

**MINUTES OF THE
SENATE COMMITTEE ON NATURAL RESOURCES**

**Eightieth Session
May 7, 2019**

The Senate Committee on Natural Resources was called to order by Chair Melanie Scheible at 3:00 p.m. on Tuesday, May 7, 2019, in Room 2144 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Melanie Scheible, Chair
Senator Chris Brooks, Vice Chair
Senator Dallas Harris
Senator Pete Goicoechea
Senator Ira Hansen

GUEST LEGISLATORS PRESENT:

Assemblyman Al Kramer, Assembly District No. 40
Assemblywoman Heidi Swank, Assembly District No. 16

STAFF MEMBERS PRESENT:

Alysa Keller, Committee Policy Analyst
Erin Sturdivant, Committee Counsel
Christine Miner, Committee Secretary

OTHERS PRESENT:

Lisa Wathne, Manager of Captive Wildlife Protection, Humane Society of the United States
Warren Hardy, Humane Society of the United States
Brian O'Callaghan, Las Vegas Metropolitan Police Department
Patrick Donnelly, Nevada State Director, Center for Biological Diversity
Linda Faso
Annoula Wylderich

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Tina Brandon Abbatangelo, D.D.S.
Zuzana Kukol, President, Rexano
Scott Shoemaker, Director, Rexano
Joseph Turner
Kelvin Buchanan, President, Animal Ark
Susan Koppel, Animal Ark
Tim Stoffel, Sierra Safari Zoo
John Potash, Get Rattled
Bill Maggiora
Mauricio Duran, Manager, Sierra Safari Zoo
Kera Turner, Get Rattled
Mike Maynard, Department of Wildlife
Ken Foose, Exotic Pets
Josh Cowart
Vinson Guthreau, Nevada Association of Counties
Tiffany East, Board of Wildlife Commissioners, Department of Wildlife
Karen Boeger, Backcountry Hunters and Anglers, Nevada Chapter
Alex Tanchek, Nevada Cattlemen's Association

CHAIR SCHEIBLE:

We will open the hearing on Assembly Bill (A.B.) 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):

Assembly Bill 479 is a bill that has been worked on for several Legislative Sessions.

LISA WATHNE (Manager of Captive Wildlife Protection, Humane Society of the United States

The Humane Society of the United States (HSUS) supports A.B. 479. Last time this legislation was proposed, Nevada was one of five states without laws regarding keeping dangerous wild animals as pets. Nevada is now one of only four states in that category.

The private possession of wild animals puts communities and first responders at risk. It often has devastating animal welfare consequences and is detrimental to legitimate conservation efforts.

Assembly Bill 479 seeks to ban the private possession of a specific list of wild species including big cats, bears, wolves and primates. The bill allows anyone who currently possesses dangerous wild animals as pets to keep the animals they have but cannot breed or otherwise acquire more animals. These individuals must meet basic requirements including maintaining liability insurance and an emergency plan in the event of an animal escape and can have no convictions for animal abuse or revocation of an animal related license.

Federal law requires anyone who exhibits animals to the public to have a U.S. Department of Agriculture (USDA) Class C exhibitor's license. The bill exempts Class C license holders from acquiring dangerous wild animals for exhibiting them to the public as long as the facility complies with a few additional requirements. These requirements include liability insurance, emergency plans and no USDA citations within the past three years for violations in which a dangerous wild animal's health, well-being or public safety was jeopardized.

Public contact with dangerous wild animals is prohibited by A.B. 479. Baby tigers, lions and bears are frequently used by exhibitors for public photo and play sessions until the animals are a few weeks old. The animals are then warehoused at poorly run roadside zoos in the hands of animal dealers or private menageries. More babies must continually be produced for this lucrative business. The cycle of breeding, exploiting and dumping of baby animals feeds the exotic pet trade, puts animals at risk, endangers the public and creates burdens for law enforcement and sanctuaries.

Assembly Bill 479 is a sound and reasonable framework for improving animal welfare and public safety. Please support this important bill.

WARREN HARDY (Humane Society of the United States):

Assembly Bill 479 has been narrowed down to the challenges and problems existing in Nevada. I will walk the Committee through the conceptual amendment ([Exhibit C](#)).

Section 4 of [Exhibit C](#) provides the definition of dangerous wild animals. The list is specific to animals that are recognized as dangerous animals. In *Nevada Administrative Code* 503.110, a number of the species listed are illegal. To avoid confusion the proposed amendment removes section 4, subsections 2, 3, 5, 7 and 8.

Section 6 relates to the definition of "law enforcement officer". Animal control officers and Department of Wildlife (NDOW) agents and employees do not have law enforcement powers. This clarification was requested by NDOW for enforcement purposes.

A new section is added relating to "animal control authority". Clarity for enforcement powers was recommended by NDOW. Animal control officers and NDOW agents and employees do not fit the definition of "law enforcement officer".

A portion of section 8 was left out of the re-draft, and the amendment resolves the concern as there was no intent to exempt any entity from the prohibition of having direct personal human contact with dangerous animals. The bill states "the provisions of section 7 ...". The amendment changes it to "the provisions of section 7, subsection 1". It adds "The Nevada Department of Wildlife or its agents or employees" to section 8. Section 8, subsection 4 is changed at the recommendation of NDOW for clarity of enforcement.

Exotic animal owners who have a revocation or suspension of the Class C exhibitor's license disqualifies them from the exemption under section 8, subsection 6 of the amendment.

Section 8, subsection 6, paragraph (c), subparagraph (2) changes the name of the document coming from the USDA to an "Official Warning of Violation of Federal Regulations". The language in section 8, subsection 6, paragraph (e), subparagraph (1) is changed because USDA inspectors do not have the authority to access any property owned or operated by a licensee—only the sites that are registered on the USDA license. Changes in section 8, subsection 6, paragraphs (g) and (h) and section 8, subsection 7, paragraph (b) are enforcement clarifications.

The changes in [Exhibit C](#), section 9 are because those who qualify for grandfathering provisions are not intended to be exempt from allowing the public to have direct contact with a dangerous wild animal. In section 9, subsection 1, paragraph (b) the word "exhibition" is added after the word "sale". Many private exotic animal owners have had USDA Class C licenses in the past. Revocation or suspension of a license for exhibition should disqualify them from exemption under the grandfathering provision.

Section 9, subsection 3, paragraph (a) makes a slight change to add clarity for enforcement. Changes in section 9, subsection 5, paragraph (a) are to ensure proper drugs and methods are utilized and available in the event a dangerous wild animal escapes and must be contained. The changes in section 9, subsection 5, paragraph (c) ensure proper drugs and methods are available to NDOW during an emergency.

Section 9, subsection 7 and subsection 7, paragraph (b) are changes recommended by law enforcement for notification to "the sheriff's department and animal control authority" instead of to "the animal control agency". This change allows animals to be better tracked when relocated.

Changes in section 10, subsection 1 and section 11, subsection 3 are clarifications for enforcement recommended by NDOW.

Section 11, subsection 3, paragraph (b) clarifies that the seizing agency is not mandated to return illegally held animals to owners under certain conditions.

Section 12, subsection 1, further clarifies that no entity is intended to be exempt from allowing the public to have direct contact with a dangerous wild animal. Section 12, subsection 2 clarifies that a dangerous wild animal that poses a threat to public safety can be immediately euthanized by NDOW or a law enforcement officer.

That concludes the explanation of changes in the conceptual amendment, [Exhibit C](#). The HSUS seeks to keep the most dangerous animals out of the public sector.

SENATOR HANSEN:

What is the problem in Nevada that needs to be solved? Are there issues of wild animals escaping and harming people? I am reminded of the elephants Bertha and Tina of John Ascuaga's Nugget in Sparks. Are elephants allowed under this bill?

MR. HARDY:

I am sure John Ascuaga was properly licensed and regulated. The exemptions in [A.B. 479](#) are broad. The intention is not to interfere with those things that are unique to Nevada. The issues arise with those who are not USDA licensed handlers.

Several years ago in Las Vegas, a chimpanzee got loose and was wreaking havoc. It had to be euthanized and was shot by a police officer. Cock fighting was made a felony offense in Nevada in the recent past. Nevada had very light laws relating to cock fighting. Nevada was becoming the place to pursue that type of activity. Cases are coming forward in Nevada about exotic animals because irresponsible people are fleeing the laws of other states. Nevada is one of only four states with weak regulations. Nevada is becoming a haven for non-exempt individuals.

Some organizations will testify against A.B. 479 and are exempt from the bill. The bill is designed to go after "the tiger in the basement." Individuals possess these animals without the ability, control or understanding on the treatment and care of exotic animals. The intent is to put laws in place to allow Nevada to avoid becoming the center for this type of activity.

SENATOR HANSEN:

Does this bill deal with cock fighting?

MR. HARDY:

No. The cock fighting bill was in a previous Legislative Session. Nevada had weak laws and saw a dramatic increase in cock fighting. It is an example of what is happening now with the possession of exotic animals. The absence of our laws are making Nevada a desirable place for people to possess these animals. There is a story of a car going through McDonalds with a tiger in the passenger seat.

SENATOR HARRIS:

Section 8, subsection 2 of A.B. 479 states:

Any nonprofit entity that provides refuge and care to animals or an animal shelter, as defined in NRS 574.240, which is temporarily housing a dangerous wild animal at the written request of a law enforcement officer or an animal control agency.

Are there nonprofit entities that accept the animals but may not house them on a temporary basis? The entity may end up keeping the animal. Could the bill be amended to exempt those agencies?

MR. HARDY:

That is one of the amendments that was missed. There are cases when the animals are temporarily held and need to be kept on a longer-term basis. That is an amendment needing to be added to A.B. 479.

CHAIR SCHEIBLE:

With an amendment, how would you ensure you are only exempting nonprofit entities that truly provide refuge and care and meet some minimum standards of care as opposed to people who incorporate as a 501(c)(3) organization and house a tiger in the basement?

MR. HARDY:

The bill contains the requirements that need to be met to obtain an exemption. The language is broad, but this is to honor all of the different types of facilities. There must be minimum evidence that those who house exotic animals are involved for the right reasons as sanctuaries, zoos and the like. Some clear the bar by a long shot; some just make it over. This is a weakness in the bill but necessary to gain passage.

SENATOR BROOKS:

Are there municipalities in Nevada with the ability to put into place the same requirements as the intent of the bill, and if so, do you know which are regulating at this level?

MR. HARDY:

Clark County has a very good local ordinance on which this bill is based. Washoe County is in the process of adopting an ordinance. Most of the challenges occur in the rural areas of the State. Those areas have not expressed a willingness or interest in adopting regulations.

SENATOR BROOKS:

Is this the same bill from the Assembly Committee on Natural Resources, Agriculture and Mining from the 79th Legislative Session?

MR. HARDY:

Yes, this is similar to the bill that was in the Assembly Committee on Natural Resources, Agriculture and Mining last Session. It has been reduced significantly and additional exemptions have been added.

SENATOR BROOKS:

I noticed you amended boomslang snakes out of the bill.

MR. HARDY:

Yes. That is one of the amendments already covered and prohibited under State law. We had a lot of fun with the term boomslang.

SENATOR GOICOECHEA:

The regulations indicate this is a rural issue. If an entity has a USDA permit or one from NDOW, how will you drive these regulations to those areas? I struggle with why Clark County wants to come into the rural areas and enforce its rules.

MR. HARDY:

The regulations in A.B. 479 are not proposed by Clark County. It is proposed by the HSUS and other groups and Legislators interested in the topic. It is not the intent to do harm to those having appropriate licenses and permits. The concerns are for those who ignore the provisions and possess exotic dangerous animals putting neighbors in harm's way. An example is a four-foot fence in a residential area enclosing a tiger. Those with licenses and permits are not impacted by A.B. 479.

SENATOR GOICOECHEA:

Most of the calls I get from the rural areas are typically about wild animal predators, like coyotes, eating cats and dogs. "It has been a long time since I had a lion chase me down the street."

ASSEMBLYWOMAN SWANK:

Let us keep it that way.

CHAIR SCHEIBLE:

I am part of the law enforcement community. I worry about our individuals in uniform responding to these kinds of calls. It is their job to keep us safe. I am wondering if you can provide information from those counties and jurisdictions without exotic animal ordinances. Are police officers trained to handle a big cat? Do they carry tranquilizers in their vehicles? Do they have protection training for themselves and others when encountering a venomous snake or other wild animal?

MR. HARDY:

Law enforcement supports A.B. 479. Some of them will testify in favor and others in neutral. We have worked closely with the Las Vegas Metro Police Department, Washoe County Sheriff's Department, NDOW and others; it is a challenge for them. Wild animals exist and there is little that can be done. The challenges exist primarily in the urban areas. It concerns me for a neighbor to have an unregulated tiger in a backyard and my grandkids are in my backyard playing. This is one of the big reasons to bring the bill forward. Working with law enforcement has closed the loopholes.

SENATOR HANSEN:

I represent seven Nevada counties; Washoe County and six rural counties. I have never heard of one single issue on this topic. Is the example of a tiger in the passenger seat of a car from Clark County? It is against the law there.

MR. HARDY:

That example was not from Clark County; it was from one of the rural counties.

SENATOR HANSEN:

I would like to know where. I want to speak with the sheriff's departments in the counties I represent and inquire if this problem exists there of people housing elephants or tigers in their yards. I get calls almost exclusively on native predators and native pumas or mountain lions. Training on how to deal with exotic animals has never been requested from the counties I represent. Issues in the rural areas seem hypothetical; can you broaden that concern?

MR. HARDY:

We will bring specific examples of where the problems are and why the concern. Nevada has no State laws on this subject. There are cases in other states where individuals who own zoos turn the animals loose. There was a threat in Las Vegas. This is a more pervasive problem than is known.

SENATOR HANSEN:

The counties have pretty aggressive laws on some of these things.

MR. HARDY:

Washoe County regulations have stalled. The County may be waiting for the outcome of A.B. 479. Clark County is the only county in Nevada that has adopted regulations largely to protect law enforcement.

SENATOR HARRIS:

Can you explain the USDA citation process? Is there a formal citation given? Is the citation a determination of provision violations? Is it the same as a general inspection report? Is "giving a citation" a common term?

MS. WATHNE:

When the USDA performs inspections, a report is issued following the inspection. The report notes any violations of the federal Animal Welfare Act, and those are citations. If a facility receives a citation, a certain amount of time is given to correct the violation. If the inspector returns at a later date and the violation has not been corrected, another citation is issued. This can go on for years before the USDA takes action for the same uncorrected violation.

A person who receives an official warning of violation from the USDA is a person who has been cited repeatedly for the same violation without coming into compliance. It is a long and lengthy process.

SENATOR HARRIS:

Is it the official warning of violation from the USDA, rather than a citation, that disqualifies a person for the exemption in A.B. 479?

MS. WATHNE:

If someone has been cited for a situation resulting in harm to an animal, and the citation is within the last three years, it is a disqualification. Examples of harm are failure to provide veterinary care, handling an animal in a way that causes stress and harm to the animal, handling an animal that poses a danger to the public or failure to provide food, water or space to an animal.

SENATOR HARRIS:

Suppose a person receives a citation, and the citation is found to have had no merit. Perhaps it is withdrawn or adjudicated and there is no foundation. Is that a possible scenario? If the person clears his or her name, would the person be exempt?

MS. WATHNE:

If an exhibitor is cited by the USDA and does not agree with the citation and wants to contest it, he or she can do so. When this happens, the specific inspection report is not made available to the public until the matter has been resolved. It cannot be enforced until it is resolved. If the result favors the

exhibitor, the inspection report is issued as clean. If it was adjudicated and the exhibitor is found guilty, the report is issued at that time.

SENATOR HARRIS:

Suppose a person trains dogs to avoid rattlesnakes. This person is unlicensed because the USDA does not issue snake permits, and the person has a business model that helps dogs react safely to dangerous snakes. Does A.B. 479 prevent the person from conducting his or her business?

MS. WATHNE:

All reptiles are removed from the bill by the amendment, [Exhibit C](#). Reptiles are prohibited by Nevada law. The person who trains dogs with rattlesnakes would take up this issue with NDOW.

CHAIR SCHEIBLE:

Is the Nevada desert a healthy environment for captive exotic animals experiencing a lot of human handling? Do these animals fair better in the desert, an accredited sanctuary or other places?

MS. WATHNE:

The wild species named in A.B. 479 should not be held in captivity except by the most professional and advanced facilities complying with industry-wide standards with the highest levels of care and safety. Big cats, bears and primates are complex species requiring space and expensive care. Often the space provided for these animals is inadequate. Zoos have difficulty providing adequate space. Most zoos accredited by the Association of Zoos and Aquariums (AZA) have entire departments working specifically on enrichment to keep the animals physically and psychologically healthy. No AZA accredited zoo uses baby tigers for photo opportunities or play sessions with the public, or continues to use animals to provide babies for these activities. Often baby animals are dumped when they reach three or four months of age when they are too big to be used in this way.

Exotic animals kept as pets often suffer horribly. Animals held in private hands are unknown until the animals get loose. In Ohio, a guy let his menagerie loose and dozens of big cats had to be shot and killed. The same is true for the chimpanzee escaping in Las Vegas. In Pahrump, a woman moved from Texas with her juvenile tigers that were spotted by the neighbor over a four-foot fence. When animals are sequestered in backyards and basements, no one is

aware of them until something bad happens. When it happens, it is often discovered the animals live in abysmal and inappropriate situations.

MR. HARDY:

We toured many of the Las Vegas Strip properties owning exotic animals. We worked with MGM and closely with the Siegfried and Roy show. These are good examples of keeping exotic animals correctly. There are other examples in northern Nevada. Responsible keeping of exotic animals is costly.

SENATOR GOICOECHEA:

Is there a USDA inspector housed in Clark County? Can you walk me through the USDA inspection process? How often do inspections take place and where are the inspectors housed?

MS. WATHNE:

The frequency of the inspections vary. The USDA uses a risk-based assessment program. If a facility proves to be without many problems, the inspection may occur once a year or less often. In a facility with more problems, the inspections will occur more often. Inspectors are spread throughout the Country, not in every state.

SENATOR GOICOECHEA:

According to A.B. 479, once an inspector issues a citation, by whom and when is it followed up? Is NDOW called as part of the follow-up?

MR. HARDY:

We have spent a lot of time with NDOW, and many changes in the amendment were requested by NDOW for enforcement purposes. This is the agency that will be dealing with exotic animal incidents. It is important to get the enforcement portion of the bill right for effective legislation. It is often regular law enforcement personnel who deal with incidents involving exotic animals.

SENATOR GOICOECHEA:

Why not give the entire process to NDOW?

MR. HARDY:

The Department of Wildlife has the capacity to be very involved in the process.

CHAIR SCHEIBLE:

Suppose a police officer in a rural county gets called out for something and discovers, for example, an alligator on the premises. The officer, who is not trained to deal with this animal, calls NDOW. When the immediate situation is resolved, NDOW contacts the USDA to see if the person is in compliance with all laws. If it is discovered the person is not in compliance with licensing, this triggers an investigation or produces discovery of a previously issued USDA official warning. Then NDOW could seize the alligator based on the investigation started by what triggered it in the first place, likely a law enforcement contact. Is this how you see it?

MR. HARDY:

That is a good synopsis and description of how these situations are handled. The intent of the bill is to make it easier for NDOW to do its job when these situations occur. The ultimate responsibility for taking these actions is with NDOW, but often local law enforcement must decide how to handle a situation.

SENATOR HANSEN:

What is your position on the use of exotic animals on the Las Vegas Strip area? The animals are used in shows and photo shoots like Siegfried and Roy. Does HSUS consider these as abuses?

MS. WATHNE:

There are no longer such shows on the Las Vegas Strip. When there were, HSUS opposed the shows. Using tigers for shows posed many dangers for the tiger and the public. Using lion cubs for photo opportunities is opposed by HSUS. These shows no longer occur. People's attitudes have changed and using animals in this way is no longer considered popular entertainment.

BRIAN O'CALLAGHAN (Las Vegas Metropolitan Police Department):

The Las Vegas Metropolitan Police Department supports A.B. 479. Metro Police has been involved in several occasions of escaped exotic animals. This is not the fault of the animals. A chimpanzee had to be dispensed with as stated in earlier testimony.

SENATOR BROOKS:

How often have the escape of captive exotic animals happened in your career?

MR. O'CALLAGHAN:

The Metro Police Department has had several. When an animal must be contained, the Department calls NDOW. If it is a bull in a rural area, the Department of Agriculture is called. I do not have a firm number, but there have been several calls that could have been dangerous. The animals are frightened and can cause harm. Fortunately, no one in the public has been injured.

SENATOR BROOKS:

What about dogs? How often do you encounter dogs hurting people or posing a danger to law enforcement?

MR. O'CALLAGHAN:

There have been several dog incidents. Some of the dogs had to be dispensed. It is mandatory for Metro Police officers to take dog training. Metro Police has a vehicle with an animal pull to control dogs and avoid dispensing of the animal.

PATRICK DONNELLY (Nevada State Director, Center for Biological Diversity):

The Center for Biological Diversity supports A.B. 479. Wild animals belong in the wild. When the animals are kept in captivity, they should be kept under stringent controls for the benefit of the animals.

LINDA FASO:

I am in support of A.B. 479. I will read from my written testimony ([Exhibit D](#)).

ANNOULA WYLDERICH:

I have lived in Nevada long enough to be surprised that Nevada still allows private citizens to own exotic animals. Nevada is among four states continuing this practice. Common sense must rule. Allowing citizens to own exotic animals places the public at risk and does not serve the animals. Some have suffered in poor conditions with inexperienced owners. Some have lost their lives trying to escape their fate. What happens to these animals when they are no longer profitable, the owners die or no longer want them? These animals then become the community's problem. It is not as easy to re-home a tiger as it is a beagle or a yorkie. I support A.B. 479 and urge your support.

TINA M. BRANDON ABBATANGELO, D.D.S.:

I support A.B. 479 and will read from my written testimony ([Exhibit E](#)).

ZUZANA KUKOL (President, Rexano):

I am president of Rexano, which is Responsible Exotic Animal Ownership. I have submitted a letter of opposition to A.B. 479 ([Exhibit F](#)). I am licensed by NDOW and by Nye County. Nye County has an exotic animal ordinance. Many big cats and other exotic animals are confiscated and sent to Rexano.

When someone calls about a tiger next door, Nye County Sheriff's Office issues a search warrant. The animal control agency can pick up the smaller animals and bring them to the Rexano facility to keep as evidence until custody is determined, which can be many months. Some of the bigger animals need special treatment. Rexano has trailers with ramps and cages and are called on to pick up the animals. There are usually law enforcement, veterinarians and animal control personnel with tranquilizer guns on scene. All scenarios are prepared for.

No animals have been killed or tranquilized in my experience. Animals are loaded safely and transported to the Rexano facility. The tigers in Pahrump inside the four-foot fenced yard were leashed and safely transported to cages. They are not scary animals.

The populated areas of the State have laws in place for exotic animals.

SCOTT SHOEMAKER (Director, Rexano):

Located in Pahrump, Rexano takes many of the confiscated problem animals. I question the need for A.B. 479. The number of owners and facilities have reduced in the last eight years. There are 105 big cats compared to 160 previously. The last facility to relocate in Nevada was Safe Haven Wildlife Sanctuary in Imlay. There have been five facilities or owners denied permits or had animals confiscated, and they left the State.

Fourteen out of 17 counties in Nevada have regulated exotic animal ordinances. The counties without ordinances do not have exotic animals. One out of 15 licensed facilities support the bill. The animal list is arbitrary. A lemur is a 5-pound animal and requires \$25,000 insurance; the same as a polar bear. The bill sets conditions for seizing animals from long-time residents who have not created any problems. The USDA inspection process will allow the seizing of animals when no violation has occurred. The bill contradicts USDA regulations governing the handling and public contact of animals.

JOSEPH TURNER:

I oppose A.B. 479. No reasonable person supports animal abuse. The bill is unnecessary. I will read from my written testimony ([Exhibit G](#)). Nevada is a rural State, and it is important to know the facts about actual threats to the public. Exemptions to rights are not equal rights.

KELVIN BUCHANAN (President, Animal Ark):

Animal Ark opposes A.B. 479. I will read from my written testimony ([Exhibit H](#)).

SUSAN KOPPEL (Animal Ark):

The provisions in A.B. 479 adversely affect Animal Ark. The only accrediting organization named is the AZA. Certification from AZA requires significant manpower and financial resources. A small facility not supported by a city or state cannot possibly meet the AZA requirements. Animal Ark is accredited by the American Sanctuary Association and complies with those standards. Additional accrediting associations should be included in the bill.

The 72-hour transport notice is not workable in an emergency if the animal needs veterinary care.

TIM STOFFEL (Sierra Safari Zoo):

Where are the basement tigers mentioned? Where are the backyard tigers? These animals cannot be hidden. A lion's roar can be heard seven miles away. That is the size of the city of Fallon. A lion must be well hidden for no one to notice or hear it. What is the need for A.B. 479? Where are the reports of injuries and fatalities from exotic animals? The last person killed in Nevada by an animal of this nature was in 2002. There is no safety problem and if there is, it needs to be demonstrated with believable numbers.

This bill creates problems for the licensed Class C exhibitor. Seizing the animals seems to be the intent of A.B. 479. It seems the HSUS wants the extinction of these animals. It is not good for animal welfare. The AZA opposes this bill. I have submitted comments in opposition to A.B. 479 ([Exhibit I](#)).

This bill affects the animals by making it impossible for people to breed, house, propagate and preserve them for future generations. It affects the keepers by preventing them from having the animals. Working with the animals is the greatest reward I have ever had.

JOHN POTASH (Get Rattled):

I am a representative of the U.S. Association of Reptile Keepers. Get Rattled opposes A.B. 479. I recently learned the reptiles have been taken out of the bill by the amendment, [Exhibit C](#). I appreciate the attention to that issue. I cannot overlook the other problems in the bill. County laws are sufficient. Washoe County passed a new exotic animal bill just over a year ago. I was involved in this process for four years.

The owner of the chimpanzees who escaped in Las Vegas was licensed and had owned the chimps for 20 years. The conditions allowing escape are questionable.

A few years ago, someone in Las Vegas snuck into the back yard of a licensed primate owner and cut off the lock of the cage leaving the door open. This occurred just prior to the passing of the Clark County ordinances.

BILL MAGGIORA:

I am opposed to the insurance requirement in A.B. 479. I will read from my written testimony ([Exhibit J](#)).

MAURICIO DURAN (Manager, Sierra Safari Zoo):

The Sierra Safari Zoo opposes A.B. 479. It has never been contacted for this bill or previous bills of this nature introduced in past Legislative Sessions. The Sierra Safari Zoo will be affected by A.B. 479. The regulations will affect Class C exhibitors.

The inspections of the USDA are required at least once per year. The inspector for Sierra Safari Zoo is housed in Sacramento. Inspections can be conducted if a licensee requests one for problems or issues needing input from the USDA.

A private owner may start with one animal and desire to grow to open a facility. The bill makes it harder for people to establish a facility. There are people who have animals illegally and will continue to break the laws. It is difficult to hide a tiger. Wild native predators pose more of an issue in Nevada.

KERA TURNER (Get Rattled):

The many people in opposition to A.B. 479 belong to a group of educated, safe animal lovers and professional, responsible owners. They just are not as rich as Steve Irwin. John Potash, owner and founder of the Wildlife Rescue Foundation

and owner of Get Rattled, provides avoidance training for dogs and is my stepfather. I was raised around exotic animals.

The first thing my brother and I learned was safety, handling and being around the enclosures. This bill will rob others of the opportunity to share in a similar childhood. My brother and I love spending time caring for animals. The connection between humans and nature is an important one. We share our love and passion by educating children and adults at schools, libraries and other places on the safe handling and appreciation of these animals. My brother receives extreme bliss from changing peoples' minds on snakes being icky to being awesome creatures. I treasure the experiences of being engaged and immersed in the responsible handling and education of animals.

MIKE MAYNARD (Department of Wildlife):
The Department of Wildlife is neutral on A.B. 479.

SENATOR HARRIS:
Do you anticipate there being proactive removal of animals should the bill pass? Would you follow up on every citation of the last three years? How do you envision the enforcement to work?

MR. MAYNARD:
There are 35 game wardens Statewide. It is a small pool. Our primary focus is not on permit holders. If A.B. 479 was to pass, it does not mean all permit holders are in violation.

SENATOR HANSEN:
How many years have you been in southern Nevada as a game warden?

MR. MAYNARD:
I have been in NDOW since January 1998.

SENATOR HANSEN:
How many times have you been called on incidences involving the exotic animals listed in A.B. 479? These are not our wild native species.

MR. MAYNARD:
Very few. I can speak to encounters other game wardens have had, but typically the dangerous exotic animals listed in the bill are not common in the

day-to-day operations of game wardens. Mountain lions would be far more common when the young are being pushed out in the spring in certain territories.

SENATOR HANSEN:

The bill is not dealing with native predators. Your testimony is you just about never have had incidences with exotic animals even though NDOW is the go-to agency according to testimony on these types of issues.

SENATOR GOICOECHEA:

If NDOW received a complaint call from HSUS after a USDA inspection, would it be charged with responding?

MR. MAYNARD:

The bill does not say NDOW is going to respond every time there is an exotic animal call. In the past, most calls are for an emergency situation when an animal gets loose. I cannot over-characterize it in one direction or the other as far as the frequency of the calls. There have been encounters with dangerous exotic animals, but these are not the majority of our calls. It is rare in comparison to other activities performed by NDOW.

The Department of Wildlife is not the primary agency called on for certain incidences. The notification for transfer of animals goes to the local sheriff's department. It is important that the enforcement is effective and reasonable.

There are many possible scenarios when an animal makes contact with law enforcement. State wardens are not always the first ones responding. In large urban areas, the police department will get the call and NDOW will be called to follow up. If it is a dangerous exotic, the animal will be euthanized prior to the warden getting there. Public safety should not be put at risk. Some counties in Nevada do not have resident wardens or animal control agencies. A county sheriff's office will be the first responders in some instances for practicality purposes.

SENATOR GOICOECHEA:

There are more game wardens in Nevada than USDA inspectors.

KEN FOOSE (Exotic Pets):

I have a zoology degree and have been working in and out of the zoo field for many years. No issues related to exotic animals have occurred in Nevada for 15 years. There is no need for A.B. 479. The problem does not exist. There are very few people keeping these large animals and they keep them safely. Horses and livestock kill more people in the world than any other animals combined. No one is banning cattle or horses. Exotic animals are soft targets and elicit fear, and HSUS does not want people owning these animals. There are over 3,000 dog bites requiring hospitalization in the Country every day. Documentation of the incidents stated by HSUS should be submitted.

JOSH COWART:

I have owned exotic animals for 20 years with no issues. My son was attacked by a rescue pit bull and had 22 stitches put in his leg at the age of 6 years old. Nothing has changed in the 2 years since this bill was presented in the 79th Legislative Session. There have been no attacks or incidents involving exotic animals. The HSUS is spreading its agenda across the U.S. The giant panda bear and a polar bear are listed in the bill. How many of these do you see in Nevada? What is the real agenda behind this bill and what do the residents of Nevada want and need?

ASSEMBLYWOMAN SWANK:

There are five organizations testifying in opposition to A.B. 479. Rexano, Animal Ark, Sierra Safari Zoo and Exotic Pets are exempt from the bill. As Get Rattled testified, reptiles are not in this bill. Reptiles are dealt with in another part of *Nevada Revised Statutes*. None of these organizations are impacted by the bill.

MR. HARDY:

The comparison between dogs, horses and cows is not an apples to apples comparison. There are more dogs than exotic animals. A study done by *Zoo Biology* indicated that a tiger is 360 to 720 times more likely to cause an injury than a dog. There are good laws regarding vicious dogs.

The controls being proposed in A.B. 479 are minimal. It is important to get some laws in place to protect mistreated animals and the citizens of Nevada. This is an entry-level step toward bringing Nevada in line with other states on the private possession of dangerous exotic animals.

MS. WATHNE:

The HSUS does not provide misleading or fabricated information and can supply documentation. It is difficult for smaller organizations to get accreditation from AZA. It is one of the reasons USDA Class C licensees are exempt from the bill. This bill does not make it impossible for people to breed animals. I agree the 72-hour notice for transporting animals is insufficient. We are open to making a change on that portion of the bill.

MR. HARDY:

The documentation asked for by Senator Hansen is available. There are 28 instances in Nevada since 1991 relating to big cats, primates or alligators. Not all occurred because people were inappropriately handling them. We will provide this documentation to the Committee.

CHAIR SCHEIBLE:

We will close the hearing on A.B. 479 and open the work session. We will not have a work session on A.B. 83 today.

ASSEMBLY BILL 83 (1st Reprint): Makes various changes to provisions relating to wildlife. (BDR 45-210)

We will begin with A.B. 52.

ASSEMBLY BILL 52: Creates the Division of Natural Heritage within the State Department of Conservation and Natural Resources. (BDR 18-217)

ALYSA KELLER (Committee Policy Analyst):

I will read the summary of the bill from the work session document ([Exhibit K](#)).

CHAIR SCHEIBLE:

I will entertain a motion.

SENATOR BROOKS MOVED TO DO PASS A.B. 52.

SENATOR HARRIS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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CHAIR SCHEIBLE:
We will move to A.B. 58.

ASSEMBLY BILL 58: Revises provisions governing violations of regulations adopted by the Administrator of the Division of State Parks of the State Department of Conservation and Natural Resources. (BDR 35-212)

MS. KELLER:
I will read the summary of the bill from the work session document ([Exhibit L](#)).

CHAIR SCHEIBLE:
I will entertain a motion.

SENATOR HANSEN MOVED TO DO PASS A.B. 58.

SENATOR BROOKS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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CHAIR SCHEIBLE:
We will move to A.B. 59.

ASSEMBLY BILL 59: Revises requirements for the issuance of certain permits for entering, camping and boating in State parks and recreational areas. (BDR 35-211)

MS. KELLER:
I will read the summary of the bill from the work session document ([Exhibit M](#)).

CHAIR SCHEIBLE:
I will entertain a motion.

SENATOR GOICOECHEA MOVED TO DO PASS A.B. 59.

SENATOR HANSEN SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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CHAIR SCHEIBLE:
We will move to A.B. 93.

ASSEMBLY BILL 93: Revises provisions relating to the Account for License Plates for the Support of the Preservation and Restoration of the Natural Environment of the Lake Tahoe Basin. (BDR 26-437)

MS. KELLER:
I will read the summary of the bill from the work session document ([Exhibit N](#)).

CHAIR SCHEIBLE:
I will entertain a motion.

SENATOR HANSEN MOVED TO DO PASS A.B. 93.

SENATOR GOICOECHEA SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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CHAIR SCHEIBLE:
We will move to Assembly Joint Resolution (A.J.R.) 3.

ASSEMBLY JOINT RESOLUTION 3: Expresses support for the Nevada Greater Sage-grouse Conservation Plan and the Nevada Conservation Credit System and urges the United States Bureau of Land Management to require compensatory mitigation to offset anthropogenic disturbances in accordance with the Nevada Conservation Credit System. (BDR R-511)

MS. KELLER:
I will read the summary of the bill from the work session document ([Exhibit O](#)).

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CHAIR SCHEIBLE:
I will entertain a motion.

SENATOR BROOKS MOVED TO DO PASS A.J.R. 3.

SENATOR HARRIS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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SENATOR SCHEIBLE:
We will move to A.J.R. 7.

ASSEMBLY JOINT RESOLUTION 7: Expresses the opposition of the Nevada Legislature to the proposed expansion of the Fallon Range Training Complex. (BDR R-1099)

MS. KELLER:
I will read the summary of the bill from the work session document ([Exhibit P](#)).

CHAIR SCHEIBLE:
I will entertain a motion.

SENATOR BROOKS MOVED TO DO PASS A.J.R. 7.

SENATOR GOICOECHEA SECONDED THE MOTION.

SENATOR HANSEN:
I will vote no on A.J.R. 7. My son is in the U.S. Navy Special Forces and the expansion is important to the Navy. Fallon Air Force Base is one-third of the economy of Churchill County.

THE MOTION PASSED. (SENATOR HANSEN VOTED NO.)

* * * * *

CHAIR SCHEIBLE:
We will close the work session and open the hearing on A.B. 233.

ASSEMBLY BILL 233 (1st Reprint): Revises provisions related to water.
(BDR 48-45)

ASSEMBLYMAN AL KRAMER (Assembly District No. 40):

Assembly Bill 233 is not a water bill. It has to do with the annual special assessment levied on taxable property in a particular water basin. Some of the assessments amount to less than \$1. Sending an invoice for that amount is laughable.

Water basins in Nevada must send money requirements to the county to be divided by the number of parcels represented in the basin. The charges are broken down by basin parcels. It often amounts to less than \$1 per parcel. This is added to the ad valorem tax of the property owner. A disabled veteran is exempt from paying property taxes. The special assessment might amount to less than \$1.

Carson City has 20,000 parcels. There are 20 disabled veterans residing in the County on those parcels. This amounts to 20 assessment bills being sent for amounts under \$1. The law requires the bill to be sent regardless. Assembly Bill 233 allows the County to pay the assessments from its general fund if the costs of collecting the assessments are greater than the assessment amounts.

This bill includes language about what the money is used for, but the primary goal is to eliminate sending a bill if the cost of collecting is greater than the assessment amount.

SENATOR GOICOECHEA:

Is there a ceiling amount limit that avoids sending the bill or is it a subjective call?

ASSEMBLYMAN KRAMER:

Carson County sends property tax follow-up letters at year's end. There might be 1,000 letters needing to be sent. It seems many are for amounts under \$6. I would prefer to leave the decision to the administrators. It is more than the postage; it is the processing time and bank charges. It is best left to the discretion of each county. Why try to collect revenue when it is more costly to collect it?

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SENATOR HARRIS:

If the bill is smaller than it is worth sending out, is the payment coming from the general fund of the city, county or State?

ASSEMBLYMAN KRAMER:

It is the county general fund which pays for the postage, bank fees and the employees.

SENATOR GOICOECHEA:

Would the county have to send the payment to the State on all the assessments they did not collect?

ASSEMBLYMAN KRAMER:

Yes, the State sends a check to the water basin district whether it is \$1,000 or \$15,000. Why should the county spend \$2 to collect 87 cents? It is cheaper for the county to pay it rather than bill for it. It is also an image problem for the county in sending out a bill for such a small amount. It is worth it for counties to pay it out of their general funds. This is not a huge number of tax bills. There were 20 out of 20,000 in Carson City. It is not a big number.

CHAIR SCHEIBLE:

With no further testimony, we will close the hearing on A.B. 233 and open the hearing on A.J.R. 8.

ASSEMBLY JOINT RESOLUTION 8: Expresses the opposition of the Nevada Legislature to the elimination of the Nevada State Office of the Bureau of Land Management. (BDR R-506)

ASSEMBLYMAN KRAMER:

The Secretary of the Interior of the United States submitted a reorganization plan that would split Nevada into different administrative regions. It places northern Nevada with northern California and southern Nevada with southern California.

Nevada places a higher dependence on the Bureau of Land Management (BLM) than other states. Eighty-six percent of lands in Nevada are federal lands and the greater portion of that land is overseen by the BLM. The change in boundaries is most important to Nevada.

Assembly Joint Resolution 8 is a resolution from the Nevada State Legislature expressing its opposition to the elimination of the Nevada State Office of the BLM. Nevada has issues with its public lands, sage grouse, water and bombing ranges. Consider the challenges for Nevada in dealing with two different agencies on these issues. I urge your support of A.J.R. 8.

SENATOR HANSEN:

The irony is in the past we wanted to get the BLM out of Nevada and now we want to keep it. With the 12 regions the U.S. Department of the Interior (DOI) is deciding based on watersheds and so forth, are they going to keep local offices in Nevada? The biggest BLM complex is located in Carson City.

ASSEMBLYMAN KRAMER:

My understanding is the offices would be kept open. The boss of the Carson City facility will be housed in northern California. That office will represent northern California, southern Oregon and northern Nevada.

If there is an issue in Clark County, the BLM office in San Bernardino will probably represent southern Nevada, southern California and the state of Arizona. The sage-grouse issue will be split into two different regions. I am unsure if the same experts will be advising the northern region as we have now in Nevada.

SENATOR HANSEN:

I agree with you and the concept in the bill. When BLM administrative people are more accessible, the likelihood of reasonable dialogue and the opportunity to deal with Nevada issues are greater.

SENATOR GOICOECHEA:

I understood the eastern section of Nevada is assigned to the Salt Lake City Region.

ASSEMBLYMAN KRAMER:

It is a very slim section of eastern Nevada going to the Salt Lake City Region. The biggest portions of Nevada are going to the other regions as mentioned. I am unsure if it stretches to Ely, but it does not stretch to Wells.

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SENATOR GOICOECHEA:

I thought it originally included Elko. District 1 and District 4 would go to the Salt Lake region.

ASSEMBLYMAN KRAMER:

If that is the case, I stand corrected.

SENATOR GOICOECHEA:

Either way, we oppose the redistribution.

VINSON GUTHREAU (Nevada Association of Counties):

The Nevada Association of Counties supports A.J.R. 8. Nevada has the largest percentage of federal lands of any state and some of the counties in Nevada have federal land ownership of 98 percent. Nevada counties find their local economies, fiscal condition and quality of life influenced considerably by federal land management decisions. The ability to work with BLM staff locally and at the State level on issues specific to Nevada is critical for its counties.

TIFFANY EAST (Board of Wildlife Commissioners, Department of Wildlife):

The Board of Wildlife Commissioners supports A.J.R. 8. The State's wildlife, watersheds and sage-grouse issues are unique. Leadership and staff who understand Nevada issues and can work with the State are needed.

MR. DONNELLY:

The Center for Biological Diversity supports A.J.R. 8. The community and environment of the State need locally-based leadership from the BLM. The proposed BLM shuffle is part of a larger DOI reorganization. It was put forward by some of the most corrupt players in the Washington, D.C. scene, particularly the DOI Secretary David Bernhardt. He has been described as a walking conflict of interest. The intent of the DOI reorganization is to create a political structure by which DOI career staff are now vulnerable to political interference. The regional directors of the DOI agencies in the new regions will report to political appointees in Washington, D.C. It adds a layer of bureaucracy to DOI and adds political interference.

Moving the BLM office in Nevada will involve stripping away Nevada U.S. Fish and Wildlife Service offices. It is the entity responsible for managing endangered species, national wildlife refuges and other responsibilities important to Nevadans.

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The Center for Biological Diversity encourages a broadening of this Resolution to include the broader DOI reorganization affecting multiple agencies. I can provide language to that effect if so desired by the sponsor.

KAREN BOEGER (Backcountry Hunters and Anglers, Nevada Chapter):

The rationale of replacing the State BLM offices with watershed ecosystem-based regions makes no sense for Nevada. There is little to no commonality between watersheds in Nevada and California. Nevada is a great basin. At a time when DOI purports to be enhancing local involvement and decision making, creating extremely large regional districts is a contradiction. Please support A.J.R. 8.

ALEX TANCHEK (Nevada Cattlemen's Association):

The Nevada Cattlemen's Association supports A.J.R. 8.

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CHAIR SCHEIBLE:

Having no further business, we will adjourn at 5:03 p.m.

RESPECTFULLY SUBMITTED:

Christine Miner,
Committee Secretary

APPROVED BY:

Senator Melanie Scheible, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit / # of pages		Witness / Entity	Description
	A	2		Agenda
	B	7		Attendance Roster
A.B. 479	C	6	Warren Hardy / Humane Society of the United States	Conceptual Amendment
A.B. 479	D	2	Linda Faso	Written Testimony
A.B. 479	E	4	Tina Brandon Abbatangelo	Written Testimony
A.B. 479	F	4	Zuzana Kukol / Rexano	Letter of Opposition
A.B. 479	G	4	Joseph Turner	Written Testimony
A.B. 479	H	1	Kelvin Buchanan	Written Testimony
A.B. 479	I	12	Tim Stoffel / Sierra Safari Zoo	Comments
A.B. 479	J	1	Bill Maggiora	Written Testimony
A.B. 52	K	1	Alyssa Keller	Work Session Document
A.B. 58	L	1	Alyssa Keller	Work Session Document
A.B. 59	M	1	Alyssa Keller	Work Session Document
A.B. 93	N	1	Alyssa Keller	Work Session Document
A.J.R. 3	O	1	Alyssa Keller	Work Session Document
A.J.R. 7	P	1	Alyssa Keller	Work Session Document