jaws open to save her son's life.

Assemblyman Watts:

Just this winter I drove from Las Vegas to Owyhee in a day. I have a sense for the scale and scope of the state. Again, as amended, the goal of the bill is not to stop trapping, not to stop predator control, and not to stop pest control.

Chair Swank:

I would like to ask Mr. Turnipseed to come up to make a clarification.

Tyler Turnipseed, Chief Game Warden, Department of Wildlife:

As a matter of clarification, the statute sets the ceiling at 96 hours with the ability of the Wildlife Commission to restrict that. In the last four or five years, the Commission has done that restricting to 48 hours but only in specific areas of Las Vegas Valley and near Reno. The rest of the state is still at 96 hours.

Assemblywoman Carlton:

Assemblyman Watts, when you are talking about the 48 hours, would that apply statewide, or are we going to stay within the guidelines of what has already been set?

Assemblyman Watts:

This would be a change statewide.

Assemblywoman Carlton:

Thank you. I would have concerns with that.

Assemblyman Smith:

I have a question for the Department of Wildlife (NDOW). Do you currently, as a matter of operation, pay for removal of predators in this state?

Tony Wasley, Director, Department of Wildlife:

The Department does, in fact, contract with Wildlife Services, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, to provide removal activities for particular public safety threats, particular offending animals, and in association with the Predator Control Program that was previously referenced—that is the \$3 predator fee that requires 80 percent of what is generated to be spent on lethal control projects.

Assemblyman Smith:

When I look at reducing the time frame, going from 96 hours to 48 hours, I picture a giant circle. It has been kind of described to me that the circle is the time that it takes a trapper to come from an urban county to get out to where he can trap efficiently within the time frame. I picture a 96-hour circle, which is pretty big in areas that are very rural. When I think about reducing it to 48 hours, I picture that circle getting smaller. Now, back to the urban trapper, we are tending to force the number of trappers in that smaller area. The trapper cannot go outside of that circle due to the 48 hours. Now we have a concentration of trappers in a smaller circle. Is there a risk of taking all of the predators out of that circle because they are so concentrated?

Tony Wasley:

I do not believe that is a likely scenario of complete depletion of the predator or target species that the trappers would be seeking. Certainly, there could be competition for the areas. There could likely be an increased density. We may see competition with other user groups. We are speculating, but if you had a high population of trappers in the Las Vegas area that, through visitation requirements, resulted in them trapping closer to the area, you would have a higher density which would increase the likelihood of potential conflicts between them as well as potential conflicts between them and other user groups.

Chair Swank:

I will also say that I believe NDOW will be up to speak in neutral, and there will be more opportunity to ask questions of them at that time.

Are there any further questions from the Committee? Seeing none, I will hear those who are here in support of the bill. I will start in Las Vegas.

Jana Wright, Private Citizen, Las Vegas, Nevada:

I will speak in support of the amended version of A.B. 473. Trapping is a commercial enterprise—pelts are sold and no tax is collected. Trappers are making money, literally, off the backs of our wildlife. Through the years there have been many hours of debate on trap visitation. A 48-hour visitation mandate would put Nevada in line with our neighboring states. This is long overdue, and I hope the Committee will stand strong in support of this change of a 48-hour visitation mandate. I have learned through the years that trap visitation includes the use of optics, flags, and trail cameras. Enforcement cannot start until an animal or bird is caught in a trap and the visitation clock starts ticking. The current law of 96 hours is inhumane, in my opinion, and a 48-hour trap-check mandate would be welcome.

Stephanie Myers, Private Citizen, Las Vegas, Nevada:

Even one minute in a leghold trap can mean atrocious pain.

Chair Swank:

You need to speak to the current version of the bill, which does not include leghold traps.

Stephanie Myers:

My dog was lucky because I was there looking for her and found her within hours. Most animals caught in traps do not have that kind of luck. They die a miserable, lingering death from exposure to the elements, lack of food and water, or predator attack, all alone and dying. If they happen to still be alive when the trapper emerges in 96 hours—four long days, and that is only if the trapper is actually on time—they get bludgeoned or shot to death.

Instead of thinking about 48 hours as a problem for the trapper, think about it from the point of view of that animal caught in the trap. Think of that pain and multiply it by 60 minutes in an hour and multiply that by a 96-hour trap check, and it is a lifetime for that animal in a cruel trap. This is nothing less than inhumane. Please shorten the trap-check time.

Chair Swank:

Is there anyone else in support in Las Vegas?

Fred Voltz, Private Citizen, Las Vegas, Nevada:

I came to the meeting today fully prepared to support the original version. I think that the revised version is an improvement; it is better than nothing. I also believe that trapper convenience and economic gain should not be the primary criteria for any human management of wildlife. I think we can all agree that none of us would want to be seriously injured, unable to summon help, without food and water, and unable to defend against predators or the elements for 96 hours. That is why it is so important to do something for our wildlife. Right now, we are one of the worst states in the Union. There are only three states worse than us in terms of the interval, and they do not even bother to require any sort of trap inspection. Those states are Alaska, Montana, and Iowa.

It is shocking that in this day and age there would not be some consideration for the wildlife and not simply for the people who are seeking to exploit it, without paying any sort of compensation back to the public, whose wildlife this is.

As for the tradition contention that we have heard mentioned on this bill and others, times do change. Practices such as barring women from owning property or voting, housing and school segregation, as well as slavery have long since been corrected. Trapping needs the same sort of remedial treatment.

Chair Swank:

We will come up to those in Carson City wishing to testify in support.

Mendy Elliott, representing Nevada Humane Society:

I have been working on trapping bills for the last six sessions. The Humane Society is a no-kill shelter caring for Nevada pets and finding them homes and saving lives. We are the local guys in northern Nevada. We want to thank Assemblyman Watts for bringing this bill forward and appreciate the thoughtful amendment and his willingness to work with all of the stakeholders. It is a scary thing to think about, especially with all the trails we have. The signage that is put up is appreciated, and also the thoughtfulness that the Legislature has brought forth as it relates to this subject matter. As we move forward, we will continue to work with Assemblyman Watts and the stakeholders as we try to come to a compromise on this bill.

Patrick Donnelly, Nevada State Director, Center for Biological Diversity:

The Center for Biological Diversity is a nationwide program to protect native carnivores. We have been on the front lines of protecting wolves and grizzly bears, stopping the abuses of wildlife services, and taking other measures at state levels to protect carnivores. I want to start by saying that I am not here today to debate predator control. That is not really what is in question right now. This is about the mechanisms of trapping. Body-gripping traps are indiscriminate; anything that happens to trigger them will be trapped. As a result, their use, particularly on land where they can be triggered by any number of animals or species, is problematic. We support the provision of the bill to ban body-gripping traps. We do need to be clear-eyed about it. The largest impacts to nontarget species from trapping are not from body-gripping traps, and this will not address the entire issue of nontarget species related to trapping, but it will take us a ways toward addressing that issue.

Additionally, we need to reduce our trap-check interval. Nevada has the highest trap-check interval of any western state. That is unacceptable—96 hours appears to be anachronistic from an older time when this was a wider-spread practice. To bring us into harmony with the other states in the West, it seems that a 48-hour check interval is the minimum we should have. We preferred the original version of this bill but would support this version as a step in the right direction. I would finally say that 56 percent of Nevadans polled in 2017 supported banning body-gripping traps, while only 25 percent opposed the ban; 77 percent of Nevadans supported reducing the trap-check interval in that poll.

Linda Platshon, Private Citizen, Sparks, Nevada:

I have lived in Nevada for 34 years. I want to thank you for letting us talk about this bill. I would like your consideration because I support the 48-hour check. That is very important. I would like 24, but 48 is better than 96 because there are animals that do suffer regardless of what kind of trapping it is. When someone asked what happens if they cannot get to the trap in time, what happens is the animal freezes to death. I support this and I want to thank you for your time and consideration.

Jeff Dixon, Nevada State Director, State Affairs, The Humane Society of the United States:

I would like to thank Assemblyman Watts and Chair Swank for their leadership on this issue. We feel that this is a great first step toward protecting lots of nontarget species that get trapped by this very haphazard practice of trapping. If you are an angler, you know what you are catching. If you are a hunter, you see the animal and you are not making mistakes. With trapping, whatever steps into the trap is caught and oftentimes is killed. Reducing the time to 48 hours gives the animal a fighting chance. The 96 hours currently is a collecting carcass sort of regime. We ask you to please support this first step that is vital to protecting nontarget species. [A letter was also provided ([Exhibit Q](#)).]

Tobi Tyler, Member, Executive Committee, Toiyabe Chapter, Sierra Club:

The Toiyabe Chapter of the Sierra Club, representing more than 30,000 members and supporters in Nevada, supports the passage of A.B. 473.

We supported A.B. 473 as written, but as Mr. Donnelly said, we will accept the amendment. I will state the Sierra Club's policy on trapping. That is, it considers body-gripping, restraining, and killing traps and snares to be ecologically indiscriminant and unnecessarily inhumane, and therefore opposes their use. A body-gripping device includes but is not limited to any snare—neck, body, or leg; kill-type trap, such as the Conibear; leghold traps including steel-jaw, padded, or offset; and any other device designed to grip a body or body part. This definition includes any device that may result in injury or death because of the mechanism of entrapment. The Sierra Club promotes and supports humane, practical, and effective methods of mitigating conflicts between humans and wildlife and actively discourages the use of inhumane and indiscriminate methods. For these reasons, we will look at the amendment, but we prefer the original version and we support this bill. [A letter was also provided ([Exhibit R](#)).]

Caron Tayloe, Private Citizen, Reno, Nevada:

Thank you to this Committee for bringing forward this bill that addresses the needs of our wildlife that are subject to trapping for the commercial fur industry. This bill may also help with survival rates of nontarget animals. Assembly Bill 473 will bring Nevada up to date with other states related to using the best practices for trap-check times. It is my understanding that best practices are based on 24 hours, but at least we are moving in the right direction. In addition, Nevada moves closer to following the North American Wildlife Conservation Model with this bill. Assembly Bill 473 correctly addresses some antiquated

methods in trapping that, unfortunately, some people today will call traditions. Once again, thank you to those supporting this bill. I, too, would have preferred the original version.

Barbara Santner, Private Citizen, Reno, Nevada:

In April 2016, I was walking my dog on a trail along Thomas Creek in Washoe County. Suddenly I heard a screaming sound unlike anything I had ever heard. I realized that my border collie was caught in a leg trap. I came here to support the original bill, but I do support the amended bill. The reason is that I believe this visitation time needs to be reduced to at least 48 hours. The screaming that I heard from my dog was unlike anything I had ever heard before, and it made me realize that if left for long periods of time, animals are really subject to a large amount of cruelty. Therefore, I do support the amended bill.

Elaine Carrick, Private Citizen, Reno, Nevada:

I am here to support the new time change for the checking on traps. I thank you, Chair Swank, for bringing this forward. Twenty-four hours, certainly for nontarget species that get caught in these traps, would give them a much better chance of survival. The 48 hours is an improvement over the 96 hours, which is the longest time for checking traps. I will support this part of the bill.

Stewart White, Private Citizen, Reno, Nevada:

Nevada Revised Statutes 501.100 says that wildlife of Nevada are owned by all of the people of the state of Nevada. I am one of the people. I have been a "people of Nevada" since the early 1950s. I have lived in Wells, grew up in Fernley and Wadsworth, and now I am in Reno. I was not planning on testifying until I heard the amendments. I like the 24 hours better, but 48 hours at least is something. You have heard about 48 hours of suffering versus 96 hours.

I do not think the only thing you should consider is trapper convenience. If a trapper can manage to get way the heck up north of Gerlach and set his trap line, he can manage his time in order to get back up there to check it. He knows there is bad weather.

The other thing you might want to consider is the game warden's convenience. If he wants to get somebody for not checking traps in 96 hours, he has to go camp on the trap line for 96 hours. That is four days up north of Gerlach in the dead of winter. This is cutting the warden's time in half. He does not really camp out there, but if you make it 48 hours, then maybe the trappers will have to stay at Bruno's hotel so they are closer to their trap line. It is not just trapper convenience. A game warden found the Nevada Trappers Association's president in violation for not visiting his traps in 96 hours. I watched him plead guilty to it in Wadsworth Township Justice Court a couple of years ago. This will make it easier for them to catch trappers not following the law.

Constance Howard, Private Citizen, Reno, Nevada:

I was conflicted because I was very pleased with the original version of this bill. I am going to very reluctantly support the 48 hours because I do think it is an incremental improvement. My concerns with trapping have to do with biodiversity and asking that we take an honest

assessment of where we are today in the world with wildlife resources. I am not here to shame any tradition, but I feel we need to be looking at the realities of climate change, habitat fragmentation, human pressures on wildlife, and pollutions in the environment. There are so many things right now stressing our wildlife resources. I feel that the stresses demand that we look at what we are doing and ask if what we are doing is really the right thing.

I think trapping is very problematic; it is not a management tool of any kind. It is just random. When you put out long trap lines, everything that falls into that line either dies or is wounded. Of course, with better trap-check intervals, these animals might have a better chance.

What I am trying to get at is that it is not about traditions. It is not about shaming people. It is about doing the right thing for wildlife resources so that we have them for our future, for our children, and for our grandchildren. I think we have done a great job at taking care of a handful of species with hunting, but I worry about the many species that fall into traps. Thank you for giving my concerns your consideration.

Chair Swank:

Is there anyone else who would like to testify in support? [There was no one.] Is there anyone in Elko who would like to testify in support? [There was no one.] With that, I will take testimony for those in opposition, beginning in Elko.

Jason James, Private Citizen, Elko, Nevada:

I want to show you a Conibear trap. As you can tell, there is no blood or marks on it. I use this trap a lot for the nuisance animals in my area. It has been brought up several times that we are out here for profit; I would gladly share my income tax returns with anyone on the Committee. I am still waiting to break even. I am in the hole all the time and I have a family business. I wish the trap-check time could stay at 96 hours. Last year I came down with pneumonia. If I did not have the 96-hour trap check, I would have had to assign someone through NDOW to pull all of my traps because of doctor's orders to recover from pneumonia.

Don Noorda, Private Citizen, Wells, Nevada:

I am opposed to the amended A.B. 473. I believe the Committee should be as well. I share the same views you will hear in Carson City, so I will cut to the chase on what worries me most. That is public health safety. Many people may not be aware, but in the early 1900s, rabies was introduced into Nevada from California. What followed was an event that many have documented as the worst rabies epidemic in history. Hundreds of humans were treated for rabies and many died. Thousands of livestock animals were lost; reports of rabid coyotes attacking towns and livestock were documented in many sources. Fortunately, with aggressive wildlife control measures supplied by the government and private trappers, those measures helped control the rabies epidemic in 1932, according to Dr. E.M. Records. The reason I share this concern is that according to 2016 data, Nevada has been absent of rabies found in terrestrial mammals. That cannot, however, be said for three other states in the West that have severely restricted trap laws in existence. According to the data, California, Arizona, and Colorado, which all share a highly restricted trap check, had 136 documented

cases of rabies. I believe that 48 hours is not sufficient. It does not give us enough time. Assemblyman Smith talked about the circle. We do not have enough resources to be able to control the population of predators in the remote areas that could potentially lead to a rabies epidemic, mange, or any other diseases. The 96-hour trap check has worked well for Nevada in protecting our public safety, and I respectfully request that you vote against the amended A.B. 473.

Dave Galyen, Private Citizen, Elko, Nevada:

I am opposed to A.B. 473. I would like to show a map which represents the 48-hour trap-check time that was changed during the last session. This seemed to suit the public well with a lot of the issues. There was a lot of time spent by committees, and a lot of effort was made, I think in good faith, to try to solve any issues with the public. I do not think this has been out there long enough to really prove that there needs to be more change. In the two years since the last session, I have not heard of any problems out there that really need to be addressed. What I do see is a lot of issues around the urban areas where they did reduce those trap-check times. There is a lot of conflict with wildlife that is not resolved. I think that trapping could really help change that for the better for the citizens in those areas.

Walt Gardner, Private Citizen, Ruby Valley, Nevada:

I would like to clarify the trap-check time. The entity that NDOW relies on to take care of their problem animals is Wildlife Services. Wildlife Services, in almost every state in the Union, has a seven-day trap-check time. I am not asking you to shorten their time; I am asking you to leave ours at 96 hours. If we shorten their time, it would cause them to have to quadruple, or at least double, their staff to do the same thing they do now. We are way under that, and we are happy with where we are at. We are willing to compromise; please leave it the way it is.

Chair Swank:

I would like to ask Mr. Amburn to clarify what the policy is for the state of Nevada as far as trap-check intervals.

Allan Amburn:

Looking at the regulations implemented as a result of NRS 503.570, when it comes to an individual who is the holder of the trapping license, it is the individual himself who has to check the trap, not another person.

Rich Sandoz, Private Citizen, Elko, Nevada:

I just want to state that there are 18 people here in Elko who oppose the shortening of the trap check.

Neil McQueary, Private Citizen, Elko, Nevada:

I am with the Nevada Cattlemen's Association and we are in opposition to the bill as amended. We appreciate the sponsor being willing to work with us on some housekeeping items and workshops, particularly with gopher and ground squirrel trapping, and also some issues with beaver trapping. Thank you.

Chair Swank:

I believe that is the intent, to sort out the pest control issues.

Dave Galyen:

The room would like to defer to Carson City at this point.

Chair Swank:

I would like to make sure that the Committee is aware that all of the people who are in the room in Elko are in opposition to this bill. Not everyone is speaking, but they are there to mark their opposition.

With that, I will come up to Carson City for those in opposition.

Joel Blakeslee, President, Nevada Trappers Association:

I want to give some history on this issue because it has been bantered around for the 42 years that I have been doing this. This is my twenty-second session. Out of those sessions, I can think of 14 times that we have discussed this. This is not the first time. The only thing that changes are the faces. We have freshmen every time, so here we go. We have heard this three out of the last four sessions. In 2013, we supposedly had this fixed. Senator Ford sent it to the Wildlife Commission and gave them specific instructions on what he wanted done. We had nine full Commission meetings, we had five special Committee meetings, and we came up with an every-other-day trap check near urban areas and 96 hours in the rural areas.

About 50 percent of the last 40 years, we have had trapping bills. I have no question that in 2021, we will be hearing this again, and probably in 2023. As far as the 48 hours go, this is attrition. If we were to do 48 this year, I have no question it will be 24 next session, and then we would be done. Can you imagine if we had done this in 1985? We would have been done by 1989. If we had done it in 1995, we would have been done by 1999.

There is a lot more I can say, but with two minutes, I will just say that I have gone back 40 years. I want to look beyond this session and look forward 40 years, and I will tell you exactly why. It is that young man sitting there next to my daughter who has been going with me since he was six years old. I love him to death and we have a real special relationship on the trap lines. I am getting old, and he helps me out with the muscle work now. Thank you. [A handout was also provided ([Exhibit S](#)).]

John Sullivan, Vice President, Nevada Trappers Association:

I flew here from Las Vegas today to be with you to testify. I am going to address the specifics of the amendment. Conibear traps used for fur trapping are water traps. They are used primarily by beaver trappers, muskrat trappers, and mink trappers. I would like to point out that what is wet today is dry tomorrow. The very nature of beaver, muskrat, otter, and mink trapping is on rivers, creeks, irrigation ditches, and beaver ponds. These waterways fluctuate drastically. If you set a trap underwater on a river, an irrigation ditch, or a beaver pond, 24 hours later that trap can be, and often is, high and dry. The water fluctuates that drastically. This is going to be an enforcement problem the way this bill is written. Every

beaver trapper, every water trapper will tell you the same thing. The traps are set under water. When they come back to check them, they are high and dry. The river drops or the irrigation ditch level drops. You may catch the beaver, but the traps are high and dry. That trapper can be cited for setting a trap on dry land when in fact he set it in water and the water level drops.

Assemblyman Smith had very good questions about the circle shrinking and the trappers converging into the areas much closer to towns and cities than they are now. This is a conflict we try to avoid. When Senate Bill 226 of the 76th Session directed the Wildlife Commission to address this, we made the changes to the congested areas, and three counties changed their laws to 48-hour checks, which is in place today. The rural counties are still at 96 hours. This amendment to a statewide change to 48 hours affects all the rural counties. It affects all of those men in Elko, and all of the other rural counties. This does not change Clark, Washoe, and Douglas Counties. What this is doing is getting those guys who live in remote areas and who drive to those far-off places, which has big advantages. The present system is working very well. We have a two-tiered system, 48 hours and 96 hours. It is working for wildlife, it is working for the trappers, and it is working for the general public. I ask you to vote against this bill as amended and keep things as they are.

Jonathan Lesperance, Private Citizen, Reno, Nevada:

I am a little embarrassed that I missed the amendment, but I think my testimony is still relevant to the amended version. I am glad for the prior testimony that said Nevada's citizens are stewards of the wildlife resources of this state. We have a tremendous treasure of wildlife resources in this state, and we are all, as citizens, stewards of that resource. Nevada also has a very strong, rich tradition of providing democratic access to its citizens to that resource. The reduction in the trap-check times severely hinders that democratic access for the reasons already stated. You might also consider that this requires two days out of the work week to be compliant under the proposed law.

Speaking to the comment about this being anachronistic, the exploitation of our wildlife resources left us largely void of wildlife resources at the turn of the century. We have rebounded those resources through great effort on behalf of sportsmen and sportswomen. No one has turned a substantial profit on trapping; they are doing it as a way of life. It is a tradition, it is a lifestyle, and it means the world to them.

For the comment that trappers are not paying their way, if you consider there are approximately 1,000 licensed trappers every year, and they are buying a trapping license as well as a hunting license. If you consider again, with a three-to-one match, that is roughly \$540,000. Unless we can come up with that amount of money in some other fashion, I would like you to consider leaving it at 96 hours. [A letter was also provided ([Exhibit T](#)).]

Jim Curran, Private Citizen, Fallon, Nevada:

For over 40 years the requirement to visit traps at least every 96 hours has allowed the working man to check his trap line twice a week. Many trappers travel hundreds of miles twice weekly to reach the far corners of this state. The proposed change to 48 hours would

only allow a trapper to trap within a few miles of the urban areas. Literally, over a seven-day period, he would have to be gone from work for four days. Any reduction in the 96-hour visitation would eliminate most working individuals from trapping where the need to control critters is the most needed.

The NDOW, Bureau of Land Management, U.S. Department of the Interior, and the Forest Service, U.S. Department of Agriculture are currently spending millions of dollars on habitat improvement and avian predator control, which are ravens, for the protection of the greater sage grouse. This effort is an attempt to prevent the listing under the Endangered Species Act of the sage grouse which would have a devastating impact on the economy in Nevada. It is well documented in scientific journals that bobcats, fox, and coyotes are the major predators on the young of ground-nesting birds such as the sage grouse. Any change in visitation that would force a reduction in the harvest of these predators would have an extremely negative impact on this recovery effort.

Currently, two-thirds of the harvested predators, coyotes, bobcats, and fox occur from the northern and eastern counties, which is also the majority of the prime sage grouse habitat. An exotic predator in the last ten years that is spreading across Nevada is the red fox. They are immigrating in from Utah and Idaho. Again, I request that you oppose A.B. 473 because it is against sound wildlife management.

Chair Swank:

I would encourage anyone who did not get to read their entire statement to provide their written copy to the committee secretary so we can be sure they are included in the record.

Tiffany East, Board of Wildlife Commissioners, Department of Wildlife:

The Legislative Committee of the Board of Wildlife Commissioners opposes A.B. 473, even as it is amended. Before my time on the Wildlife Commission, hard work was done by this body and the Wildlife Commission to create the regulations and laws we currently have in Nevada. Through that hard work and extensive public process of our community advisory boards, committees, and commission meetings, Nevada law has created the framework for which the Wildlife Commission regulates.

Today I am here to tell you that we have heard from a number of your constituents from across the state asking us to strongly oppose A.B. 473. Outside of our two urbanized population areas, Nevada is one of the most rural states in the country. Anyone who has driven more than 25 miles outside of city limits knows to be prepared, as there are many parts of Nevada where there may not be gas or services for 100 miles or more.

What we do have throughout those miles are plenty of wildlife predators. As an example, in the eastern part of the state, the red fox could decimate our sage grouse population; coyotes across the state take an astonishing number of infant and vulnerable wildlife and domestic livestock. Reducing trap-check times will more than likely reduce the number of trappers and those who continue to do their work will do that more closely to our urban areas and create further conflicts.

We already have a significant number of urban wildlife issues. In fact, last year in Las Vegas alone there were 1,700 calls, mostly about coyotes in the urban environment. In the western region, coyote calls made up 62 percent of the 1,022 calls in 2018. We have a very healthy resource and trapping provides Nevada with some of the best scientific data. The Nevada Legislature provided your appointed members of the Wildlife Commission with the laws to establish regulations for the appropriate tools and methods to manage wildlife. I know I take this role very seriously. I urge you to oppose A.B. 473.

Mitch Bailey, Washoe County District Director, Nevada Trappers Association:

Oftentimes I get phone calls from residents new to this area, one of the fastest-growing urban areas in the state. Those calls are from people from other parts of the world who want to learn how to trap. They go on the Internet and see the Nevada Trappers Association, which is how they find me. They ask me, What should I do and what should I not do? What I typically tell them is, we have a resource to teach you the rights and wrongs and the best way to get involved in trapping.

The No. 1 thing I tell them is to get away from town, get away from people, get away from interaction with hikers, bikers, and people out walking their dogs. There is nothing but trouble for us to interact that way. We are well aware of that, and we do our best to stay clear of it.

Having lived in Spanish Springs for the last 30 years, I had some great places to trap out there and I enjoyed it. With the encroachment of all the people, houses, target shooting, and motorcycles, this year I took it upon myself to get as far away from it as I possibly could. I was walking miles just to get off the beaten path and get away from trouble. This year, I was wading in snow up to my waist to perform such a task. All we are going to do by reducing the 96 to 48—or any reduction in the 96 hours—is push people closer.

As long as trapping is legal, I am always going to trap; 24 or 96 hours, it does not matter to me. I am always going to trap; it is just going to be the method of trapping that may change. I am going to move closer to houses and closer to towns because I am going to trap until the last day I can do it, as long as it is legal.

We do our very best to encourage newcomers to the sport, to the outdoor activity, to do it right. We educate them, we teach them the rights and wrongs, what they should worry about and be aware of. We do our very best to follow the laws, follow the rules, and even go above and beyond to encourage people to get away from town, get away from other folks. That is why I am voicing my opposition to this bill.

Chair Swank:

I am going to go down to Las Vegas to hear those in opposition.

Tracy Truman, Private Citizen, Las Vegas, Nevada:

I am a native Nevadan and have been a trapper for almost five decades. I am opposed to A.B. 473. While we might think of the bill as dealing with trappers and furbearers, this

would dramatically impact two other species: mule deer and sage grouse. It is no secret that Nevada's mule deer is in a steep, consistent rate of decline from a high of 260,000 in 1988 to the present estimate of only 82,000—our deer herds are in critical condition. There are a number of factors for this decline, but we know that predation is one of those factors. For the 48-hour trap visitation requirement, trappers would be unwilling and unable to travel to remote areas where mule deer live to remove predators like coyotes. Utah has a 48-hour visitation rule and was unable to cope with its coyote problem, so the state instituted a \$50 bounty on each coyote taken in the state, which constitutes half a million dollars in annual taxpayer expense.

The NDOW's own literature states [*Furbearer Management in Nevada, 2013*]: "Trappers function as NDOW's unpaid technicians in the implementation of structured management strategies. . . . Without this highly trained community, fiscal and manpower constraints could prohibit NDOW from fulfilling other natural resources stewardship mandates."

As Mr. Curran said, sage grouse numbers are a critical concern to wildlife managers and are on the cusp of being listed by federal authorities as threatened or endangered species. Such a listing would not only mean that we have failed to properly manage the birds, it would be disastrous for anyone else who utilizes the vast landscape in which these iconic birds are found. These uses such as mining, livestock grazing, ranching, farming, and riding recreational vehicles, would all be subservient to sage grouse habitat needs. Like mule deer, sage grouse live far from cities and suburbs. Again, NDOW's own publication states NDOW has been involved in studies documenting that some predators such as badgers and coyotes have a detrimental effect on nesting sage grouse, a U.S. Fish and Wildlife Service candidate species. The 48-hour trap check would prevent trappers from removing predators like coyotes, bobcats, badgers, and red fox, all of which have been demonstrated to prey heavily on sage grouse. Instead, a shorter visitation requirement would concentrate the bulk of trappers in cities and suburbs where they would potentially overharvest furbearers in easily accessible areas.

Mike Reese, President, Southern Nevada Coalition for Wildlife:

I emailed each of you a package titled "Who Let the Dogs Out." This is in reference to five coyotes sunbathing on a golf course in 2013 in Las Vegas. This was a direct result of the start of the heavily regulated trapping from Senate Bill 226 of the 76th Session. After that was enacted, it basically said: Trappers, get out of the valley, leave it, go someplace else. They did. The very next season we had 11 schools on lockdown. Most of these schools are in town. The data I compiled from the Clark County School District was not from the Las Vegas Metropolitan Police Department. The police department did get called out on one where they had to shoot a coyote that was heading back to a school. These are all the ramifications in Clark County due to higher restrictions on trapping. So much so that NDOW had to hire a conservation educator, Joshua Cerda. One of his tasks was to field all of the phone calls coming into NDOW. He compiled a chart that shows in 2016, NDOW received 987 conflict calls with predators in urban areas. In 2017, those calls jumped to 1,275; in 2018, the calls were at 1,661. That is about a 23 percent increase. What was startling was in 2018, they started graphing the calls by month rather than by year. In June of

2018, 207 phone calls in one 20-day work month. That averages a little over 1 1/2 calls per hour because of coyotes in our valley. Since Clark County went to 48 hours, in the last six years, there have been no trappers in the valley. Las Vegas has enough coyotes in the valley.

Paul Crawford, Private Citizen, Las Vegas, Nevada:

I am a family physician in Las Vegas. I urge you to oppose A.B. 473 for the sake of Nevada's public health. Wildlife diseases that spread to humans are still present today. Notable ones, you already heard about rabies, but we also have plague, tularemia, typhus, and many others. The public health consequences of reducing the trap-check time to the point where animals are allowed to grow uncontrollably in the rural areas are potentially enormous.

As already stated, between 1 and 4 percent of the population of Nevada was bitten by a rabid coyote, fox, or bobcat in 1915. The only thing that controlled this horrible outbreak was trapping, both by private and government trappers. The surrounding states that limit their trapping checks have rabies. Utah, with a 48-hour trap check, had the first person to die from rabies in a long time just last year. States that have longer trap checks tend to have fewer episodes of rabies outbreaks. Finally, not only does rabies kill people and animals, it is very expensive to treat. It is not a fiscal note for this bill, but a single rabies case would cost Nevada Medicaid up to \$2 million to treat. We need to do everything we can to continue to control animal populations throughout Nevada. Please protect our citizens, pets, and livestock from disease and oppose this bill.

Dave Stowater, South Nye County and Clark County District Director, Nevada Trappers Association:

Many people have already said what I wanted to say, but it is pretty simple. Leave the trapping laws alone. Both sides want pets and wildlife protected. This way, both sides win. If you make anything shorter, there will be fewer people trapping. By both sides winning, the unions will remember you on election day for saving wildlife.

Randen Buckles, Private Citizen, Henderson, Nevada:

I am a proud member of Teamsters Local 14. Though I am here by myself, be assured that I bring the support of my union brothers and sisters with me who are working hard every day to better our community and provide for our families. Assembly Bill 473 would take away part of my livelihood and their livelihood because, like me, many of them are sportsmen and trappers. If a 48-hour trap-check time goes into effect, we could simply not check our respective traps out of town. As in most unions, vacation is issued by seniority. I can put my vacation time in before the trapping season starts so as not to disrupt the day-to-day operations. With the current trap-check time set at 96 hours, I only need to take one day off from my work week during trapping season to check my traps. The rest of my trap checks can be done on weekends. This does not mean that I check my traps every 96 hours; I check my traps as often as I can. For example, if there is a holiday weekend, I check them every 36 to 72 hours. The 96-hour trap-check time allows me to work and provide for my family and the community while continuing to trap. Nevada wildlife is here for us to enjoy and manage.

Let us take pride in the fact that trapping is an important management practice and that our state is a model for other states. Please vote with the working class and oppose this bill.

Chair Swank:

I will move back to Carson City.

Rachel Espil, Private Citizen, Sparks, Nevada:

I am a fifth-generation Nevadan. My family has been ranching in northern Nevada for over 60 years. I am here in opposition for ranchers who cannot be here. The 48 hours is unrealistic for where we live. Our way of life depends on trapping. I sent you each an email containing images of one of our ewes that was attacked while giving birth, which happens this time of year. That was a coyote attack—they are brutal. Often we come upon the sheep—and they are still alive—with the lamb being pulled out. Without trapping, our way of life would be gone. It is painful to see; we see it in deer and goats. From the time I was a little kid I have seen this. Many areas of our rangeland and our private property are inaccessible this time of year. When the dirt roads get muddy, you cannot get there; it is extremely rural. It is hard to explain to people how rural it is. There are no cell phones. If you are outside of Gerlach, that is around where we are, but it is way out. It is imperative that we keep the 96-hour check. As for having different rules because of our state, if you look at our state at night, it is dark; 87 percent of the state is public lands. That is not the same for the rest of the country; that is why we have different rules, and that is why I oppose A.B. 473.

Chair Swank:

For those in Las Vegas, if you are there to testify in opposition but were not able to due to time constraints, please stand up. Thank you, I want to make sure the Committee can see the rest of you. In Carson City, if you are in opposition and did not testify, please stand up. Thank you, I appreciate your being here. With that, I will move to neutral.

Trish Swain, Private Citizen, Sparks, Nevada:

As you well know, we have visited this argument about trapping for so long. For me, this started in the 2011 Session, and here we are for the fourth go-around. All three of the bills that were presented in previous sessions have passed and been enacted into law. These are statutes that limit and regulate trapping, and we have done it incrementally. There has been a slow incremental step toward what we consider a reasonable goal. Frankly, I was in favor of this bill as was initially presented. I wrote letters saying that I was in favor of A.B. 473 as written. I cannot, in good conscience, support the amended bill. I cannot support it for several reasons. The first is because this does not represent a progression towards better regulation of trapping. In fact, I think it sets us back.

Chair Swank:

That is testimony for opposition, and we have already allowed 30 minutes for opposition.

Trish Swain:

It was difficult for me to decide if I was in opposition or neutral, but I do remain neutral because I appreciate the intent behind the amended bill, which is to shorten the visitation time. However, I think we will be stuck with something that does not serve the animals. I agree with the gentleman who cited the declaration that all animals do belong to us as citizens of the state; therefore, I do not think the survival rate in a 48-hour trap situation is good enough. I really do believe that it takes 24 hours.

Chair Swank:

I am going to classify that testimony as opposition. I would like the NDOW to come up for a few questions from the Committee.

Assemblywoman Titus:

You testified that you hire trappers for predator control. Some of that might be trapping, or aircraft, or some other means of predator control. Will this bill affect any of the current predator control programs that NDOW now has?

Tony Wasley, Director, Department of Wildlife:

That is certainly possible. It is highly speculative. We have instances where we may have a particular offending animal where Wildlife Services are contacted and strategically target that particular offending animal. We have other instances as have been portrayed for you today where we have higher densities in and around golf courses in Las Vegas, where it is a little broader effort and less strategic. Every scenario is different. Certainly, if we do not have recreational trapping in an area where we have a density as portrayed in Las Vegas, then it is not likely that this would provide relief. However, in some other areas, where there are sage grouse, for example, and we have ground predators like badgers that are predating the nest and a trapper happens to be in that area and targeting that species, then there could be a benefit to those species. It is highly variable around the landscape, but it is certainly a scenario that is possible and in some areas likely that there would be a benefit.

Assemblywoman Carlton:

I have seen advertisements for what I call "coyote shoots." Are those legal in this state?

Tyler Turnipseed, Chief Game Warden, Department of Wildlife:

Yes, we currently have no state laws or regulations dealing with wildlife contests.

Assemblywoman Carlton:

Do you know how often they happen? Do you keep track of them? I find them a bit disturbing.

Tyler Turnipseed:

We do not have any way to track those. Occasionally, someone will notify us that one is happening, or we will see one that is advertised on social media. Sometimes we patrol them to see if there is going to be a conflict, like a night spotlight hunting, or a private land issue, but we do not specifically target those contests as far as patrol.

Chair Swank:

I would like to follow up on someone's testimony regarding dropping water levels. Is that an issue?

Tyler Turnipseed:

I think it could be an issue if you were using body gripping-type traps in an irrigation ditch that is controlled by an irrigation structure. If you are trapping in rivers, lakes, and reservoirs, I think the water fluctuation would be slow enough that it should not surprise you by suddenly finding your trap out of the water.

Assemblywoman Peters:

In the case of a canal or irrigation ditch, do you have to have permission to trap in that waterway?

Tyler Turnipseed:

That would depend on whether it is on private land. We do have a law that deals with hunting, fishing, or trapping on private land without permission that refers back to NRS 207.200, which is the trespass law that deals with being properly posted. If it is on private land, the trapper would need permission. Some of those irrigation structures in the Lahontan Valley are owned by an irrigation district. The trapper would need permission from the irrigation district. There are many instances in which an irrigation district will hire a trapper to trap beavers, which is where a lot of the body-gripping traps are used. If you have a beaver damming up an irrigation structure, the irrigation structure will not work.

Assemblywoman Peters:

To be clear, the Army Corps of Engineers does not consider those to be navigable waterways, so they are all private land unless it is owned by the state. Even then, as you said, the trappers would have to have permission to be in them. Technically, the trappers would be placing their traps illegally if they did not have permission.

Assemblyman Ellison:

Do you keep records on how many trappers you have found in violation?

Tyler Turnipseed:

We do keep statistics on citations and warnings given to trappers.

Assemblyman Ellison:

Could you give us an idea of how many there are?

Tyler Turnipseed:

It would be a wild guess to speculate on that. I would say a handful each year. The violations vary from visitation violations, too close to roads, and occasionally we still find some bait violations. There is not a huge number of tickets each year.

Assemblyman Ellison:

I notice that there has been work around the rivers in my district. So far, there have been two skunks, a badger, and a porcupine right in the middle of town, over by the school. The badger was pushed back down to the river, but the skunks were left up to someone else. It is amazing how close these animals are moving in.

Assemblywoman Peters:

With reference to violations, how often is it that you or one of your deputies find a violation without a member of the public sending in a tip?

Tyler Turnipseed:

I do not have a specific number, but it is certainly a combination of both. Once in a while, especially in the urban areas, we will have people call in and report a trap, or more specifically, a conflict with a trap while walking a dog. In the rural areas, those violations are generally self-generated. By self-generated I mean a game warden is out on patrol. Our work is very seasonal. In the winter, November through February, one of our main focuses is trapping patrols. In those patrols, you spend a lot of time hiking around checking trap lines and tracks at the trap, to determine if there is a visitation problem going on. In the rural areas, the violations are more self-generated with proactive patrol, and in the urban areas, the wardens get calls when there is a conflict between a trapper and some other land user.

Assemblyman Smith:

I am going to fall back to my description of the circle. My earlier comments involved the condensation of trappers within the circle. Now I want to look outside the circle. What happens from the biological standpoint to a lack of predators being taken? Now we see an increase in the population of predators, I would assume, because they are not being trapped. How does that affect your wildlife biology scheme of the big picture?

Tony Wasley:

It is highly variable. If you are in a season where you have a lot of prey, for example a lot of rabbits, they might be the preferred prey for bobcats and coyotes that might otherwise choose to prey upon mule deer fawns in the absence of that prey. There are several factors at play, certainly the number of trappers, visitation requirements, the value of the furs, the abundance of prey, and the target species. There are instances where removal of those furbearers could have no effect and there are situations where removal of those furbearers could have a benefit to bighorn sheep, pronghorn sheep, or mule deer.

Donald A. Molde, Private Citizen, Reno, Nevada:

I have lived in Reno since 1970. I have lived in Hidden Valley since 1975 and have had coyotes running through my yard periodically for the last 45 years. Last summer, my dog played with a couple of coyotes several times. I am neutral on the bill because on the one hand, the 48-hour visitation, presumably, would be a benefit for my concerns. On the other hand, banning Conibear traps on dry land will do absolutely nothing for the nontarget trap victims that I am concerned about. I am the one who has compiled the nontarget data. All of the raw data has come from NDOW. I am particularly concerned with how this is affecting

mountain lions. Incidental mountain lion trapping is a big problem in this state. I emailed each of you an abstract of a research article published in 2017 by a University of Nevada, Reno graduate. I am also here to tell you that the nontarget data is on the low side. It is virtually the tip of the iceberg. It is much larger than that and we do not know how large because nobody is tracking it. That is my main concern of trapping in this state, the protection of nontarget wildlife species. It seems to me the issue for the Committee is, is it a matter of trapper convenience or the protection of wildlife? I am on the wildlife side. I am here to tell you that the Wildlife Commission over the years has been absolutely recalcitrant on doing anything about trapping. That is why, when Assemblywoman Carlton commented that the Legislature is here to set the rules, to me that is the way it should go. [A letter was also provided ([Exhibit U](#)).]

Chair Swank:

Is there anyone else who would like to testify in neutral? Assemblyman Watts, do you have any closing comments?

Assemblyman Watts:

I appreciate everyone who came to share their thoughts and information. With the amendment to the bill, the intent that I have is to respect trapping as a valuable part of Nevada's history, culture, and tradition. My intent is not to end this. I am happy to work with some of the stakeholders who would like to bring suggestions to improve the bill and avoid some of those unintended consequences. Thank you for your time.

Chair Swank:

Thank you. [Also submitted but not mentioned are ([Exhibit V](#)), ([Exhibit W](#)), and ([Exhibit X](#)).] I will close the hearing on A.B. 473.

Before we go to public comment, I want to thank everyone for the decorum and sticking to time limits. We know this is not a perfect system, but it is the one we have right now. I will open up for public comment. Seeing no one, we are adjourned [at 7:20 p.m.].

RESPECTFULLY SUBMITTED:

Nancy Davis
Committee Secretary

APPROVED BY:

Assemblywoman Heidi Swank, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

[Exhibit B](#) is the Attendance Roster.

[Exhibit C](#) is the Work Session Document for [Assembly Bill 62](#), dated April 3, 2019, presented by Jann Stinnesbeck, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit D](#) is the Work Session Document for [Assembly Bill 265](#), dated April 3, 2019, presented by Jann Stinnesbeck, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit E](#) are letters in support of [Assembly Bill 479](#), submitted by Lisa Wathne, Manager, Captive Wildlife Protection, The Humane Society of the United States.

[Exhibit F](#) is photographs of dental procedures provided by Tina Brandon Abbatangelo, Private Citizen, Las Vegas, Nevada, in support of [Assembly Bill 479](#).

[Exhibit G](#) is written testimony provided by Scott Shoemaker, Director, Responsible Exotic Animal Ownership (REXANO), in opposition to [Assembly Bill 479](#).

[Exhibit H](#) is written testimony provided by Zuzana Kukol, President, Responsible Exotic Animal Ownership (REXANO), in opposition to [Assembly Bill 479](#).

[Exhibit I](#) is a letter dated April 1, 2019, in opposition to [Assembly Bill 479](#), to Members of the Assembly Committee on Natural Resources, Agriculture, and Mining, signed by Phil Goss, President, United States Association of Reptile Keepers.

[Exhibit J](#) is a letter dated April 3, 2019, in opposition to [Assembly Bill 479](#), to Members of the Senate and Assembly, signed by Paul J. Boyle, National Director, American Humane.

[Exhibit K](#) is a letter dated February 13, 2019, in opposition to [Assembly Bill 479](#), to Senators and Assembly Members, signed by Kathleen Dezio, President and CEO, Alliance of Marine Mammal Parks and Aquariums.

[Exhibit L](#) is a letter dated April 3, 2019, regarding [Assembly Bill 479](#), to Members of the Assembly Committee on Natural Resources, Agriculture, and Mining, signed by Alan B. Smith, National Legislative Affairs Director, Zoological Association of America.

[Exhibit M](#) is a proposed amendment to [Assembly Bill 474](#), presented by Assemblywoman Heidi Swank, Assembly District No. 16.

[Exhibit N](#) is a letter dated April 3, 2019, in support of [Assembly Bill 474](#) to Assembly Committee on Natural Resources, Agriculture and Mining, signed by Tobi Tyler, Member, Executive Committee, Toiyabe Chapter, Sierra Club.

[Exhibit O](#) is a letter dated April 3, 2019, in support of [Assembly Bill 474](#) to Chair Swank and Committee members, signed by Judi Caron, Director, Coalition for Nevada's Wildlife.

[Exhibit P](#) is a proposed conceptual amendment to [Assembly Bill 473](#), presented by Assemblyman Howard Watts, Assembly District No. 15.

[Exhibit Q](#) is a letter dated April 3, 2019, in support of [Assembly Bill 473](#) to Chair Swank and the Assembly Committee on Natural Resources, Agriculture, and Mining, signed by Jeff Dixon, Nevada State Director, State Affairs, The Humane Society of the United States.

[Exhibit R](#) is a letter dated April 4, 2019, in support of [Assembly Bill 473](#) to Assembly Committee on Natural Resources, Agriculture and Mining, signed by Tobi Tyler, Member, Executive Committee, Toiyabe Chapter, Sierra Club.

[Exhibit S](#) is a handout regarding [Assembly Bill 473](#), provided by Joel Blakeslee, President, Nevada Trappers Association.

[Exhibit T](#) is a letter dated March 29, 2019, in opposition to [Assembly Bill 473](#) to Assembly Committee on Natural Resources, Agriculture, and Mining, signed by Jonathan Lesperance, Private Citizen, Reno, Nevada.

[Exhibit U](#) is a letter dated April 2, 2019, in support of [Assembly Bill 473](#) to Assembly Committee on Natural Resources, Agriculture, and Mining, signed by Donald A. Molde, Private Citizen, Reno, Nevada.

[Exhibit V](#) is a letter dated March 29, 2019, in opposition to [Assembly Bill 473](#) to Chair Swank and members of the Assembly Committee on Natural Resources, Agriculture, and Mining, signed by Karen Boeger, Policy Chair, Backcountry Hunters and Anglers.

[Exhibit W](#) is a letter dated March 30, 2019, in opposition to [Assembly Bill 473](#) to Assembly Committee on Natural Resources, Agriculture, and Mining, signed by Stacey Norcutt, Private Citizen, Currant, Nevada.

[Exhibit X](#) is a letter dated April 1, 2019, in opposition to [Assembly Bill 473](#) to Chair Swank and Committee Members, signed by Joe Zweifel, Private Citizen, Sparks, Nevada.