

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

**Eighty-First Session  
March 31, 2021**

The Committee on Natural Resources was called to order by Chair Howard Watts at 4:05 p.m. on Wednesday, March 31, 2021, Online. 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](http://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:**

Assemblywoman Shannon Bilbray-Axelrod, Assembly District No. 34

**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:**

Adam Sullivan, Acting State Engineer and Administrator, Division of Water Resources, State Department of Conservation and Natural Resources  
David Ricker, Policy Chair, Nevada Chapter, Backcountry Hunters and Anglers  
Kyle Davis, representing Nevada Conservation League  
Rebekah Stetson, Founding Member, Northern Nevada Food Security Council  
Larry Johnson, President, Coalition for Nevada's Wildlife  
Jeff Lerud, Acting Deputy Director, Operations and Maintenance, Department of Transportation  
Jennifer Conrad, Founder and Director, The Paw Project  
Jeff Dixon, Nevada State Director, State Affairs, Humane Society of the United States  
William Horne, representing The Paw Project  
Kelly Bollen, Private Citizen, Reno, Nevada  
Caron Tayloe, Private Citizen, Reno, Nevada  
Alexandra Noriega, Private Citizen, Las Vegas, Nevada  
Abrak Woubante, Private Citizen  
Rebecca Goff, Clinic Manager, Nevada Humane Society  
Rodas Biruk, Private Citizen  
Hailey Gorelow, Private Citizen, Las Vegas, Nevada

**Chair Watts:**

[Roll was called. Committee rules and protocol were reviewed.] We will begin our work session with Assembly Bill 6.

**Assembly Bill 6: Revises provisions governing an application for a temporary change relating to appropriated water. (BDR 48-309)**

**Jann Stinnesbeck, Committee Policy Analyst:**

As nonpartisan staff, I cannot advocate for or against any measure before the Committee.

Assembly Bill 6 was heard in this Committee on March 1, 2021 [[Exhibit C](#)]. The bill makes the holding of a hearing on an application for a temporary change to the place of diversion, manner of use, or place of use of water already appropriated to be at the discretion of the State Engineer. There is one amendment to the bill that was proposed by the Committee, which makes the following change: It provides that the procedures for a protested application apply to a protest filed by an interested person against the granting of a temporary application.

**Chair Watts:**

Are there any questions regarding the proposed amendment?

**Assemblywoman Hansen:**

I just want clarification. Temporary applications are only good for one year, is that correct?

**Chair Watts:**

That is correct.

**Assemblywoman Titus:**

My concern over this bill is that it seems there is no process if someone does not agree with a denial. The amendment refers to the process in *Nevada Revised Statutes* (NRS) 533.365 [page 2, Exhibit C]. I need assurance that if the applicant files a protest, he will have a hearing. If he does not agree with the denial, this provides for due process, is that correct?

**Chair Watts:**

I will ask the State Engineer to answer this. I would first like to say that we had some conversations about this and wanted some clarity around some of the ways they already practice and ensure that the statutes line up. Our understanding is that this amendment basically makes a permanent application and a temporary application follow the same process. The only difference is, for a truly minor issue that is temporary and determined to have no potential impact to a water right or protected interest, the noticing provision can be skipped. If there is a possibility that there is a conflict, it has to be noticed just like all permanent applications do. After it is noticed, a protest can be filed, and the State Engineer can choose whether to hold a hearing before issuing a decision. That decision could be to approve or deny the application.

**Adam Sullivan, Acting State Engineer and Administrator, Division of Water Resources,  
State Department of Conservation and Natural Resources:**

I agree with your characterization that the intent is to make it clear that NRS 533.345 is dealing with temporary applications and sets forth a path of due process that is the same as any other application filed before the State Engineer. If the applicant disagrees with the outcome and the decision, he can file for an appeal, just as with other applications.

**Assemblywoman Titus:**

I am not sure there is a need for the bill because this puts it back to what it was before. Sometimes these one-page bills are the hardest to understand. By adding that language back in, I am not sure that the bill does anything. The only question was the hearing. In the past it was mandated that a hearing be held. Is that the difference, that a hearing was mandated, now it is only if there is a protest?

**Allan Amburn, Committee Counsel:**

The way the process used to work under the language for a temporary application was that the State Engineer shall give notice of an application pursuant to the notice requirements in statute, and the State Engineer has to hold a hearing. This bill is deferring to the process set forth in statute. Now that we are referring to existing statute, the State Engineer has to consider the protest and may hold a hearing but is not required to.

**Assemblywoman Titus:**

Then it is now mirroring both statutes for permanent applications and temporary applications?

**Allan Amburn:**

That is correct.

**Chair Watts:**

I know that this change seems a little counterintuitive. I want to ensure that the record is clear: this achieves the goal that the State Engineer looked for when he brought the bill and adds additional clarity about the protest process and lining up the two processes. Are there any other questions regarding the amendment? Seeing none, I will accept a motion to amend and do pass A.B. 6.

ASSEMBLYWOMAN COHEN MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 6.

ASSEMBLYWOMAN MARTINEZ SECONDED THE MOTION.

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

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblywoman Brown-May. The next item for work session is Assembly Bill 84.

**Assembly Bill 84: Revises provisions relating to wildfires. (BDR 42-110)**

**Jann Stinnesbeck, Committee Policy Analyst:**

Assembly Bill 84 was heard in this Committee on March 24, 2021 [[Exhibit D](#)]. This bill authorizes the State Forester Firewarden, with certain approval, to enter into certain public-private partnerships for the purpose of addressing the threat of wildfires.

**Chair Watts:**

Are there any questions? Seeing none, I will accept a motion to do pass Assembly Bill 84.

ASSEMBLYWOMAN COHEN MADE A MOTION TO DO PASS  
ASSEMBLY BILL 84.

ASSEMBLYWOMAN BROWN-MAY SECONDED THE MOTION.

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

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblywoman Cohen. The last item for work session is Assembly Joint Resolution 2.

**Assembly Joint Resolution 2: Recognizes that forest health and water quality are inextricably linked. (BDR R-112)**

**Jann Stinnesbeck, Committee Policy Analyst:**

Assembly Joint Resolution 2 was heard in this Committee on March 24, 2021 [[Exhibit E](#)]. The measure recognizes that forest health and water quality are inextricably linked. The measure also expresses support for various stakeholders to work together to identify watersheds that can be improved by better forest health measures. There were two amendments proposed. The Nature Conservancy proposed an amendment which makes the following change: It adds language concerning the quantity of water, the effects of climate change, wildfire threats, and economic development. Eureka County proposed an amendment which makes the following change: It adds language concerning rangeland and soil health and further encourages collaboration with conservation districts, land managers, private landowners, and land users.

**Chair Watts:**

Are there any questions? Hearing none, I will accept a motion to amend and do pass Assembly Joint Resolution 2.

ASSEMBLYWOMAN COHEN MOVED TO AMEND AND DO PASS  
ASSEMBLY JOINT RESOLUTION 2.

ASSEMBLYWOMAN ANDERSON SECONDED THE MOTION.

Is there any discussion?

**Assemblywoman Hansen:**

I will vote yes in Committee. I am not a fan of one amendment. I appreciate Eureka County's amendment that encourages collaboration with conservation districts, land managers, private landowners, and land users, which is consistent policy when dealing with rangeland and water issues. I would like to reserve my right to change my vote on the floor.

**Assemblywoman Titus:**

Unfortunately, I share the concerns of Assemblywoman Hansen. I appreciate your accepting Eureka County's amendment, but there are other significant components of this bill that I cannot accept. I will be a no.

**Assemblyman Ellison:**

I did not see this amendment until about two minutes ago. I am voting yes, but will reserve my right to change my vote on the floor.

**Chair Watts:**

Just to be clear, both of these amendments were presented during the hearing. If you have any additional questions or concerns, please let the sponsors of the bill know prior to the measure coming up for a floor vote. Is there any other discussion?

**Assemblywoman Anderson:**

I appreciate the use of the word "quantity" and not just "quality."

**Chair Watts:**

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

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

I will assign the floor statement to Assemblywoman Anderson. That concludes the work session. We will move on to our bill hearings, beginning with Assembly Bill 299.

**Assembly Bill 299: Makes various changes relating to wildlife. (BDR 45-733)**

**Assemblywoman Shannon Bilbray-Axelrod, Assembly District No. 34:**

I am pleased to present Assembly Bill 299 to your committee today. Assembly Bill 299 is a bill to prevent the waste of edible portions of our state's wildlife accidentally struck by vehicles.

Currently, the ability to salvage game species is limited by state law. The Department of Wildlife (NDOW) and the Department of Transportation (NDOT) have been making great progress at reducing wildlife-vehicle collisions, but sadly, they still do happen from time to time. This bill will allow a process to use those animals in these situations.

The bill sets up a permit process to be able to salvage a game animal that has been accidentally struck by a vehicle. Anyone who is seeking to salvage an animal must seek a permit. They would be able to get this permit either from an officer on the scene of the accident, from a physical office, or, in certain circumstances, online. The bill has a number of safeguards. The person salvaging the animal will be required to turn the head, hide, antlers, horns, or tusks into NDOW, if applicable. Any person who intentionally kills an animal with a car would be guilty of a category E felony, the same penalty as poaching. There are provisions for when a driver cripples an animal and needs to humanely kill that animal. There are provisions to allow for NDOW to inspect the animal.

In conversations with NDOT, we have proposed the following changes in a conceptual amendment which you should have on the Nevada Electronic Legislative Information System [[Exhibit F](#)]. The amendment makes three changes: It clarifies that any person seeking a salvage permit should seek that permit as soon as practicable, but no later than 24 hours after taking possession. This 24-hour provision is intended when the animal is hit in a rural area and it is not feasible for a peace officer or NDOW to immediately respond. The amendment

clarifies that a person should not attempt to salvage an animal outside of daylight hours without a peace officer present. It also adds a section to limit wildlife salvage to highways with a maximum speed less than 70 miles per hour, and to prohibit salvage on interstate highways.

Finally, I would note that this bill will bring us into conformance with all of the states around us. Sadly, vehicle-wildlife collisions are a fact of life in western states. Our neighbors have figured out a process to avoid wasting the edible portions. This bill will allow Nevada to do the same.

Chair Watts, I would now like to turn it over to my colleague and primary cosponsor, Assemblywoman Titus, for her comments.

**Assemblywoman Robin L. Titus, Assembly District No. 38:**

I was very excited when Assemblywoman Bilbray-Axelrod asked me to cosponsor this bill. Living in a rural area and being a hunter, I saw both the benefits and the concern that folks have with the waste of animals. In the past, if someone hit a deer, an NDOT crew would take it to a needy home. There was a process. Recently, 20 states in this nation have this law, including California and all surrounding states. Nevada is one of the last holdouts on this law. As Assemblywoman Bilbray-Axelrod stated, we did have some safety concerns about ensuring folks did not take the animal from the middle of the road, or intentionally run into an animal. If it is an edible animal, removing the animal safely makes good sense—to make it legal, with safety precautions. I am happy to help answer any questions.

**Chair Watts:**

Are there any questions?

**Assemblyman Ellison:**

I happen to be one of the unfortunate ones to have totaled two cars by hitting deer on Interstate 80 in one year. It was a shame. I asked the Nevada Highway Patrol officer if there was anyone who could salvage the animal. He said no and pulled the deer off to the side of the road. That seemed to me to be a waste of life. This bill states you have to turn in the head, antlers, et cetera. I also hit an antelope in Ruby Valley, and there were no officers on duty. The animal was suffering, and the only thing I could do was shoot it. I reported it, but that animal was on the side of the road for a long time. It seems there should be a way to pick up the carcass and stop by NDOW and ask them to take it from there.

**Assemblywoman Bilbray-Axelrod:**

We actually have provisions for that. We have a 24-hour provision and opportunities in certain cases to apply for the permit online. What we do not want to see is if the accident was not in a rural area and someone gets out of his car in an unsafe manner. The situation you described in your second example is exactly why we have the 24-hour provision. I do want to say for the record, your example of hitting an animal on Interstate 80 would not be included in this bill, and you would not be able to salvage that animal. I believe NDOW or

NDOT would be able to salvage the animal as long as it was done safely. We do not want people on highways with high speeds getting out of the car for any reason.

**Assemblyman Ellison:**

When we called in to report our accidents, it used to be that the senior citizen facilities would get the animal.

**Assemblywoman Bilbray-Axelrod:**

The Highway Patrol officer will now be able to salvage that animal.

**Assemblyman Ellison:**

Thank you. I support this bill 100 percent.

**Assemblywoman Cohen:**

What happens if an officer sees that the animal is not good for human consumption? Can the officer prevent the person from taking the carcass?

**Assemblywoman Titus:**

With officers involved, this is an immediate process. You cannot find an animal that has been dead for five days and try to salvage that meat. I am a hunter, I love game, and I certainly could and would quarter out an animal alongside the road if I had the opportunity. At the same time, although maggots might tenderize the meat, it is not something you would want to take home. If the animal was in the middle of the road and was sick or appeared ill, I do not believe the person would want to harvest it. That is where the officer comes in with the salvage permit and the knowledge. I think it is going to be up to the officer to determine if the animal was hit on purpose. That is one of the things we do not want to happen. We want to avoid someone seeing a deer, bumping it, breaking its leg, then shooting it. For the deaths that have already happened, we want to see the meat being used. This involves some common sense: if the animal is rotten, it is not something that was just hit.

**Assemblywoman Anderson:**

I am not a hunter and I do not understand all this information. Under section 1, subsection 3, paragraph (c), the turning in of "the head, hide, antlers, horns or tusks," is that a decision at the NDOW level or of the officer on the scene?

**Assemblywoman Bilbray-Axelrod:**

There are certain animals that carry diseases, and we need to ensure that the animal does not have any diseases.

**Assemblywoman Titus:**

Assemblywoman Bilbray-Axelrod is referring to chronic wasting disease, and we want to ensure the animal does not have it. One of the issues is, there are some hunters who hunt just for horns. If someone sees a nice set of horns, we do not want him to snag them. They have to be turned over appropriately. This is not about the collection of horns. The purpose of this bill is to salvage edible products. We did not want to make it so you can mount the head

on your wall. The reality of this bill is being sensible about the meat that is healthy for you. We do not want to turn this into—in any way—someone searching for antlers or horns. As mentioned, there are some diseases that we are searching for. Also, NDOW can do research on the horns to determine the age and wellness of the animal.

**Assemblyman Wheeler:**

Is there a time limit of when you have to take this animal? If someone stores it in a storage locker for a week or two, how would NDOW know if he has taken the head or hide as a trophy?

**Assemblywoman Titus:**

Different types of animals can be harvested and cut up without hanging the animal. Some animals could be quartered out and chilled down as quickly as possible. Deer and elk need to hang for five to seven days. The purpose is that you have up to five days to notify officials that you salvaged an animal. If you are hanging an animal, you actually take the hide off the animal before you put it in cold storage. You may not be able to cut the animal up that day because it may not be practicable, which is why we are allowing five days for reporting.

**Assemblyman Wheeler:**

I am not understanding. You have five days to turn in the hide and head?

**Assemblywoman Titus:**

That is correct.

**Assemblywoman Hansen:**

Regarding the salvage permit, for those who do not know, when you have a regular deer or antelope tag, you are working in tandem with NDOW and you report back certain information once you have harvested the animal. I assume with the salvage permit, that data gets reported to NDOW also. Is it counted in the tag counts? Hunters provide information so NDOW can track the age and location of the animal. This is a mechanism NDOW uses to track the herds and populations.

**Assemblywoman Bilbray-Axelrod:**

That is why NDOW is involved. I am a huge animal lover; I have never shot an animal in my life and luckily have never hit an animal with my car. This is the humane thing to do. If the animal has given up its life, I think that even animal lovers would respect that at least the life is not lost in vain.

**Assemblywoman Titus:**

Section 1, subsection 2, speaks to your very question about what information that permit needs to have. The permit shows the type of collision, type of animal, et cetera. I think that is important and can be reported for those high-incident accident areas. I think it is important that they know where the deer crossings are for safety purposes too. In some ways, I think it would be helpful for NDOT and NDOW to know where these animals are being hit, as opposed to being out in the middle of nowhere and thrown off to the side of the road, or they

are taken anyway, or they are eaten by coyotes or magpies. We call magpies the "road crew" because they are out there eating the roadkill. I had a patient who left my office, drove away, and saw a dead animal on the road with an eagle on it. She swerved to miss it and got into an accident. There are many good reasons to get these animals off of the road. As far as having that information for NDOW, I think that is part of the reason for the salvage permit. A question was asked about the tags. These animals were going to be hit anyway, and this will not impact the tag holders based on the herd population.

**Assemblywoman Hansen:**

Section 1, subsection 3, paragraph (b), states, "Ensure that any meat rendered from the salvageable animal is utilized for human consumption . . ." That seems a little broad to me. There is some meat that is not going to be edible, and there are some animals, even if fresh and fully intact, we just do not eat that meat, like coyotes. Do we need to tighten up that language?

**Assemblywoman Titus:**

I think the reason that is in the bill is for the very reason you pointed out. If you are going to take the animal, we want the intent to be to consume the meat and not to use it for coyote bait in a trap. That is why this needs to be salvageable for human consumption. When I harvest an animal, I do not send it to a butcher; we deal with it ourselves. If you have hit an animal, or shot an animal, there will be components of those muscles that are "bloodshot," and you will not eat that. Not all components of the meat will be edible, but the intent is that you will take it for human consumption, so you cannot use it in coyote traps or to feed your dogs.

**Assemblywoman Hansen:**

Just for clarification, it is against the law to use live bait in traps.

**Assemblywoman Titus:**

This would not be live bait.

**Assemblyman Ellison:**

What about antelope, which have to be put on ice right away? Is that something you want to consider? Also, I think this is a great bill and would like to have my name added as a sponsor.

**Assemblywoman Titus:**

We love antelope; it is our favorite meat. The key is that when you harvest the animal, you have to chill it down. Again, that is why we had the discussion about harvesting at night, or if you are worried about the temperature in August, because if you cannot harvest these animals and quickly chill them down, the meat is wasted. The person choosing to harvest the animal is going to have to make good choices. Not everyone would be able to do that. Not everyone has a cooler in the back of his truck. This bill allows the person, to harvest the animal, if appropriate. It will not solve all the problems; not all animals will be able to be harvested, and not all meat will be edible. Those very issues will be up to the judgment of the person saying, I just hit this animal and I am only five minutes away from Lovelock.

I can get it cooled down and salvage it. Again, there will be a lot of discretion as to whether it is appropriate to harvest the animal, and that is something we just cannot write into legislation.

**Assemblyman Ellison:**

I would like to be added as a sponsor to the bill.

**Assemblywoman Bilbray-Axelrod:**

I like that this bill says "Assemblywomen." The minute you put a man on the bill, it becomes "Assemblymen." I will have a conversation with you, Assemblyman Ellison.

**Chair Watts:**

Are there any other questions? Seeing none, I will open testimony for those wishing to testify in support of [A.B. 299](#).

**David Ricker, Policy Chair, Nevada Chapter, Backcountry Hunters and Anglers:**

I would like to reiterate that with the provision of giving the head, hide, and antlers to NDOW, we are ramping up our ability to test for wildlife disease throughout Nevada. [Written testimony was also provided, [Exhibit G](#).]

**Kyle Davis, representing Nevada Conservation League:**

The Nevada Conservation League is in support of [A.B. 299](#). Sadly, wildlife-vehicle collisions are a fact of life on remote western highways. Our state has made significant progress on wildlife crossings and other strategies to reduce these accidents, but they still happen. [Assembly Bill 299](#) is an opportunity to avoid wasting the edible portions of game animals that are killed in these collisions. We urge the Committee's support.

**Rebekah Stetson, Founding Member, Northern Nevada Food Security Council:**

I fully support this bill and am thankful for the folks who brought it forward. We have a food insecurity problem in Nevada, and this is a beautiful way for folks to be able to take advantage of perhaps one of the most prime food sources that someone could take. As I was looking at how many animals are hit in vehicle accidents, there is a huge potential for folks to be able to harvest if there is an accident. Again, I am in support, and thank you for your time. [A letter was also submitted, [Exhibit H](#).]

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

I am in support of [A.B. 299](#). Vehicle-wildlife collisions occur hundreds of times each year. This results in the loss and waste of tons of high-protein, healthy meat. This bill mirrors what is currently legal in all of the surrounding states, which have developed years of successful performance records, dispelling any of the potential opposition points that there could be unhealthy use of this meat. This has simply not been a problem, nor has this been an imposition to NDOW enforcement employees. As always, there is a commonsense component to this proposal. We urge your support of [A.B. 299](#).

**Chair Watts:**

I will hear the next caller in support. Hearing no one, I will move to opposition. Hearing no one, is there anyone wishing to testify in neutral?

**Jeff Lerud, Acting Deputy Director, Operations and Maintenance, Department of Transportation:**

The Department of Transportation's major concern is safety. Anytime you leave a vehicle on one of our facilities, it is more dangerous. I would like to thank Assemblywoman Bilbray-Axelrod and Assemblywoman Titus for meeting with us and actually taking some of our concerns into account while drafting the amendment [[Exhibit F](#)]. Some of the things we were most concerned with were not on the interstate, and not allowing for harvesting at night. There is a caveat: harvesting at night is allowed if there is a peace officer with sufficient lighting. The only other concern is the speed limit of the facility. One of our concerns is, when you are on the side of the road, the higher the speed, the more dangerous it is. We are hoping that the speed would be topped off at 45 to 55 miles per hour. I see that it is at 70 miles per hour. I would like to put it on the record that is still going to be a concern for NDOT.

**Chair Watts:**

Are there any questions? Is there anyone else in neutral? Hearing no one, are there any closing remarks? [Also provided as neutral testimony, but not mentioned, is [Exhibit I](#).]

**Assemblywoman Bilbray-Axelrod:**

I appreciated working with NDOT, and I understand their concerns. I feel like we made this bill the safest we could. To address the 70-miles-per-hour limit, the reason we landed on that number is I kept thinking about the loneliest road in America and the fact that you could hit an animal on that road and not be able to salvage it. As has been mentioned, this has not been an issue in other states. Obviously, safety of Nevadans is paramount, and we think this bill got there, with the intention of still having safeguards in place.

**Chair Watts:**

I will close the hearing on [Assembly Bill 299](#) and open the hearing on [Assembly Bill 209](#).

**[Assembly Bill 209](#): Prohibits the removal or disabling of the claws of a cat under certain circumstances. (BDR 50-211)**

**Assemblywoman Susie Martinez, Assembly District No. 12:**

I am pleased to present [Assembly Bill 209](#) for your consideration. With the Chair's permission, I will share with you a PowerPoint presentation, which all the Committee members should have, and is also available on the Nevada Electronic Legislative Information System [[Exhibit J](#)].

The purpose of [A.B. 209](#) is to prohibit the declawing of cats unless it is for medically necessary reasons. Before I talk about the bill, I think it is important for the Committee to understand what declawing really is [page 2, [Exhibit J](#)]. There is a misconception that

declawing involves a simple surgery where the cat's nails are removed, which is the equivalent to having your fingernails trimmed. The reality, however, includes the surgical amputation of the cat's paws to remove the claws of the animal or the severance of the tendons to the limbs, paws, or toes to modify them in such a way that the claws cannot be extended. In other words, it is a toe amputation. It would be equivalent to cutting off a finger at the first knuckle for a human being. This is excruciating pain that affects the cat's physical, emotional, and psychological well-being for the rest of their lives.

To put it into perspective, page 3 [[Exhibit J](#)] shows what declawing looks like on a cat. On the left side is what it would look like on a human being. I think it is important for the Committee to understand the implications and effects that declawing has on a cat. Again, this is not just a simple procedure. Cats who are declawed endure an incredible amount of pain that makes it difficult for them to walk, stretch, sit down, or even defend themselves against other animals.

Page 4 shows why I am proposing A.B. 209. Assembly Bill 209 would prohibit the declawing of cats for cosmetic, aesthetic, or convenience reasons. There would be an exception if a licensed veterinarian determined that the procedure was necessary to address the physical medical condition of a cat such as an existing or recurring illness, infection, disease, et cetera.

Additionally, there would be a reporting requirement where the licensed veterinarian would submit a report to the Nevada State Board of Veterinary Medical Examiners describing the purpose of the procedure. This statement would be required before performing the procedure. In case of an emergency, the licensed veterinarian would still be able to perform the procedure; however, the statement would be required no later than five days after performing the procedure.

In terms of the civil penalties, the first violation would be no more than \$1,000, the second violation not more than \$1,500, and the third or subsequent violation not more than \$2,500. Failure to submit a written report to the Board would carry a civil penalty of no more than \$100 for the first violation, not more than \$150 for the second violation, and not more than \$250 for the third or subsequent violation. These penalties are there to make sure that we protect the health and well-being of cats. We want to make sure that this bill is not only enforceable, but also gives the flexibility of veterinarians to declaw a cat in case of an emergency and that it is for medically necessary reasons.

I talked about how declawing a cat can severely affect their physical, emotional, and psychological well-being. Opponents will argue that declawing a cat for cosmetic, aesthetic, or convenience reasons are necessary to protect human health, especially for immunocompromised people. There is no credible evidence that this is true. In fact, various federal agencies and organizations have advised against declawing cats to protect human health. Some of these organizations and agencies include the Centers for Disease Control and Prevention, the National Institutes of Health, and the American Association of Feline Practitioners [page 7, [Exhibit J](#)].

This concludes my presentation, and I would now like to turn it over to Dr. Jennifer Conrad, the founder and director of The Paw Project, a national nonprofit organization that has done an incredible job in educating the public about the painful and crippling effects of cat declawing.

**Jennifer Conrad, Founder and Director, The Paw Project:**

The Paw Project is the world's largest nonprofit organization dedicated solely to ending declawing. We have members throughout North America and in Nevada. I want to let you know a few things about declawing, from a veterinarian's perspective.

The first one is that our nails grow from skin, but in a cat, the nail actually grows from the bone. In order to remove the claw, one has to remove the bone. It is the equivalent of taking cigar cutters and cutting the last bone off of every finger. It is one of the most painful routinely performed surgeries in all veterinary medicine, yet very rarely do veterinarians give proper pain management; it would take months or years to relieve the pain this surgery is causing.

There are myths you might hear from the opposition; I want to clarify them. You might hear there will be a massive deluge of dumping of cats if they cannot be declawed. In all of the jurisdictions where we have banned declawing, that has not been the case. In fact, every single jurisdiction is reporting that they have not had an increase of cats relinquished nor have they had anything like that. In fact, they have had the opposite. Declaw bans save lives, according to Brenda Barnette, General Manager, Los Angeles Animal Services. Los Angeles banned declawing in 2009, and they have seen a decrease in the number of cats relinquished; the decrease was 43.3 percent, which is tens of thousands of cats' lives saved. Everywhere there has been a ban, there has been no regret. In every city that we know of and province in Canada, everyone is very happy that they have banned declawing.

The other thing you might hear is that there is a reason to declaw cats to protect human health. That is just not true; declawed cats bite more. It is in the literature; they absolutely bite more. If you were to call the emergency room and say, I got scratched by my cat, they would say, wash it and watch it. If you were to call and say, I was bitten by my cat, they are very likely to say, you have to come in. Many people who have been bitten by a cat will have to be admitted to the hospital and have intravenous antibiotics.

I would also like to quickly address that "cat scratch fever" is a misnomer. It comes from fleas, and if you can control the fleas, you can control the disease.

Shelters and rescues are giving resounding support for this bill. They believe that declawing does not save homes, they believe that it does not save lives, and they know that if they get a cat that has been declawed, it is going to be harder to find it a home. Declawed cats, when they come home from the surgery which has amputated the last bone in their toes, try to dig in the litter box, and they do not use it anymore because it hurts too much. The cat also

recognizes that it has been robbed of this primary way of defense, and it resorts to biting. If someone was very intolerant of a cat scratching a couch, you can imagine how intolerant he would be of a cat not using the litter box and biting. Declawed cats bite more and do not use the litter box.

The last thing you might hear is that declawing is rare. It is not. According to the literature, declawing is performed on 20 to 25 percent of American cats—one in five is a lot. It is not a last resort like the veterinary medical associations like to say. It does not matter how it is done. In most cases declawing is done with guillotine nail clippers; it just cuts off the bone. If it is done with a scalpel or a laser, it does not matter, the result is the same—an amputation of a toe bone. As veterinarians across the country, The Paw Project has united us to say we would rather not do something wrong for the money. That is how we feel about it, and we are hoping that we can ask you for a yes vote.

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

On behalf of our Nevada supporters, if all the cats in this state were given a choice, they would definitely keep their paws intact. The Humane Society of the United States enthusiastically urges the enactment of A.B. 209. Nevada will be the second state to do so, and would join 7 Canadian provinces and over 20 countries from Ireland to Israel, Brazil to Belgium, Australia to Austria, and prohibit the nontherapeutic procedure colloquially known as declawing, which is, as shown by other presenters to be, indeed, an amputation.

The term "declaw," as we often encounter when we are talking about things that humans do to animals, is a euphemism. The medical aftereffects include pain, infection, tissue necrosis—which is tissue death—lameness, and back pain. Removing claws changes the way a cat's foot meets the ground and can cause pain similar to wearing an ill-fitting pair of shoes. There can also be a regrowth of improperly removed claws, nerve damage, and bone spurs. One in five cats have long-term complications from declaw surgery, while 50 percent have immediate postsurgical complications. One third of declawed cats have behavioral problems after declawing.

We know the terrible and irreversible medical and psychological effects on cats. The legality of nontherapeutic declawing sends the wrong message to pet owners, that nontherapeutic amputations are an acceptable thing to do to one's animal. It puts some veterinarians in the position of a dilemma, where they decide to keep their customer and his cat or decline to perform the procedure. Veterinarians have an emotionally difficult job as it is. This law would spare them from that common dilemma.

By prohibiting this practice, we send the message that humane solutions are the only way to address these natural behaviors that sometimes inconvenience humans. These solutions include trimming, nail caps, designated scratching surfaces, and many other solutions that one can easily find on the Internet. One could use the funds that would have gone to the operation to hire a behavioral specialist to consult on the issue. The continued legality of nontherapeutic declawing undermines the lifesaving work represented by hundreds of

thousands of workhours, volunteer hours, and massive sums of public and donor money by the animal welfare community in this state.

Cats suffer from these procedures psychologically and physically, which often leads to behavioral adaptations being even less tolerable to their humans than the ones it was initially intended to prevent or mitigate. If the cat makes it to a shelter, it has a tough time getting out. Claws are part of a cat's essence and you cannot simply train their distress, discomfort, and defensiveness out of them. It takes a patient and knowledgeable person to adopt one of these animals. They cannot be put outside like a barn cat. They are compromised when it comes to hunting; they are going to become more fearful because they do not have their first line of defense.

I would like to point you to a coalition of animal welfare organizations that are in support. They provided a letter that is cosigned by some major organizations you may recognize [[Exhibit K](#)]. They include: Catmandu, Carson City; Heaven Can Wait Animal Society, Las Vegas; Homeward Bound Cat Adoptions, Las Vegas; Humane Network, Reno; PALnv and Rescued Treasures Cat Café, Las Vegas; SPCA of Northern Nevada, Reno; and The Animal Foundation, Las Vegas. The Animal Foundation is a government-contracted shelter serving about 1.7 million Nevadans.

In closing, if you pass this bill, the people on blood thinners will be fine; they are fine in all of the other countries. Immunocompromised people will be fine. Veterinarians will be fine, and in some cases relieved. The animal welfare community will benefit as one of the drivers of surrenders and euthanasia will be discontinued. Most of all, the animals will be spared the prospect of undergoing this life-altering, unnecessary procedure. [A letter was also submitted, [Exhibit L](#).]

**Assemblywoman Anderson:**

Section 1, subsection 4, deals with fines. Will these fines be over a period of six months, with subsequent fines over the next six months, or is this over a two-year period? I would like some clarification.

**Assemblywoman Martinez:**

I would like to defer that question to Mr. Horne.

**William Horne, representing The Paw Project:**

The fees are in line to be a deterrent for the bad actors. We know there was some pushback saying that it was not in line with other fees. If you are talking about the average cost of declawing a cat, it is about \$250. You have to set the fee at such a place to where they are not going to do a cosmetic procedure; it would have to be a deterrent in doing so.

**Assemblywoman Anderson:**

The first violation is \$100, and the second violation is \$150. What is the time frame between the violations?

**William Horne:**

That is not indicated in the bill and is certainly something that could be visited. It would not be the first statute that did not have a timeline in prohibiting conduct, with accelerated fines and penalties involved with it.

**Assemblywoman Titus:**

Has the National Veterinary Associates given a professional opinion on declawing?

**Jennifer Conrad:**

The professional opinion is that declawing should only be done as a last resort, when all humane alternatives have been exhausted. Unfortunately, the truth of the matter is that 76 percent of declaws are performed on kittens fewer than eight months old.

**Assemblywoman Titus:**

Does the National Veterinary Associates have a position statement on declawing that says only for humane purposes?

**Jennifer Conrad:**

It says declawing should only be performed as a last resort after all humane alternatives have been exhausted. Unfortunately, most veterinarians do not adhere to that because declawing is often included in kitten packages.

**Assemblywoman Titus:**

Is this done without anesthesia and just with a nail clipper?

**Jennifer Conrad:**

We hope they would use anesthesia. It is often piggybacked onto a spay or neuter, so the client does not have to pay for a second anesthesia. Declawing is so predictably painful, it is used in clinical trials to test pain medication, yet according to the latest research, 30 percent of veterinarians are using no pain medication whatsoever. They learn in school that cats are sensitive to pain medication, so they just opt not to use it.

**Assemblywoman Titus:**

Only one other state has this legislation, is that correct?

**Jennifer Conrad:**

Yes, the state of New York, 7 Canadian provinces, and 11 U.S. cities.

**Assemblywoman Titus:**

Is there anything in our current law that would prohibit this? It sounds like you have cities that have passed ordinances to prohibit this. Is there anything in current statute that would prohibit a county from prohibiting this? Maybe this should be left to local regulations versus the *Nevada Revised Statutes*?

**Chair Watts:**

I believe this is an appropriate question for Mr. Amburn.

**Allan Amburn, Committee Counsel:**

As far as I know, as of right now, that is unspecified in current statute. We could specify it if you so desired.

**Assemblywoman Titus:**

Right now nothing prohibits cities from saying, We are not going to let our veterinarians do this any longer. What I understand is that New York is the only state that has banned this. There is nothing that prohibits a veterinarian from saying, No I am not going to do this anymore. Also, any cities or municipalities can have their own ordinances that have this regulation, is that correct?

**Allan Amburn:**

As far as I am aware, I believe they could. If this bill was passed as written, then they would have to comply with statute.

**Assemblywoman Titus:**

As a physician, I have taken care of multiple patients with cat scratch disease, treating them with antibiotics; some were hospitalized. There are an estimated 12,000 outpatients and 500 inpatients diagnosed with cat scratch disease annually. The veterinarian testified that a declawed cat bites more often. I am not sure what study showed that. I am concerned that you stated you could declaw under certain situations, and then you testified that there is never a reason for it to be done. If a person has an immunodeficiency, there is no indication that declawing his cat would prevent disease. However, I am seeing it differently. I am seeing that there is potential in cat scratch disease. I saw some data in kids, especially children five to nine years old who get scratched and bitten by cats, we know the risk of how often they might get an infection from those scratches. I am worried about special situations in which someone wants to have a cat: we know we have to be responsible pet owners, we know that the cat cannot survive outside, we know that it could not be a barn cat. In certain situations, it does not really allow for an application that could be surveyed and show that in this situation, that person probably should not be a pet owner. I agree, maybe he should not take the risk of being bitten. I have concerns with a blanket statement that says you can never do this, yet in certain situations it may be appropriate. I am wondering if the New York law banned it entirely and never allows for certain situations.

**William Horne:**

Regarding Assemblywoman Titus' concern with medical reasons, the article from the American Veterinary Medical Association, when addressing the standard of care in doing these procedures, the issue of the health and disease of their owners was not of concern. In fact, they note that the Centers for Disease Control and Prevention does not list declawing among potential means for preventing disease in humans. This was an article from February 2020.

**Assemblywoman Titus:**

I looked at that article [*AVMA revises declawing policy: Policy discourages procedure but defers to veterinarians on each case*, February 12, 2020, [www.avma.org](http://www.avma.org)]. It does not recommend declawing, but it does not say it may or may not help, but it used the term clipping the claws, shortening the claws, and scratching posts.

**Assemblywoman Hansen:**

I own two cats; they are not declawed. I want to visit the idea of pain in animals, cats in particular. We are dealing with it in our own home: we have a 14-year-old pug, and I am always wondering how will I know if he is in pain. When we talk about the declawing procedure and the pain involved, how do we know what the levels of pain are? We cannot communicate with them. I am thinking about that in light of spaying and neutering, certainly those are painful procedures. Are we saying the cats are in pain continually, whereas with spaying and neutering, it is just pain while recovering from surgery? I am not understanding if the issue with the pain of declawing is long-term.

**Jennifer Conrad:**

What we know is that declawing is so predictably painful that it is used in clinical trials. We also know that there are ways to assess pain in cats. There are more and more ways and they have to do with facial grimaces, how their ears are held, and how their whiskers are held. The pain textbooks say that declawing is severe pain, spay is moderate pain, and neuter is mild pain, according to the way that animals' facial expressions change.

There is also a study in which a cat had one paw declawed. Then the cat walked on a force plate to determine how the cat shifted its weight in order to avoid putting pressure on the paw. The study only lasted for 12 days, but the cat was still limping on that paw after 12 days.

There is a lot of indication that there is chronic pain involved and the literature says that 20 percent of cats will have permanent surgical complications, and 50 percent will have immediate surgical complications. We know that it is a painful surgery. The difference between spay and neuter is that spay and neuter is soft tissue, so that it does not hurt as much, whereas declawing is an actual orthopedic procedure, with obvious other differences. Spay and neuter actually helps animals, and declawing actually hurts animals in the sense that they lose their homes because they have been declawed or they are in permanent pain.

**Assemblywoman Brown-May:**

Regarding the frequency of this procedure happening in urban areas versus rural, as we listened to Assemblywoman Titus talk about her having cats in a rural setting, I am wondering if this procedure is done more in an urban setting with indoor cats as opposed to an indoor/outdoor cat.

**Jeff Dixon:**

I can ask for those numbers and get back to you with them.

**Chair Watts:**

Are there any more questions? Seeing none, I will open up for testimony to anyone who is in support of A.B. 209.

**Kelly Bollen, Private Citizen, Reno, Nevada:**

I am a certified animal behavior consultant and speaking in support of A.B. 209. I have consulted with cat owners about behavioral issues for over 20 years. A substantial number of my cases involve unwanted behavior that resulted from a declaw procedure. These challenges included loss of litter box use, increased emotional sensitivity, fear, irritability, and an increase in aggressive behavior toward humans and other pets. In most cases, these behavioral issues stem from chronic pain that many declawed cats suffer from.

When a declawed cat becomes aggressive, they often resort to biting because they no longer have their first line of defense weaponry—their claws. This makes them more dangerous to people when they are afraid and feel the need to lash out in defense.

I have also consulted with animal shelters over the past 20 years, and every shelter in the United States, including those here in Nevada with whom I have worked, receives declawed cats surrendered by the owner because of unwanted behavior stemming from declawing. As a behavior specialist, the thought of using an invasive surgical intervention to solve a manageable behavior is inhumane. All the behaviors that lead to the desire for declawing can be solved with behavioral intervention. I am very hopeful that Nevada votes to ban this cruel practice.

**Caron Tayloe, Private Citizen, Reno, Nevada:**

I want to thank the sponsors of A.B. 209, and I am speaking in support of this bill. For over 18 years my family and I fostered cats for one of the large shelters in northern Nevada. We have had extensive experience caring for cats, including those that had been declawed then abandoned by their owners. We have tended to many declawed cats, most of whom had permanent postsurgery injuries and abnormalities from the declawing process. Some declawed cats were abandoned to be outside to fend for themselves. There is absolutely no reason to declaw a cat. There are dozens of effective and humane methods to address the scratching of household items and furniture. These methods are easily researched and obtained, and I would recommend that cat owners consult with their veterinary professionals regarding these better methods. Please support A.B. 209.

**Alexandra Noriega, Private Citizen, Las Vegas, Nevada:**

I have fostered cats in Las Vegas for the last five years. I have had about 100 cats and kittens come in and out of my home. There are plenty of cats that are already declawed in the shelters, if that is an issue with children in the home or people worried about getting clawed. Cats that have been declawed are kept in a separate room because their only form of defense has been taken away, so they have to be put into a separate room in these shelters because they are defenseless. This is an archaic practice and cats can be trained to claw on specific items of furniture designed specifically for them. I have trained my cats to claw on

scratching posts; we have them all over the house and the cats know that is their safe spot to claw on. I am in support of this bill.

**Abrak Woubante, Private Citizen:**

Cats that are declawed endure an immense amount of pain, making it difficult for them to do actions such as walking, stretching, even defending themselves against other animals. The chronic and long-term effects of declawing include infections due to possible shattered bones from surgical nail cutters. Declawing is inhumane and unethical, and that is why A.B. 209 has my full support.

**Rebecca Goff, Clinic Manager, Nevada Humane Society:**

I have worked in veterinary medicine for over a decade. I am here today speaking in support of this bill as a representative of the Nevada Humane Society. As Nevada's only open admission no-kill shelter, we see firsthand some of the negative effects of declawing cats, including, but not limited to, many of these cats being surrendered to the shelter as a result of some of the physical and behavioral complications they experience after the trauma of being declawed. We also understand that there will be some medical reasons declawing is deemed necessary by a cat's veterinarian. We appreciate that the bill addresses that as well. We thank the sponsor of the bill for bringing this important issue to our state's attention, and we urge the Committee's support.

**Rodas Biruk, Private Citizen:**

Assembly Bill 209 has my full and strong support because declawing is unethical, unnecessary, and a cruel practice that has the potential to damage the cat's well-being for the rest of its life. Cats need their claws to do numerous things, such as gripping items like furniture so they do not fall, and even self-defense. It would not be right for such a major part of them to be taken away. In addition, by taking away their claws, cats could also begin utilizing more harmful behavior toward humans. It is for the overall safety and health of both cats and humans that I stand by this bill.

**Hailey Gorelow, Private Citizen, Las Vegas, Nevada:**

I am in support of A.B. 209 because declawing cats is equivalent to amputating humans' fingers at the third knuckle. The National Institutes of Health, the Centers for Disease Control and Prevention, the U.S. Public Health Service, and the Infectious Diseases Society of America have specifically stated that declawing cats is not advised, even if for persons who are severely immunocompromised.

**Chair Watts:**

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

**Assemblywoman Martinez:**

In listening to the previous bill today, I heard words mentioned a few times about humanity and about being humane to these animals. Well, that applies to this bill as well. We need to

be humane to these animals. What is done to these cat's claws is so archaic. Maya Angelou once said that when you know better, you do better. I also want to emphasize that I have a tremendous amount of respect for veterinarians. They do an incredible job in making sure that our animals are taken care of; in many cases, they treat them as if they were their own. This bill is not to target veterinarians. It is a bill to target this cruel, inhumane, and unethical practice of declawing cats, of stripping them of their identity, of their ability to defend themselves, and of their ability to simply walk, play, and enjoy the beauties that life has to offer.

Thank you, Chair Watts and members of the Committee, for allowing me to present this bill. I urge the Committee to support A.B. 209. [Also received but not mentioned is [Exhibit M.](#)]

**Chair Watts:**

I will close the hearing on Assembly Bill 209. That takes us to the final item on our agenda, which is public comment. Is there anyone wishing to provide public comment? Hearing no one, our next meeting is on Monday, April 5, 2021, at 4 p.m. This meeting is adjourned [at 5:49 p.m.].

RESPECTFULLY SUBMITTED:

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Nancy Davis  
Committee Secretary

APPROVED BY:

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Assemblyman Howard Watts, Chair

DATE: \_\_\_\_\_

## EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is the Work Session Document for [Assembly Bill 6](#), submitted and presented by Jann Stinnesbeck, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit D](#) is the Work Session Document for [Assembly Bill 84](#), submitted and presented by Jann Stinnesbeck, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit E](#) is the Work Session Document for [Assembly Joint Resolution 2](#), submitted and presented by Jann Stinnesbeck, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit F](#) is a proposed amendment to [Assembly Bill 299](#), submitted and presented by Assemblywoman Shannon Bilbray-Axelrod, Assembly District No. 34.

[Exhibit G](#) is a letter submitted by David Ricker, Policy Chair, Nevada Chapter, Backcountry Hunters and Anglers, in support of [Assembly Bill 299](#).

[Exhibit H](#) is a letter, dated March 31, 2021, submitted by Rebekah Stetson, Founding Member, Northern Nevada Food Security Council, in support of [Assembly Bill 299](#).

[Exhibit I](#) is written testimony submitted by Tony Wasley, Director, Department of Wildlife, neutral to [Assembly Bill 299](#).

[Exhibit J](#) is a copy of a PowerPoint presentation titled "AB209," submitted by Assemblywoman Susie Martinez, Assembly District No. 12.

[Exhibit K](#) is a letter, dated March 31, 2021, submitted by Catmandu, Carson City, Nevada, et al, and presented by Jeff Dixon, Nevada State Director, State Affairs, Humane Society of the United States, in support of [Assembly Bill 209](#).

[Exhibit L](#) is a letter submitted and presented by Jeff Dixon, Nevada State Director, State Affairs, Humane Society of the United States, in support of [Assembly Bill 209](#).

[Exhibit M](#) is a packet of letters submitted by various individuals and organizations, in support of [Assembly Bill 299](#).