

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON NATURAL RESOURCES**

**Eighty-First Session
May 5, 2021**

The Committee on Natural Resources was called to order by Chair Howard Watts at 4:03 p.m. on Wednesday, May 5, 2021, Online and in Room 3143 of the Legislative Building, 401 South Carson Street, Carson City, 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/81st2021.

COMMITTEE MEMBERS PRESENT:

Assemblyman Howard Watts, Chair
Assemblywoman Lesley E. Cohen, Vice Chair
Assemblywoman Natha C. Anderson
Assemblywoman Annie Black
Assemblywoman Tracy Brown-May
Assemblywoman Maggie Carlton
Assemblyman John Ellison
Assemblywoman Cecelia González
Assemblywoman Alexis Hansen
Assemblywoman Susie Martinez
Assemblywoman Robin L. Titus
Assemblyman Jim Wheeler

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

Senator James Ohrenschall, Senate District No. 21

STAFF MEMBERS PRESENT:

Jann Stinnesbeck, Committee Policy Analyst
Allan Amburn, Committee Counsel
Devon Kajatt, Committee Manager
Nancy Davis, Committee Secretary
Trinity Thom, Committee Assistant



OTHERS PRESENT:

Tony Wasley, Director, Department of Wildlife
Tiffany East, Chair, Board of Wildlife Commissioners, Department of Wildlife
Larry Johnson, President, Coalition for Nevada's Wildlife
Allen Biaggi, representing Nevada Mining Association
Kyle Davis, representing Nevada Conservation League
Warren Hardy, representing The Humane Society of the United States
Jeff Dixon, Nevada State Director, The Humane Society of the United States
Lisa Wathne, Manager, Captive Wildlife Protection, The Humane Society of the United States
Tina Brandon Abbatangelo, Private Citizen, Las Vegas, Nevada
Kayleigh Dearstyne, Private Citizen, Reno, Nevada
Edith Duarte, representing Lion Habitat Ranch
Tim Stoffel, representing Responsible Exotic Animal Ownership
Scott Shoemaker, Director, Responsible Exotic Animal Ownership
John Potash, Private Citizen, Reno, Nevada
Keith Evans, President, Lion Habitat Ranch

Chair Watts:

[Roll was taken. Committee rules and protocol were reviewed.] I will now open the hearing on Senate Bill 406 (1st Reprint).

Senate Bill 406 (1st Reprint): Revises provisions relating to wildlife. (BDR 45-1089)

Tony Wasley, Director, Department of Wildlife:

Senate Bill 406 (1st Reprint) does two things. First, it creates the possibility of having an electronic tag. This does not mean that everyone will be required to have an electronic tag; this added language would allow for a hunter in the field to have a tag on his phone. That tag could be electronically punched and could be time- and date-stamped, with specific GPS coordinates. It could then be automatically uploaded into the Department of Wildlife's (NDOW) harvest database to make the recordkeeping of harvests easier and simplifying the process for tag holders. It would prevent some of the challenges that arise from lost tags and tag replacements.

The other thing that this bill does is change the residency requirement in order to be eligible for a senior hunting license. All of the residency requirements for licensure with NDOW are a six-month residency in the state of Nevada. However, we failed to address the seniors with our simplification effort a few sessions ago. This is a housekeeping detail. We would like to achieve consistency for the residency requirement. We believe that it should not be necessary for seniors to reside in Nevada for five years to be eligible for a reduced-rate license, and that they should be held to the same residency requirements as everyone else, which is six months. Those are the two things that this bill does.

The Department would also like to offer a conceptual amendment giving the Department some much-needed flexibility in responding to emergency situations [[Exhibit C](#)]. The Department has been faced with a few emergencies in the last couple of years. One was related to the severe drought in the southern part of the state. The condition of some of our artificial water developments for bighorn sheep was brought to the Department's attention late last summer. We had sheep dying, succumbing to dehydration at those water sources that they had become accustomed to using. We were able to respond quickly with the assistance of some large donations from the nongovernmental organization (NGO) community. All told, we were able to haul 167,000 gallons of supplemental water to 30 different water developments, or guzzlers, in 18 different mountain ranges, and avoid further losses where we could have realistically lost hundreds of bighorn sheep. It was the flexibility to accept and expend those donated dollars that allowed us to respond quickly.

We have other issues related to wildfires, wildfire restoration, and wildlife disease. We would offer in concept the amendment [[Exhibit C](#)] that would provide an exemption to the Wildlife Trust Fund, which is a nonexecutive account that was created by this body with Assembly Bill 525 of the 76th Session. Consistent with the event that I just described, there were some amendments offered, and we are not exactly sure what happened to those, but we have been administering this account in a way that exercised the flexibility that I described. It was recently brought to our attention that this flexibility was not actually afforded the Department in statute. We are looking to regain some of that flexibility consistent with the way the account has been administered. This conceptual amendment would exempt that Wildlife Trust Fund account from certain provisions of *Nevada Revised Statutes* 353.335 to donations from private sources accepted in certain unanticipated emergency circumstances. There are three aspects to this amendment. The first is that we would define those certain unanticipated emergency circumstances that would be related to and including wildlife disease events, extreme drought, wildfire and wildfire rehabilitation efforts, or other similar events that put wildlife, wildlife habitat, or human life at risk.

The second thing that we would like the Committee to consider is a cap on the amount of per-emergency event the Department is able to accept and expend so that it would not be unlimited, but could be capped at \$250,000. That would buy us the necessary time to get on an Interim Finance Committee (IFC) agenda, which typically takes between two to four months for approvals. If that were capped at \$250,000 per emergency event, that would preclude the acceptance of greater than that or expenditures greater than that per event.

The third thing this conceptual amendment aims to do is add a reporting requirement so that NDOW would submit a report to the IFC for placement on the soonest available meeting of the IFC following acceptance of emergency funds acquired pursuant to the first portion of the amendment. That report would contain information pertaining to the emergency event, the amount received in donations, the amount of donations expended, identify the donating parties, and the event-specific donations. We believe that \$250,000 per event cap could allow us to respond to some of the emergent situations that we have been faced with in the past few years. I mentioned the drought issue; another good example pertains to wildfire rehabilitation where typically we have a very narrow biological window in which to respond.

We have huge differences in total acres burned per year. In 2019 we had over 1 million acres that burned. We had a 35-day federal government shutdown during that four-month biological window. It was only with the assistance of donated dollars that the Department was able to step up, take advantage of that four-month window, and get seed back in the ground to maintain ecosystem integrity. One of the challenges in rehabilitation is if we do not take advantage of that four-month window, we are allowing cheatgrass or other nonnative invasive species to become established in those sites and then the rehabilitation efforts are significantly more difficult and significantly less successful.

Those are a couple of very good examples of wildfire. We have also had unanticipated events with wildlife disease issues as well. One other unique aspect to NDOW as an Executive Branch agency is that we do enjoy the partnerships of a significant number of NGOs in conservation as well as industry partners who, quite frankly, build memberships around the opportunity to contribute in these meaningful ways. Being able to benefit from those private donations and respond to emergencies, doing so with accountability, transparency, and statutory guidance, is what we are seeking in this amendment. I am happy to provide more specifics or answer any questions.

Chair Watts:

Are there any questions?

Assemblyman Wheeler:

The bill seems very straightforward. I would like to address the amendment [\[Exhibit C\]](#). It has a cap of \$250,000 in gifts and donations for emergencies. I am wondering why you are limiting yourself to that. I can see instances of feeding entire herds that will go well beyond \$250,000. I am also wondering who makes the decision to get these funds and who defines the emergency.

Tony Wasley:

The \$250,000 cap may seem relatively arbitrary. I appreciate that question because in 2019, we took in \$480,000 in donations for fire rehabilitation. Clearly, that \$480,000 is in excess of the \$250,000 cap. The \$250,000, quite frankly, is in response to an expressed desire by the Legislature to understandably provide oversight. We do not want to perpetuate the notion that we are trying to avoid oversight in any way, shape, or form. We want to follow the process, and we want to come before IFC. We want to highlight the partnerships, the donated dollars, and the good work that our Department is doing, but we do not want to appear greedy in doing so. We looked through the donated amounts, and we looked at the emergency events. As I said, we collected \$480,000 from 14 different partners in the 2019 fire rehabilitation season. There could be value in making that cap larger.

In terms of who makes the determination of an emergency event, ultimately, the way that is presently envisioned as a conceptual amendment is that would be within the Department, who would then report on that event and the acceptance of those donated funds to the IFC. If you or other Committee members have ideas on an expeditious way of making that declaration, I would entertain any thoughts you might have. I will share with you that when

we first learned that we had bighorn sheep dying of dehydration at artificial water developments, we were informed at 8 a.m. in the Director's office by staff who said we have a problem. We were immediately able to mobilize and confirm that we had a problem by 9 a.m. By 10:30 a.m., we had two NGOs which committed to contributing \$75,000 each, enabling us to purchase equipment—special buckets that could be flown in by our helicopters—and respond with them immediately. I think the biggest challenge in making that determination is not so much who does it, but that it is timely. There are certainly black and white situations, but there could be some challenges in some of the gray situations. It would be my hope that, as a Department, we are before the IFC reporting specifically on emergency events and that there would be feedback in the event that it was perceived that the Department is taking advantage of that determination, and there would be opportunity for feedback. By all means, if there are thoughts or ideas on making that determination in an expeditious manner, we welcome those thoughts as well.

Assemblyman Wheeler:

The third item in the amendment says you will send reports to IFC, so there is oversight. In my opinion, the \$250,000 cap should be removed. As far as the emergency declaration, that would have to pass through your office. As the Director, you make that decision, correct?

Tony Wasley:

That is correct, and we can add that to the amendment. The language that currently exists pertaining to the Wildlife Trust Fund stipulates that the donated dollars must be expended in a manner consistent with the direction and instruction of the donating party. There is a clause that says if the money is not accompanied by specific instruction from a donating party, it would be expended at the best discretion of the Director. That is secondary and is definitely only if that direction is not provided by the donating party. In the overwhelming majority of donations, we see clear instruction. We advise the donating parties to please do so. When we receive those donations, each donation has a specific code, and all the expenditures are tracked specific to that donation. That is also made available in a report to the Board of Wildlife Commissioners of the Department of Wildlife twice annually. It is required once annually per statute, but we provide the report every six months.

Assemblyman Wheeler:

I believe the declaration of an emergency should be through you, and then approved by the Board as expeditiously as possible.

Assemblywoman Cohen:

I understand the electronic tag, but I would assume hunters are not hunting where there is great cellular service. How do you account for that?

Tony Wasley:

The GPS in smart devices continues to work without a cell signal. It captures the location; once you move back into range, the stored coordinates are uploaded via the cell signal. The GPS and satellite technology are functional even when the cellular aspects are not.

Assemblywoman Cohen:

What happens if someone is hunting and an officer from your Department wants to see his tag, but there is no cell service?

Tony Wasley:

The tag is stored on the device. A warden could verify the tag using some unique identifier. The smart device of the hunter would not need cellular access to display that. It could be as simple as a photo in your phone. The functionality is there for the warden to validate your tag. You can use GPS coordinates, the time and date, and then as soon as you have cellular service, you could still see that visual representation of the tag. The cellular functionality would then take those GPS coordinates and the time and date stamp and upload that information to the Department's harvest database.

Assemblywoman Carlton:

Thank you for the conversation about the emergencies and how you would deal with getting that information in front of IFC. Through that conversation, we realized that a 15-day expeditious work program was not going to work if you have sheep not making it at 8 a.m. and you need to help them by noon. We needed to figure out how to give the Department a way to address the emergency but still have the accountability factors built in. I believe, through those conversations, we have addressed it—having it be an unanticipated emergency, the health and welfare of other wildlife, or human safety. The cap discussion was along the lines of what the Department has encountered with the bighorn sheep and looking at that number, then reporting afterwards so that we understood exactly who helped, when, and how it all worked so that the Legislature is still in the conversations moving forward. I appreciate Mr. Wasley's reaching out and having that conversation. I think this is a good step forward to address an issue; if we need to make further adjustments in the future, we can keep talking about it. If something is in harm's way and they need to act, I do not want the Department to have to make the choice to be in violation, but have them act and then come to us to explain the problem they solved. I appreciate the conversation and work that was done to ensure a good balance moving forward.

Chair Watts:

Are there any other questions? Seeing none, I will open testimony, starting with those wishing to provide testimony in support of S.B. 406 (R1).

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

The Board of Wildlife Commissioners supports S.B. 406 (R1) with the proposed amendment [\[Exhibit C\]](#). As you have heard, last fall we experienced an unprecedented water shortage, causing a number of our big game guzzlers to go dry multiple times. This left our wildlife, who are dependent upon these resources, with no alternatives. We are blessed to have outstanding relationships with many of our sportsmen organizations, which donated \$125,000 toward the approximately \$360,000 to pay for the water hauls. The Wildlife Trust Fund provided a secure tool for NDOW in which to deposit these gifts for use in an emergency situation. For every dollar donated by the NGOs toward wildlife conservation,

we receive matching funds. If we were to use different pots of money, we would leave those matching funds on the table.

Commission policy number 1 puts prescribed guidance over money deposited in the Wildlife Trust Fund. The Commission receives these reports twice per year. Additionally, throughout the last 15 years, NDOW has been subject to a series of 27 audits ranging in types from law enforcement to fiscal and grant compliance. Recently, NDOW received the Cashman Good Government Award for 2021 from the Nevada Taxpayer Association and the Cashman family.

We are supportive of the other provisions in the proposed bill: removing the five-year residency requirement for seniors 65 years and older, which would provide an important activity for Nevada citizens of all ages; and the electronic tags that provide important data for us to make decisions regarding quotas in the coming years. Commission policy number 24 states that the Commission has a duty to provide reasonable hunting opportunities to Nevada citizens in addition to promoting family and other special cultural, historic, scenic, and natural connections to the outdoors. We encourage you to support the amendment and the other provisions in S.B. 406 (R1).

Larry Johnson, President, Coalition for Nevada's Wildlife:

The Coalition for Nevada's Wildlife would like to offer support of S.B. 406 (R1) and the amendment. I was previously a 30-year director and past president of Nevada Bighorns Unlimited. I was often on the giving end of the grants to NDOW for these exact emergency purposes. They do come about rapidly. For fire restoration, the seeding availability window—which is often a bidding war between the various states during a bad fire year—the Department needs the ability to react immediately. You have already heard about the water hauls into the depleted water developments. There have also been emergencies as far as bighorn sheep die-offs in which there has been the need to helicopter-capture, sample, and GPS-collar those animals. All of this comes about in a rapid-fire manner. I urge you to support the ability of NDOW to react to such emergencies.

Allen Biaggi, representing Nevada Mining Association:

The Nevada Mining Association is in support of the proposed amendment to S.B. 406 (R1) as presented by the Department, which will allow NDOW to accept gifts, donations, bequests, and grants and utilize those in a timely manner [[Exhibit C](#)]. The proposed amendment allows for rapid action in the event of an emergency, caps expenditures to \$250,000, and ensures transparency and accountability for how those gifts and donations are used through mandatory reporting to both the Legislature and to the Board of Wildlife Commissioners. The Department of Wildlife and mining are often partners in restoring lands scarred by wildfire, improving sage grouse habitat and other species, and addressing game migrations and population enhancements, just to name a few. Often, as in wildfire rehabilitation, time is of the essence in getting seed on the ground to ensure maximum viability and effectiveness. The proposed amendment to S.B. 406 (R1) will reduce delays and ensure the necessary work for natural resource rehabilitation and protection can be

accomplished in a timely fashion while ensuring agency accountability. For the record, we are neutral on the remaining sections of the bill because they do not pertain to our industry.

Kyle Davis, representing Nevada Conservation League:

We are in support of this bill, especially the proposed amendment that you have heard from Mr. Wasley. You have heard all of the reasons why this is so important. The fact is, we live in the driest state in the nation; we often need the ability to react quickly to situations that have been discussed so we can protect our wildlife resources. We appreciate Mr. Wasley's working with the Committee and with Assemblywoman Carlton on the amendment to deal with this issue while maintaining the appropriate oversight for the Department. We urge the Committee to add this amendment to the bill.

Chair Watts:

We will go on to the next caller in support. Hearing no one, is there anyone wishing to testify in opposition? Hearing no one, is there anyone in neutral? Hearing no one, are there any closing remarks?

Tony Wasley:

Thank you for the opportunity to present the bill and proposed amendment.

Chair Watts:

With that, I will close the hearing on S.B. 406 (R1). I will move on to our work session, beginning with Senate Joint Resolution 10.

Senate Joint Resolution 10: Urges Congress to protect the public lands including and adjacent to Sunrise Mountain, Frenchman Mountain and Rainbow Gardens. (BDR R-101)

Jann Stinnesbeck, Committee Policy Analyst:

As Legislative Counsel Bureau staff, I can neither support nor oppose any proposal that comes before the Committee. Senate Joint Resolution 10 was heard in this Committee on April 28, 2021 [[Exhibit D](#)]. The resolution urges the United States Congress to protect the public lands including and adjacent to Sunrise Mountain, Frenchman Mountain, and Rainbow Gardens in Clark County by designating all or portions of the area as a national conservation area, national recreation area, or national monument or applying other federal protections that Congress deems appropriate for these important and scenic lands.

Chair Watts:

Are there any questions? Seeing none, I will accept a motion to do pass S.J.R. 10.

ASSEMBLYWOMAN GONZÁLEZ MADE A MOTION TO DO PASS
SENATE JOINT RESOLUTION 10.

ASSEMBLYWOMAN MARTINEZ SECONDED THE MOTION.

Is there any discussion on the motion?

Assemblyman Ellison:

I am going to vote yes and reserve my right to change my vote on the floor.

Chair Watts:

Is there any other discussion on the motion? Seeing none, we will vote.

THE MOTION PASSED. (ASSEMBLYWOMEN BLACK AND TITUS
WERE ABSENT FOR THE VOTE.)

I will assign the floor statement to Assemblywoman Carlton. The next item on our work session is Senate Joint Resolution 12.

Senate Joint Resolution 12: Expresses the priority of the timely completion of the Tahoe East Shore Trail extension project and urges Congress to provide federal funding for completion of the project. (BDR R-363)

Jann Stinnesbeck, Committee Policy Analyst:

Senate Joint Resolution 12 was heard in this Committee on April 28, 2021 [[Exhibit E](#)]. This resolution recognizes and expresses the completion of the Tahoe East Shore Trail extension and its associated safety, transit, environmental, and visitor improvements as a priority. The resolution urges the United States Congress to provide the necessary federal funding for implementing the remaining elements of the State Route 28 National Scenic Byway Corridor Management Plan.

Chair Watts:

Are there any questions? Seeing none, I will take a motion to do pass S.J.R. 12.

ASSEMBLYMAN WHEELER MADE A MOTION TO DO PASS SENATE
JOINT RESOLUTION 12.

ASSEMBLYWOMAN BROWN-MAY SECONDED THE MOTION.

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

THE MOTION PASSED. (ASSEMBLYWOMEN BLACK AND TITUS
WERE ABSENT FOR THE VOTE.)

I will assign the floor statement to Assemblywoman Peters and Assemblyman Wheeler as backup. That concludes our work session. We will now move on to our final bill hearing of the day, which is Senate Bill 344 (1st Reprint).

Senate Bill 344 (1st Reprint): Enacts provisions relating to the importation, possession, sale, transfer and breeding of dangerous wild animals. (BDR 50-871)

Senator James Ohrenschall, Senate District No. 21:

Many of you may remember hearing about an incident in central Ohio nearly 10 years ago, when someone alerted law enforcement of a full-grown male lion on his property. On October 18, 2011, a local gentleman who owned a hobbyist exotic animal farm in Zanesville, Ohio, committed suicide after he released from their enclosures 50 of the 56 animals on his property. Animal control and local Zanesville law enforcement officers were met with a scene they were not equipped to handle. Tranquilizer guns were not able to take down 18 Bengal tigers and 17 lions, as well as several bears, mountain lions, wolves, a baboon, and a monkey. The officers were forced to use lethal force to gain control over most of the fleeing animals. In total, 48 animals were killed that day.

This case and others around the country illustrate the need for comprehensive regulation and awareness when it comes to the ownership of dangerous exotic animals. Much like our state today, ten years ago, Ohio law allowed for private citizens to keep large, dangerous, and exotic animals with little to no regulation or oversight. Ohio responded by strictly regulating the ability to privately keep dangerous exotic animals.

According to the Michigan State University College of Law's Animal Legal and Historical Center, Ohio is now among 20 states with comprehensive bans on the private ownership of dangerous wild animals, with certain exceptions. These laws may prohibit the ownership of wild or exotic animals as pets or only allow those animals to be kept under certain licenses. Another 13 states have partial bans on private ownership of dangerous exotic animals, which means these states prohibit specific animal species listed by statute. Meanwhile, 14 states permit private ownership of dangerous, exotic animals under a licensure or permit model. Those seeking licenses may need to register with the state or local government and prove satisfactory conditions for the keeping of such animals, pay a fee, and maintain liability insurance. Nevada, like four other states, is an outlier in that we have very few provisions and little oversight over private ownership of exotic and dangerous animals.

The reality is these animals are inherently dangerous, and I do not think that I or any member of the Legislature wants a Nevada law enforcement officer, a firefighter, a first responder, a utility worker, someone providing home repair or landscape services, or a delivery worker to ever have to worry that they might be walking into the home of a dangerous exotic animal that has not been properly controlled.

You are going to hear testimony today about the threats that these animals can cause to communities, either due to their great strength or through diseases that they are capable of spreading. You will also hear from animal owners who say they are different and that they are good exotic animal owners. That may be very true, but that does not mean that a future owner of that animal will also be a responsible exotic or dangerous animal owner. Nor does it mean his neighbor knows what animal is in the home next door and that the animal is properly secured. An exotic dangerous animal living in your neighborhood is like a ticking time bomb—it is not a question of if someone is going to be hurt, but when.

Of course, we should also be concerned about the well-being of these animals. Most private citizens are not equipped to properly care for these animals or to handle an unfortunate incident of escape or an attack. If we want to have exotic dangerous animals in private homes, there needs to be some minimum requirements. These requirements are covered in Senate Bill 344 (1st Reprint). This bill protects the good work of our animal shelters and rescue centers, allows for the ownership of dangerous wild animals by properly licensed exhibitors, and permits ownership or possession by the Department of Wildlife and certain licensed veterinarians. Finally, it is important to note that this bill does not completely remove exotic animals from private ownership; rather, these owners are grandfathered in as long as they meet minimum requirements.

I will now briefly walk through the bill. Sections 2 through 6.6 set forth definitions that are applicable to the provisions in S.B. 344 (R1) and Title 50 of the *Nevada Revised Statutes* (NRS). You will notice that section 4 lists specifically those species that fall under the definition of "dangerous wild animal." I believe this definition is narrow enough to capture the most dangerous of animals for which both the community and the animal need protection. You will notice the definition does not include reptiles, alligators, racoons, et cetera, but rather animals known to be particularly dangerous to people, including various species of lions, tigers, primates, elephants, wolves, and wild cats.

Section 7 states that it is unlawful for a person to "import, possess, sell, transfer or breed a dangerous wild animal in this State." The bill further states in subsection 2, "A person shall not allow a dangerous wild animal to come in direct contact with a person who is not exempt" from the provisions of the bill. These are the only prohibitions set forth in Senate Bill 344 (R1).

Section 8 sets forth a series of exemptions, meaning this bill does not apply to several entities and individuals that are enumerated in this section. You will notice this includes research facilities, certain nonprofit entities, licensed veterinarians, law enforcement officers, animal control authorities, the Department of Wildlife, and entities accredited by the Association of Zoos and Aquariums or the Alliance of Marine Mammal Parks and Aquariums or their successor organizations. Also exempt are certain holders of a Class "C" license for exhibitors, issued by the United States Department of Agriculture (USDA), provided those exhibitors are in good standing and have not had licensure problems or been convicted or fined for animal abuse or neglect. This includes television shows, movies, reality shows, infomercials, and documentaries.

Section 9 is the specific exemption I mentioned earlier for people who already own one of these animals. The intent of S.B. 344 (R1) is not to take these animals away from individuals who currently have them, provided they meet the minimum standards set forth in the bill. These include not having been convicted or fined for animal abuse or neglect or having a license relating to animal care, possession, sale, exhibition, or breeding that has been revoked or suspended. The ownership prohibition provisions of the bill also do not apply to existing owners if they do the following: maintain veterinary records and documents showing the acquisition of the dangerous wild animal; maintain a written plan—which must be provided

upon request to law enforcement or animal control—that is based on the standards of the American Veterinary Medical Association or its successor for the handling, restraint, tranquilization, and euthanasia of the animal in the event of an escape or when managing the animal during an emergency; have sufficient training to care the for animal; and register with local law enforcement or an animal control authority indicating the number and species of all dangerous wild animals owned, and showing proof of liability insurance covering the property and bodily injury or death caused by the animal.

Section 10 clarifies that if law enforcement or animal control officers have probable cause to believe that an owner has violated the provisions of this law, they can seize that animal. Section 11 describes how to handle a seized animal, allows for the voluntary relinquishment of the animal by the owner, and sets forth the conditions for and manner in which the dangerous wild animal may be returned to the owner. Section 12 deals with the appropriate placement of an animal that is seized pursuant to section 10. Section 13 authorizes a person or entity given temporary custody of a dangerous wild animal to petition a court to order the person from whom the animal was seized to post a security bond to compensate for the cost of caring for the animal during court proceedings. Section 14 indicates that nothing in this bill is intended to conflict or be inconsistent with the provisions of NRS Chapter 574, relating to animal cruelty. Section 15 clarifies that local governments have the right to adopt, if they so choose, an ordinance that places additional restrictions or requirements on the importation, possession, sale, transfer, or breeding of dangerous animals. Section 16 provides that a person who violates certain provisions of S.B. 344 (R1) is subject to a civil penalty of not more than \$20,000.

The remaining sections of the bill address the authority of local governments to enact further restrictions or ordinances concerning animals that do not conflict with this legislation and provide other conforming changes. Finally, section 26 sets a July 1, 2021, effective date for the bill.

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

I want to thank you for scheduling this hearing and for the Committee's indulgence in hearing what we think is an important piece of legislation. I also want to express my gratitude to Senator Ohrenschall for taking the time and effort to shepherd this bill this session. Senate Bill 344 (1st Reprint) is the result of several sessions of work on this issue. I would certainly refer to it as bipartisan work. We have worked with animal welfare groups, the entertainment industry, law enforcement, the resort industry, and as recently as 9 a.m. this morning, with other individuals from the animal industry. I mention that because we are continuing to work with William Horne and his client, Lion Habitat Ranch. They gave me a couple of clarifications that they want to see in the bill. One is regarding due process. As I said during that phone call, due process is nonnegotiable in America. They are also seeking clarification that we agree with on direct contact. They are concerned that the legislation is read broadly enough as to prohibit contact by employees of the animal facility or a show or production. Also, we are working on additional language making sure the exemptions that we have provided based on national standards are not too broad. We will likely come

forward with an amendment to address the concerns of those remaining in opposition, or at least in opposition as currently drafted.

I would like to point out a couple of things that I have learned that are important in this process. The first one is that this bill that sits before you today deals with the most dangerous of dangerous. We started out with a much broader list that we obviously believed had some level of danger, but we realized if you have to explain why it is dangerous, it may not be dangerous enough. This list includes the most dangerous of dangerous. There are some primates on the list that people may question, but it has absolutely been shown and demonstrated that these primates, as well as many of the other animals on the list, carry diseases that are transmittable to human beings, which can be just as devastating as a potential attack.

The other point I want to make—and we have seen this before—Nevada is an island, one of four states that do not have laws at the state level to deal with these kinds of things. That is particularly important. The reason I call it an island is because when a state lacks guidelines and direction in law, we find that bad actors tend to flee to that state. I do not know if all of you saw *Tiger King*, but it was a fairly interesting documentary that illustrates our point on that.

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

Thank you for the opportunity to speak in support of S.B. 344 (R1). Some of you may have watched *Tiger King* last year while we were all quarantined. Although it was not the show's focus, it did raise awareness about the plight of the captive big cats and exposed the hidden suffering associated with a practice called "cub petting." It also highlighted why S.B. 344 (R1), with the background checks, insurance requirements, and the prohibition on public contact, is a reasonable middle standard to ask of animal owners.

The reason there are so many big cats, especially tigers, in the hands of unqualified individuals in the United States is because of the practice of cub petting. Cub petting programs provide baby big cats, usually tigers, to the public to pet, feed, play with, and pose with. For years this has been a common practice of roadside zoos and by exhibitors who haul tiger and lion cubs to fairs, festivals, shopping malls, and other venues and charge people for time to interact with those animals. This is a cruel practice for many reasons, not the least of which is the cubs are taken away from their mothers at birth and can only be used for public handling until they are about three to four months old, then they age out. More tigers must be continually bred to provide a steady supply and replace those cubs who age out. Many of the castoffs are sent to substandard facilities or in the pet trade. We know that a number of them were sent by Joe Exotic, the Tiger King himself, to a private owner in Pahrump. This cycle of breeding and dumping is the root cause of the large surplus of big cats in the United States. In addition, S.B. 344 (R1) requires that USDA-licensed animal exhibitors abide by a few conditions that go above and beyond the regulations of the Animal Welfare Act, which was written decades ago and does not incorporate modern zoological industry standards or advanced animal welfare and public safety in Nevada. By passing this bill, we disrupt the

cub petting industry; we provide continuity for the owners, licensed or not, with some very reasonable asks in the interest of animal welfare and public safety.

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

Thank you for the opportunity to provide our comments in support. As Senator Ohrenschall said, this bill only applies to activities involving a very specific and limited list of dangerous wild animals, including big cats, bears, hyenas, elephants, wolves, and primates. This bill does three simple things. First, the bill bans the private possession of these wild animals—although it is important to note that there is a grandfather clause, so anyone who currently has any of these animals as pets will be able to keep the animals they have. They simply cannot breed or otherwise acquire more of those animals. The animal owners will also have to abide by a few public safety and animal welfare requirements, such as liability insurance, an emergency plan in case an animal escapes, and they cannot have been convicted of animal abuse or had an animal-related license revoked.

Next, all zoos and other USDA-licensed exhibitors will be able to continue to have these animals and to acquire more of them as long as they also abide by some additional measures that exceed the very minimal requirements of the Animal Welfare Act—again, liability insurance, escape plans, and a key one is no USDA citations within the past three years for any violations that directly affect the health and well-being of a dangerous wild animal or the public safety. It is important to point out that a number of opponents of the bill have claimed that if someone is cited by the USDA for leaving the lid off of a garbage can or cobwebs in the corner of his barn, he is going to lose his exempt status under S.B. 344 (R1). That is simply not the case. Senate Bill 344 (1st Reprint) only applies to serious citations that directly affect the health and well-being of an animal, such as failure to provide veterinary care, failure to provide shelter, or failure to provide food or water. These are very specifically laid out in the Animal Welfare Act with very specific citations. It also includes failure to allow a USDA inspection or interfering with a USDA inspection. Housekeeping, which is what the USDA calls something like cobwebs in the corner, does not enter into this. We are only focusing on serious issues that would directly affect an animal's health and well-being or the public's safety.

Finally, as Mr. Dixon mentioned, it bans public interaction with these animals, which is a cruel industry that has led to a very big problem in this country. It impacts public safety and has a big impact on law enforcement and animal sanctuaries trying to deal with these issues. This bill is a very reasonable framework for addressing public safety and animal welfare in Nevada, and we urge your support.

Chair Watts:

Are there any questions from members of the Committee?

Assemblywoman Titus:

I understand that you are doing this with the best intentions. Mr. Hardy, you mentioned that you had conversations with Mr. Horne. I would like that on the record because that includes

some of my concerns regarding the ability of someone who perhaps already has an animal and is being grandfathered in. If someone is walking that cat, no one else can interact with the cat. Can I get some clarification on that?

Warren Hardy:

The language already speaks to the grandfathering in. The concern that Mr. Horne and Lion Habitat Ranch have is relative to whether that prohibition on direct contact extended to those who are providing care for the animal. We want to ensure that we clarify that it does not. This is for direct contact with the public who does not have anything to do with the animal. This is getting to cub petting and leading to an abuse of the system. These kittens have an economic shelf life of about three to four weeks, a very short amount of time, and then they will have to be dumped somewhere. We have many very good sanctuaries that take these animals in and care for them. We do not want to prohibit them from being able to feed them and the contact that is necessary to care for them. That is the intent of the amendment that we are working on.

Senator Ohrenschall:

I agree with Mr. Hardy. My intent is no direct contact with the public. That is what I intend to prohibit, not with trained staff who need to care for these animals.

Assemblywoman Titus:

Existing law already says that the Board of Wildlife Commissioners, Department of Wildlife (NDOW), establishes the rules including transportation and possession of these species. Why are you doing this on a statewide level and not allowing either individual county ordinances or letting the Board make these decisions?

Senator Ohrenschall:

I believe that without a uniform statewide law regarding these dangerous exotic animals, we have big gaps. There is a reason that there are just a small handful of states like Nevada that have these gaps. Unfortunately, a vacuum leads to Nevada becoming a magnet for folks who cannot properly take care of these animals, which not only puts the animals' lives in danger, but also anyone who might come in contact with them. That is why I believe S.B. 344 (R1) is needed.

Warren Hardy:

I would add that we worked very closely with local governments to ensure they have the tools they need if they want to go beyond this. Some counties already do go beyond what is in the bill. The other thing we did is work very closely with NDOW, especially their law enforcement, to ensure we were not conflicting or in any way impacting their ability to do their job. There are a number of species that are not on this list that might surprise some people, such as rattlesnakes, for example, that are not on this list because they are already prohibited by NDOW. We worked very closely to ensure we are in step with local governments and with law enforcement.

Assemblywoman Titus:

My concern was that it seems to me the place to start is not changing our NRS at the state level, but working with the Wildlife Commissioners and NDOW, the people who are already charged with this. I am wondering where the disconnect was to use this avenue. Has NDOW responded to your concerns by doing this through regulation? Was that ever an option to perhaps have regulations through the Wildlife Commissioners?

Warren Hardy:

As I said, we have been working on this for years. What you have in front of you in S.B. 344 (R1) is something that we think in reality has very minimal standards. We would hope and encourage the local governments to go well beyond this, and NDOW if they feel it is necessary. As Senator Ohrenschall said, we thought it is important, given the fact that we are an island and therefore a target for bad actors nationally and internationally, that we have some limited standards. I will tell you that most folks think that S.B. 344 (R1) is a very light touch. We agree with that, but we do believe this should also be left to the local government to do what makes sense for their local communities.

Chair Watts:

I would like to follow up on the regulatory options. I want to ask our legal counsel if the Board of Wildlife Commissioners would have jurisdiction over this matter.

Allan Amburn, Committee Counsel:

Currently, I do not think the Wildlife Commissioners would have jurisdiction over this matter because to have statutory authority, they would have to adopt regulations. The new language that is being added in this does not provide a new regulatory authority to an agency. The language would be binding if regulations were to be adopted and comply with the new language that is being added into statute.

Assemblywoman González:

Do you know how many exotic animals are in Nevada?

Senator Ohrenschall:

We do not know; that is one of the reasons it is so important to pass S.B. 344 (R1), to have a census. This bill requires those who are grandfathered in to register. Right now, we do not know how many animals there are.

Assemblywoman González:

Portions of the bill state that if an animal is confiscated, it would be euthanized. Why is that an option?

Senator Ohrenschall:

Certainly, there are different options, including returning the animal if the court deems that would be appropriate, or placement of the animal with another suitable place. I believe euthanasia would be a last resort.

Lisa Wathne:

One section of the bill says an animal must be euthanized. That is something that was requested by NDOW. It is my understanding that it applies to a very specific situation for animals that are simply not allowed to be in the state under any circumstance. This is something that we have been trying to clarify with them but have not been able to reach them yet. The Department of Wildlife asked for that specific section two sessions ago.

Assemblywoman González:

I am curious about the intent of the penalties. The first offense is a misdemeanor; the second offense jumps all the way to a category E felony. I am curious what the intent or conversations around the penalties were.

Senator Ohrenschall:

The spirit of graduated sanctions is in the hope that the penalty of the first offense misdemeanor will do the trick and someone would not become a repeat offender. If that did not do the trick, the second offense will be a felony.

Assemblyman Wheeler:

Section 8, subsection 7, paragraph (d), subparagraph (2), sub-subparagraph (I), states, "Stress or trauma to the dangerous wild animal." Who decides what is stressful to a wild animal? Section 8, subsection 7(d)(I) states, "Providing inadequate veterinary care to the dangerous wild animal." Who decides that? Although I have never had an exotic animal, I have had many large animals, and we provided our own veterinary care. In this case, would that be illegal? In section 8, subsection 7(d)(2)(II), it states "A threat to public safety." Is that a verbal threat? I am seeing a lot of very ambiguous stuff here, and I am wondering who makes these decisions for the citations.

Senator Ohrenschall:

That part of the bill has to do with the USDA issuing citations. This refers to citations being issued by the federal authority in the previous three years. Ms. Wathne may be able to provide more clarification.

Lisa Wathne:

That section is specifically referring to USDA citations, and they issue those citations. It is all laid out in the Animal Welfare Act, which is what USDA looks at when doing inspections.

Assemblyman Wheeler:

I believe I have seen five variations of this bill during my five sessions as an Assemblyman. I think that section is very ambiguous.

Senator Ohrenschall:

There is a procedure where someone can appeal an alleged violation.

Chair Watts:

I would like a follow up to ensure the record is absolutely clear. In section 8, subsection 7, paragraph (d), referring to the citations from the USDA, the elements listed within that are directly related to the processes that the USDA uses to issue citations. It would be easy to link up a particular citation issue and the wording within it to the provisions of this bill. They are connected in that way, which is why this language exists the way it is. Is that correct?

Lisa Wathne:

Absolutely. I would be happy to pull out the sections of the Animal Welfare Act that specifically apply to the section mentioned in the bill.

Chair Watts:

Thank you. I have heard these concerns expressed by others, and I think it would be helpful if you will send that as follow-up, and we will distribute it to the members.

Assemblyman Ellison:

There are counties that currently have regulations in place for exotic animals due to the wolf problems they were having. I am questioning section 4, subsection 4, paragraph (a), gray wolves. One of the things that comes up frequently is the hybrids. I do not see those in here, but there are quite a few hybrids. Why are those not on the list?

Senator Ohrenschall:

We tried to be very selective in terms of the enumerated lists and not overload the statute. We picked what we thought were animals that could be the biggest threat both to public safety and to themselves if not adequately cared for. If there is another species that should be included, there is still time to amend it.

Assemblyman Ellison:

The hybrids are not mentioned at all, and it seems to be an issue with mixed breeds in wolves and other species. There are a lot of wolves and coyotes that are hybrids. If the gray wolf is a hybrid, would those fall under this list?

Jeff Dixon:

We mention hybrids of other species later in the statute, particularly with big cats and bears. I would think this is referencing a pure wolf, and wolf hybrids are not covered.

Lisa Wathne:

We have found very often that law enforcement agencies are reluctant to see wolf hybrids included in bill such as this because there are so many of them. They see this as a burden for law enforcement to include hybrids in these bills.

Assemblywoman Cohen:

How easy is it for Nevadans to get exotic animals?

Lisa Wathne:

It is very easy to get exotic animals just about anywhere in the country. Certainly, it is somewhat easier in Nevada because of the virtual lack of laws. As Mr. Dixon mentioned, we know that at least a couple or more tigers from *Tiger King* are with someone in Pahrump. There is an accredited sanctuary in Inlay that has taken in a good number of animals from the pet industry and the entertainment industry. There are so many of these animals out there that need good homes. There are not enough good homes for them that they are in turn ending up in the pet trade or in pretty miserable roadside zoos all over the country.

Assemblywoman Hansen:

I did watch *Tiger King*. It was my guilty pleasure during the pandemic. I am still convinced that Carole Baskin is guilty. In our state, bills usually come about because there is a big problem. We heard the horrific example in Ohio. Is there a huge problem currently going on with these owners having some egregious behavior? Have there been escapes? Are animals being mistreated?

Senator Ohrenschall:

We heard Assemblyman Wheeler say he has heard bills like this for five sessions. It goes back awhile, prior to the *Tiger King* show. Assemblywoman Cohen has been such a tremendous leader in this area and has worked very hard on legislation like this during past sessions. I believe that the vacuum in Nevada makes us a magnet, whether it is the big cats brought in from *Tiger King* or people smuggling in animals. I believe that the lack of laws leads to lack of enforcement and makes us a magnet for animals being mistreated, not properly cared for, and putting the public at risk as well.

Jeff Dixon:

I can get you a list of the incidents we have had in Nevada since 1990. These incidents are rare, and we would like to make it rarer because the consequences are so high. It is almost always disastrous for the animals and sometimes it is disastrous for people too. Law enforcement officers are not trained in dealing with a tiger that has escaped, and it usually ends up being a euthanasia situation on the spot. We do not want the relative rarity of these incidents be the thing that determines whether we should pass this bill.

Assemblywoman Hansen:

If I am understanding the licensing process, a USDA license is required, or an NDOW license or a permit. I think there are 12 big cat licenses in Nevada: 10 are from USDA, 1 is a license from NDOW, and 1 is a permit. That is a relatively small number of licenses. Are those numbers correct?

Senator Ohrenschall:

I think that without a bill like S.B. 344 (R1), we do not know what big cats or other animals are in Nevada. There are no regulations. That stresses the need for legislation like this.

Jeff Dixon:

I would add that it is not so much about the USDA licensees and all the entities that would be exempt. This is more about the private owners and how many big cats there are that would be covered by this bill, how many would be grandfathered in. We would like to see those owners get licensed to keep the animal for the rest of the animal's natural life, so long as the owner is able to meet the other standards in this bill. We do not know how many private owners are in Nevada. Those licensed by the USDA are not affected by this other than getting insurance, having a plan, and no USDA violations.

Assemblywoman Anderson:

In section 8, subsection 7, paragraph (d), subparagraph (3), is the shelter or space a consideration, or is this an item for the inspectors to make that decision?

Lisa Wathne:

Unfortunately, the Animal Welfare Act, except for primates, marine mammals, and a few other species, does not have specific space requirements for animals. For elephants, big cats, and bears, there are no set regulations regarding how much space these animals have to be provided. Basically, the animal has to have enough room to perform normal postural behavior, which basically means stand up, turn around, and lay down. It is a very big failing of the Animal Welfare Act and is a good example of how out of date it is. It is not in the Act and therefore is something that we could not include in this bill.

Chair Watts:

We will now move on to those wishing to provide testimony in support of S.B. 344 (R1).

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

I am here today to support S.B. 344 (R1) for the following reasons: I am a human dentist and a dental school professor, but most importantly I am a volunteer with the Peter Emily International Veterinary Dental Foundation, a nonprofit organization that provides dental care to captive and exotic animals. I have been with this organization for over 12 years. We have worked on over 500 animals, been on 97 missions, and have been to 27 different sanctuaries throughout the world. We have performed over 1,300 dental procedures. We treat dental disease so that the animals can eat and ultimately survive.

I speak as a person who has been in the trenches alongside other committed veterinarians and dentists who are highly trained to provide this type of care to these exotic animals. I have seen firsthand what happens when these animals are no longer needed and discarded. This is what I see at sanctuaries—it is the end of the road for these animals. Unfortunately, I have seen constant trends in these animals' mouths. Numerous times their canines are drilled down to the nerves, 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 from Nevada. The tiger was both declawed and had all four canines drilled down to the nerves. Both of these acts are illegal to perform on exotic pets. The dental visit consisted of four root canals and was a long appointment for the tiger. I cannot keep these animals under anesthesia for more than three hours because it is too damaging to their internal organs.

The history of these animals as heard from sanctuary workers can be heartbreaking to hear. Baby tigers are stripped from their mothers prematurely so humans can hold and pose with them in pictures. Cheetahs are the fastest cat in the world, running at 75 miles per hour, and are being locked in small cages because they are no longer small and cuddly.

I am here today in support of this bill because I have seen firsthand what happens to these animals once they have been confiscated, surrendered, or rescued from unhealthy environments. These animals are not meant to be people's pets or possessions, even with the best intentions. I ask you to please support this bill so that these sanctuaries are no longer bombarded and beyond maximum capacity and so that our services with the Peter Emily Foundation are no longer needed.

Kayleigh Dearstyne, Private Citizen, Reno, Nevada:

I am calling in support of this bill. The captivity of these exotic animals poses a major threat to public welfare as they can provide an opportune moment for major diseases to become outbreaks such as salmonella, monkeypox, mumps, tuberculosis, and hepatitis.

Not to mention that, as babies, they are little and there is not much of a chance of major injury. As they grow older, though, they become major problems when they attack visitors and staff members. Therefore, they are typically gotten rid of or killed. Additionally, they pose a [unintelligible] to the conservation movement as those pet traders are a huge factor in biodiversity across the globe and is the second direct threat to species, after habitat destruction, which should not be surprising [unintelligible] ends up in somebody's home and many more die in the process. It poses a major threat to animal welfare. Typically, their teeth and claws have to be removed to be safer to handle for both visitors and staff members. Typically, they are not kept in appropriate containments; they are kept in rusty cages and unhealthy conditions. Please support S.B. 344 (R1).

[Also received are [Exhibit F](#) and [Exhibit G](#).]

Chair Watts:

Are there any other callers in support? Hearing no one, I will move on to those in opposition.

Edith Duarte, representing Lion Habitat Ranch:

As Mr. Hardy mentioned, my colleague William Horne has been working with the stakeholders and it sounds like we are at a meeting of the minds; we just do not have the language in front of us so we are here in opposition until we see that language. We have been working together and met this morning. There are three things we are working on: the due process language, clarifying the citation procedure, and some of the exemptions. I think we are there on two of the three, and we will be coming to you when we have the language.

Tim Stoffel, representing Responsible Exotic Animal Ownership:

I am here representing Nevada animal owners and Responsible Exotic Animal Ownership. I want to address a few things. This has so many issues and problems it is just going to create grief for animal owners. The first one has been touched on, which is how big of a

problem do we really have? Is this bill really needed? We cannot find any record of anyone from the public being seriously injured by an exotic animal in Nevada. The number of private owners we have in this state is small, but private owners are very important because their animals are happy and they breed. These animals are not easy to get. It used to be easy to get an exotic animal, but it is getting to the point where zoos cannot even get big cats, especially lions. It took us two years to replace our lions when they died of old age because there simply were not any. This is becoming an increasing problem.

Breeding is extremely important for the future of these animals because the captive population we have is a hedge against extinction in the wild. There are entities involved that are making it more and more difficult to do this, either through false compassion or to promote their own agenda or belief system. Also, when we have instances—Zanesville is one that despite the horrid massacre that went on there, only six animals left the facility even though the gates were left wide open. The animals do not want to leave; they want to stay in their home where they are comfortable.

We do not have a serious safety problem that needs to be addressed. What this bill really is, especially for the private owners, is like ringing a doorbell with an intercontinental ballistic missile. This is not regulation; it is a total ban of exotic animals. The private owners cannot even take in animals that other people cannot have anymore under the language of this bill. The other thing I want to talk about is the *Tiger King* situation. All the people who were involved in *Tiger King* should have been licensed by the USDA. They are not private owners, but we are blaming private owners. This bill is addressing a nonissue and needs to die.

Scott Shoemaker, Director, Responsible Exotic Animal Ownership:

I am speaking in opposition to S.B. 344 (R1). We have all of the animals that were seized from *Tiger King*. Obviously, we have laws that are working with Clark County and Nye County; 13 of the 17 counties in Nevada have regulations. Nevada has approximately 12 facilities, 10 have a USDA license. Of the remaining two, one has an NDOW permit and the other one is permitted and regulated by the county. The only thing we do not know as far as numbers is the small primates because many people keep them indoors. If you want to look at the numbers, I can get that for you. There is a list of animals present in 2019 and the number of big cats has gone down.

There are no large primates in Nevada, no chimps, orangutans, gorillas, or elephants. By regulating all primates and saying it is the dangerous of the dangerous, please explain to me how a half-pound marmoset is the most dangerous of the dangerous. I have never heard of anyone getting a disease from a marmoset.

No contact with dangerous animals contradicts the USDA regulations, which allow public contact with primates, wolves, bears, and adolescent big cats. There are written regulations on how to handle these animals. Also, with no direct contact, you are asking to desocialize these animals to human interaction, which makes them even more dangerous. No other state has a no-direct-contact rule or uses USDA inspection reports to seize animals or assess

penalties. These reports are not equivalent to a violation of the Animal Welfare Act. [Written testimony was also provided, [Exhibit H.](#)]

John Potash, Private Citizen, Reno, Nevada:

I am speaking in opposition to S.B. 344 (R1). As you have heard, there have not been any significant events in Nevada to warrant the need for this kind of legislation. The few incidents of people being injured by exotic animals have only involved people voluntarily taking that risk of their own free will, an accepted occupational hazard.

The bill sponsors are trying to tell you that Nevada is one of only four states that do not regulate these animals, which is misleading at best. Nevada is extremely diverse in that some counties have the same population as a condominium in downtown Las Vegas. Obviously, wide-sweeping, blanket rules are not fair and do not work. This is why counties have always had the authority to regulate as they see fit for their own unique circumstances. As also stated, 13 of the 17 counties already have regulations on the books, which have always worked well to handle any situations that have arisen.

There are many issues with this bill, despite the sponsor's attempt to minimize them, including exemptions to specific accrediting organizations while completely disregarding other equally qualified organizations; exceedingly vague terminology allowing for unbounded interpretation and subsequent punishment; lack of equitable due process; and much more. This bill is nowhere near ready for any serious consideration. Also, keep in mind that this bill has never been brought forward by any agency in Nevada, only by a national special interest group.

Finally, to reference *Tiger King* in this bill, I cannot imagine anything more disingenuous than this. It is like writing a bill on police reform and saying it is due to *Reno 911!* or assuming *The Real Housewives* is a reality. This is nothing more than a nefarious attempt to paint all exotic animal keepers with the same contaminated brush, and nothing could be further from reality. I urge you to please vote no on S.B. 344 (R1).

Keith Evans, President, Lion Habitat Ranch:

This bill is not needed, because without border checkpoints, nothing in this bill will address the problems exposed in *Tiger King*. If you cannot stop them at the border, they will smuggle them in, and the only people who tell you that these animals are smuggled in are legal owners like us. Counties and cities already have laws, and USDA watches everyone who is covered. There are only 12 owners of big cats in the state, and they are all under either county, city, or USDA laws. The existing law already arrested Jeff Lowe who assisted in *Tiger King*, confiscated his animals, and revoked his USDA license. The Tiger King is in jail under current USDA laws that we all obey. Mr. Horne is working on our behalf with Senator Ohrenschall for changes needed to correct before moving this bill forward with our support.

[Also received but not mentioned are [Exhibit I](#) and [Exhibit J.](#)]

Chair Watts:

Is there anyone else wishing to testify in opposition to S.B. 344 (R1)? Hearing no one, is there anyone in neutral? Hearing no one, are there any closing remarks?

Senator Ohrenschall:

Thank you for your time. I believe legislation like S.B. 344 (R1), had it been in place a decade ago in Ohio, would have prevented the tragedy there. There certainly have been incidents in Nevada, and I am happy to provide the Committee with that information. I believe if this bill is passed, it will protect these animals from being harmed, being in dangerous conditions, and for public safety.

Chair Watts:

Thank you. We look forward to receiving the amendment language when it is worked out between the sponsor and other stakeholders. I will now close the hearing on S.B. 344 (R1), which brings us to the last item on our agenda, public comment. Is there anyone wishing to provide public comment? Hearing no one, our next meeting is on Monday, May 10, 2021. This meeting is adjourned [at 5:52 p.m.].

RESPECTFULLY SUBMITTED:

Nancy Davis
Committee Secretary

APPROVED BY:

Assemblyman Howard Watts, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is a proposed conceptual amendment to Senate Bill 406 (1st Reprint), submitted by Tony Wasley, Director, Department of Wildlife.

[Exhibit D](#) is the Work Session Document for Senate Joint Resolution 10, submitted and presented by Jann Stinnesbeck, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit E](#) is the Work Session Document for Senate Joint Resolution 12, submitted and presented by Jann Stinnesbeck, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit F](#) is a letter dated May 5, 2021, submitted by Lynda Sugasa, Founder, Safe Haven Wildlife Sanctuary, Imlay, Nevada, in support of Senate Bill 344 (1st Reprint).

[Exhibit G](#) is a copy of an email dated April 29, 2021, submitted by Linda Faso, Private Citizen, Las Vegas, Nevada, in support of Senate Bill 344 (1st Reprint).

[Exhibit H](#) is written testimony submitted and presented by Scott Shoemaker, Director, Responsible Exotic Animal Ownership, in opposition to Senate Bill 344 (1st Reprint).

[Exhibit I](#) is written testimony submitted by Zuzana Kukol, Founder, Responsible Exotic Animal Ownership, in opposition to Senate Bill 344 (1st Reprint).

[Exhibit J](#) is additional comments regarding Senate Bill 344 (1st Reprint) from the Department of Wildlife, submitted by Kailey Taylor, Management Analyst, Department of Wildlife.