

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

**Eighty-first Session  
April 1, 2021**

The Senate Committee on Natural Resources was called to order by Chair Fabian Donate at 3:33 p.m. on Thursday, April 1, 2021, Online. [Exhibit A](#) is the Agenda. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

**COMMITTEE MEMBERS PRESENT:**

Senator Fabian Donate, Chair  
Senator Melanie Scheible, Vice Chair  
Senator Chris Brooks  
Senator Pete Goicoechea  
Senator Ira Hansen

**GUEST LEGISLATORS PRESENT:**

Senator James Ohrenschall, Senatorial District No. 21

**STAFF MEMBERS PRESENT:**

Jennifer Ruedy, Policy Analyst  
Allan Amburn, Counsel  
Christine Miner, Committee Secretary

**OTHERS PRESENT:**

Warren Hardy, The Humane Society of the United States  
Lisa Wathne, Manager, Captive Wildlife Protection, The Humane Society of the United States  
Jeff Dixon, Nevada State Director, The Humane Society of the United States  
Justin Harrison, Clark County  
Karen Layne, Las Vegas Valley Humane Society  
Lynda Sugasa, Founder, Director, Safe Haven Wildlife Sanctuary  
Scott Shoemaker  
Tina Brandon Abbatangelo, DDS, Peter Emily International Veterinary Dental Foundation  
Tim Stoffel, Sierra Safari Zoo

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Dirk Arthur  
Devan Clawson  
John Potash  
Zuzana Kukol, REXANO, Responsible Exotic Animal Ownership  
Keith Evans, Lion Habitat Ranch  
Steven Higgs, Sierra Safari Zoo  
Joshua Cowart  
Eric Spratley, Executive Director, Nevada Sheriffs' and Chiefs' Association

CHAIR DONATE:

We will open the work session on Senate Joint Resolution (S.J.R.) 3.

**SENATE JOINT RESOLUTION 3**: Urges Congress to provide funding to reduce the wild horse and burro populations to appropriate management levels. (BDR R-465)

JENNIFER RUEDY (Policy Analyst):

I will read from the work session document ([Exhibit B](#)) and an amendment received from the American Wild Horse Campaign ([Exhibit C](#)). The amendment strikes the language referencing the Bureau of Land Management's (BLM) *2020 Report to Congress: An Analysis of Achieving a Sustainable Wild Horse and Burro Program* on lines 32 through 36 of [Exhibit C](#), and replaces it with support the "humane and science-based management of Nevada's wild free-roaming horse and burro populations."

On line 41, the language "to achieve the appropriate management level" is removed; "Within 6 years" is stricken from line 42 and replaced with "... and prioritizing humane fertility control, as recommended by the National Academy of Sciences ... "

SENATOR HANSEN:

People I have a great deal of confidence in are highly worried about the amendment, [Exhibit C](#). I propose we pass S.J.R. 3 as originally written and presented by the Legislative Committee on Public Lands. The amendment drops the concept of proper management levels.

CHAIR DONATE:

After reviewing the proposed amendment, I am comfortable with moving it forward. The proposed amendment came in collaboration with the American

Wild Horse Campaign and the office of Congresswoman Dina Titus. A campaign to help support the power of fertility control will be helpful in solving concerns. I will accept a motion to amend and do pass as amended S.J.R. 3.

SENATOR BROOKS:

The original resolution contained more effective language. There are many methods we should be using to help manage the horse populations. I understand the realities of negotiation, and there are passionate advocates on both sides of the issue. I will support moving the resolution forward as amended, and I reserve my right to change my vote.

SENATOR SCHEIBLE:

The amended version of S.J.R. 3 is better policy. The changes utilize a different benchmark and encourage Congress to use a different and more humane scientific tool to manage wild horse populations.

SENATOR SCHEIBLE MOVED TO AMEND AND DO PASS AS AMENDED  
S.J.R. 3.

SENATOR BROOKS SECONDED THE MOTION.

SENATOR GOICOECHEA:

I will support the measure to move it out of Committee. My concern is not about fertility control. There are 50,000 wild horses who will not be reduced by fertility control. Some of the horses must be removed to reach management levels for maintenance of sustainable populations.

Senate Joint Resolution 3 hinged on the BLM's *2020 Report to Congress: An Analysis of Achieving a Sustainable Wild Horse and Burro Program*. I do not agree with taking that out of the resolution. I reserve my right to change my vote.

SENATOR HANSEN:

I will vote no on the motion. This was discussed at length by the Legislative Committee on Public Lands. A unanimous vote put this legislation forward. The resolution was based on the BLM's *2020 Report to Congress: An Analysis of Achieving a Sustainable Wild Horse and Burro Program*. Removing it changes the resolution. I support the concept of going forward, but I am concerned because the change is happening at the last minute based on the opposition of

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Congresswoman Titus. It has been a long process, and I cannot support someone not involved swaying this legislation.

CHAIR DONATE:

I contacted the original presenter on the resolution, David Parks, about the proposed amendment, and he was in support. In this situation, we must consider facts of science.

THE MOTION PASSED. (SENATOR HANSEN VOTED NO.)

\* \* \* \* \*

CHAIR DONATE:

We will move to S.J.R. 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)

Ms. REUDY:

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

SENATOR GOICHOECHEA MOVED TO DO PASS S.J.R. 10.

SENATOR HANSEN SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

\* \* \* \* \*

CHAIR DONATE:

We will open the hearing on S.B. 344.

**SENATE BILL 344**: Enacts provisions relating to the importation, possession, sale, transfer and breeding of dangerous wild animals. (BDR 50-871)

SENATOR JAMES OHRENSCHALL (Senatorial District No. 21):

About ten years ago in Ohio, someone alerted law enforcement of a fully grown male lion on his property. On October 18, 2011, a local man who owned a

hobbyist's exotic animal farm in Zanesville, Ohio, committed suicide after releasing 50 of 56 animals from their enclosures. The animal control agency and local Zanesville law enforcement were ill-equipped to handle what they encountered. Tranquilizers were not enough to handle the 18 Bengal tigers, 17 lions, several bears, mountain lions, wolves, a baboon and a monkey. Officers were forced to use lethal methods to gain control over most of the fleeing and frightened animals. Forty-eight animals were killed. This case and others around the Country illustrate the need for comprehensive regulations and awareness of exotic animal ownership.

Much like Nevada, Ohio law allowed for private citizens to keep large, exotic animals with little or no regulations or oversight. Ohio responded to the tragedy by strictly regulating the ability to privately keep large exotic animals.

According to the Michigan State University Animal Legal and Historical Center, Ohio is among 20 states with comprehensive bans on ownership of dangerous wild animals with certain exceptions. The laws may prohibit the ownership of wild or exotic animals as pets or only allow the animals be kept under certain licenses. Another 13 states have partial bans on exotic pets, which means these states prohibit specific animal species listed by statute for private ownership. Fourteen states permit private ownership of exotic animals under a licensure or permit model. Those seeking licenses might need to register with the state or local government and prove satisfactory conditions for keeping such animals, pay a fee or maintain liability insurance.

Nevada, like four other states, has few provisions or oversight regarding exotic and dangerous animals. Senate Bill 344 is legislation long overdue. Exotic animals are dangerous, and no one wants law enforcement, firefighters or other first responders to encounter a situation as happened in Ohio.

Testimony today will illustrate threats these animals can cause to communities due to their great strength or diseases they are capable of spreading. Animal owners will explain their different opinions and how to take care of these animals. It does not mean all owners will be as responsible, nor will neighbors be aware of the dangers. The welfare of these animals is concerning. Most private citizens are not equipped to properly care for exotic animals or handle an unfortunate incident, escape or attack. Minimum requirements for ownership are needed.

Senate Bill 344 protects the good works of animal shelters and rescue centers. It allows for ownership of exotic animals by properly licensed exhibitors and permits ownership for possession by the Department of Wildlife (NDOW) and certain licensed veterinarians. The bill does not completely remove exotic animals from private homes, rather these owners are grandfathered in as long as minimum requirements are met.

WARREN HARDY (The Humane Society of the United States):

In previous Legislative Sessions, this concept was brought before the Legislature and has been called the "tiger in the basement" law. A documentary television miniseries titled *Tiger King* illustrates the reasons for this bill. Discussions with State and local law enforcement, NDOW, businesses and the gaming community helped craft the language in S.B. 344 to allow legitimate operations to continue unfettered.

The bill is ready for presentation except for an amendment being prepared. There is a two-thirds majority vote requirement on the bill, which we are working to remove.

Nevada has the weakest laws in the Western U.S. regarding exotic animals. Those with little responsibility for these animals move toward the path of least resistance.

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

I will read from my written testimony ([Exhibit E](#)) presenting supportive comments on S.B. 344.

JEFF DIXON (Nevada State Director, The Humane Society of the United States):

The *Tiger King* miniseries raised awareness of the plight of captive big cats and exposed the hidden suffering associated with a practice called cub-petting. It highlights why S.B. 344 is the least Nevada can do to address this issue.

The reason there are so many big cats and tigers in the hands of unqualified individuals in the U.S. is because of the practice of cub-petting. Cub-petting programs provide baby big cats, usually tigers, for the public to feed, play with, pet and pose with for photos. It has been common practice at roadside zoos and for exhibitors who haul tiger and lion cubs to fairs, festivals, shopping centers and other venues and charge for the interaction with the babies.

It is a cruel practice. Cubs are removed from their mothers at birth and can only be used for public-handling until the ages of 3 or 4 months. Then they age out or are cast off and often sent to substandard facilities or into the pet trade. The animals must be continually bred to provide a steady supply of infant cubs. A number of them were sent by Joe Exotic, the tiger king in the television series, to a private owner in Pahrump, Nevada. This cycle of breeding and dumping is the root cause of the large surplus of captive big cats in the U.S.

The requirement in S.B. 344 for U.S. Department of Agriculture (USDA) to license animal exhibitors with a few reasonable conditions goes above and beyond regulations of the Federal Animal Welfare Act which does not incorporate modern zoological industry standards. It will also advance animal welfare and public safety in Nevada. It interrupts the cub-petting industry in practice and provides continuity for most interests of animal welfare and public safety.

SENATOR HANSEN:

Have there been situations in Nevada in the last 12 years involving exotic animals?

MR. HARDY:

There was a chimpanzee escape in southern Nevada, and one of them had to be terminated.

MS. WATHNE:

There have not been any on the scale of the incident in Zanesville, Ohio. The most recent was the chimpanzee incident when two chimps escaped, and one was shot and killed. In another incident, tigers in someone's backyard were reported by a neighbor. Other big cats have been confiscated from miserable conditions. I will compile a list of incidents in Nevada.

SENATOR HANSEN:

Does The Humane Society have a position about rodeo horses?

MR. DIXON:

There is no active rodeo campaign. The focus is on the worst practices being done to animals.

SENATOR HANSEN:

I admire the consistency in addressing cruelty to animals.

MR. HARDY:

I have found The Humane Society of the United States to be a reasonable and thoughtful organization.

SENATOR SCHEIBLE:

Where did the list of dangerous wild animals in the bill come from?

MR. HARDY:

The list developed over several years. The animals listed are the most physically dangerous and can spread disease.

SENATOR SCHEIBLE:

Why are there no reptiles on the list?

MS. WATHNE:

Reptiles are banned or prohibited by State law and not necessary for inclusion in the bill.

SENATOR BROOKS:

Will the bill affect companies filming in Nevada if any of the protected animals are part of the production?

MS. WATHNE:

Individuals or companies providing animals for movies or filming are exempt if they carry the USDA Class C exhibitor license. If they meet the few additional requirements of liability insurance, escape plans and no citations in the previous three years, there will be no trouble filming in Nevada with the specific list of animals.

SENATOR BROOKS:

Do big filmmaking states have the same standards in place—California, for example?

MS. WATHNE:

It would be good for regulations to be consistent across the Country. I will need to review the laws of California on this matter. There are specific exemptions



for production companies, though not necessary because of the USDA exemption.

MR. HARDY:

This legislation goes from no laws to a weak law. It is a start, and we want to be sure any legislation going forward does not impact the good actors in the gaming and entertainment industries.

SENATOR GOICOECHEA:

Several of the prohibited species descriptions mentioned in S.B. 344 include the language "that have been bred in captivity." Are those species illegal to own because they are wild animals, like black bears or mountain lions?

MS. WATHNE:

The language was included at the request of NDOW because those few species are native to Nevada and regulated by NDOW.

SENATOR SCHEIBLE:

The definition of law enforcement officer in section 6 of S.B. 344 does not match the definitions of law enforcement officer in *Nevada Revised Statutes*. Is this a distinction because it is about wild animals? Or should we bring that into compliance with the rest of statute?

MS. WATHNE:

The law enforcement definition was drafted by NDOW.

SENATOR HANSEN:

My research produced the position of The Humane Society of the U.S. on rodeos as "opposes rodeos as they are commonly organized, since they typically cause torment and stress to animals; expose them to pain, injury, or even death; and encourage an insensitivity to and acceptance of the inhumane treatment of animals in the name of sport."

CHAIR DONATE:

This bill is similar to A.B. No. 238 of the 79th Session sponsored by Assemblywoman Lesley E. Cohen.

JUSTIN HARRISON (Clark County):

Clark County supports S.B. 344. This builds upon the Clark County Code of Ordinances regulating exotic and wild animals found in Chapter 10.18.

KAREN LAYNE (Las Vegas Valley Humane Society):

The Las Vegas Valley Humane Society supports S.B. 344.

LYNDA SUGASA (Founder, Director, Safe Haven Wildlife Sanctuary):

Safe Haven Wildlife Sanctuary supports S.B. 344 to restrict the private possession of dangerous wild animals. Safe Haven rescues and rehabilitates indigenous wildlife and provides permanent places for wild animals in need. It responds to requests for assistance from state and federal agencies, law enforcement, veterinarians and citizens. It provides permanent homes to 33 exotic cats, ranging from 25-pound bobcats to 500-pound tigers and African lions, who were former pets.

Safe Haven takes its role as a sanctuary very seriously and is credited by the Global Federation of Animal Sanctuaries, an organization whose goal is to validate sanctuary sustainability and ensure the highest standards of animal care and safety. Animals at Safe Haven are not bred, bought, sold or traded, nor are any animals for hire. The direct contact policy in S.B. 344 will ensure safety for the staff and animals.

People yield to the temptation to purchase a big cat or other unusual non-native species and quickly discover they are ill-equipped to provide for the animal's needs. Many animals have been abandoned, killed and suffer from unsafe conditions in backyard cages or are confiscated by authorities.

The life of cruelty, abuse, and neglect endured by many exotic pets is illustrated by one of the residents of Safe Haven—a white tiger named Clarence who was owned in rural Ohio. Clarence lived in a small 20- by 30-foot cage shared with three other tigers, one who attacked him. Clarence was moved into a tiny cage inside a pole barn to pace and lie down. Clarence now resides in a 10,000-square-foot habitat at Safe Haven with enclosure enhancements meeting his physical and psychological needs with guaranteed lifelong care.

It is expensive to care for big cats. Safe Haven will accept new animals if able to provide lifelong care but often cannot accept an animal because of the expense.

Nevada needs to stop being a dumping ground for people moving into the State with exotic animals to bypass other states with bans in place.

SCOTT SHOEMAKER:

I oppose S.B. 344 for the direct contact provision which will prohibit professionals from contacting the listed animals in the bill. Those who work with animals will be prohibited by the direct contact provision, jobs will be lost, and animals will be unsafe. Thirteen out of 17 Nevada counties have ordinances regulating exotic animals, and cities also have ordinances. Henderson and North Las Vegas have exotic animal bans.

The bill is a ban and sets the conditions for confiscating animals. It circumvents and conflicts with NDOW regulations and does not address public safety. There are no caging standards. Criteria is not listed for designating a species as a dangerous wild animal. Liability insurance of \$250,000 is required for primates weighing from 1 pound to 5 pounds. There is no insurance required for a large 250-pound domestic dog.

In the Zanesville, Ohio, incident, it is not mentioned that the animals were let out of their restraints and only six got off of the property. No injuries were reported. It was illegal to have those animals then. Regardless of laws, an animal attack can occur.

TINA BRANDON ABBATANGELO, DDS (Peter Emily International Veterinary Dental Foundation):

I support S.B. 344. I am a dentist and a dental school professor. I volunteer with the Peter Emily Foundation, a nonprofit organization providing dental care to captive and exotic animals. The Foundation has provided care for 500 animals in over 95 missions for 27 sanctuaries worldwide. Over 1,200 dental procedures have been performed. Dental disease is treated to enable the animals to eat and survive.

I have seen firsthand animals being discarded who are no longer needed. I have seen numerous cases of canine teeth drilled down to the nerves. This intimidates teeth which are vital for survival. The teeth have been intentionally reconstructed to keep owners and trainers safe. I worked on a seven-year-old white tiger from a show on the Las Vegas Strip. The tiger had been declawed, and all of its canine teeth had been drilled down to the nerves. These are illegal acts. Animals can be kept under anesthetic for no more than three hours to

avoid internal organ damage. These animals are dependent on us for their survival and can never be released into the wild.

TIM STOFFEL (Sierra Safari Zoo):

Sierra Safari Zoo opposes S.B. 344. A total ban on private ownership is not a good idea. There is a shortage of big cats, and we have had trouble finding them for our zoo. No one is breeding them anymore because of the laws. Regulations are required, not bans.

The standards have been raised for a USDA Class C license for exhibitors. A minor violation causes immediate confiscation of animals. This bill is about shutting down zoos, not protecting animals and the public. The direct contact ban is bad policy and a gross overreach in law. Policies should be created by NDOW. This law will make it impossible for anyone to start a new facility, and it makes continuing in business difficult. Laws are already in place on this issue.

DIRK ARTHUR:

I am a magician in Las Vegas and perform with tigers and other exotic animals. My show provides union jobs. I respect laws that protect animals. The restrictions in S.B. 344 are so severe, a small write-up from the USDA would lead to the confiscation of an animal. I do not find the bill reasonable. If someone was found to be committing a crime of cruelty, it would be reasonable cause to confiscate an animal. I do not support S.B. 344.

DEVAN CLAWSON:

I oppose S.B. 344. Cities and counties have exotic animal regulations, and there has not been a dangerous situation in Nevada with exotic animals in 20 years. This bill will require owners to notify authorities three days prior to transport. How does that work if the animal is in dire need of care?

The bill only recognizes accreditations by the Association of Zoos and Aquariums (AZA); there are other accreditation groups. Bringing up a situation that happened ten years ago in another state does not justify this legislation. Nevada has never had an issue like the one testified to in Ohio.

JOHN POTASH:

I oppose S.B. 344. This fifth attempt in the State has necessitated my involvement in the fight against some form of exotic animal ban. The bans are being brought exclusively by a national special interest group, not by a Nevada

agency. No significant events have occurred in Nevada in the past 12 years or more to warrant the need for this legislation.

The few incidents of people being injured by exotic animals have only involved people voluntarily taking that risk or as a recognized and accepted occupational hazard. Laws and infrastructure in place today are sufficient. Do not punish the responsible parties for the few outliers.

This is a special interest group trying to force its extreme ideology on innocent and responsible citizens. It will do nothing more to prevent criminals from breaking laws. Vague and subjective clauses in the bill allow for enforcement actions against keepers for any nonlegitimate reasons, offer extreme penalties for minor issues and deny citizens due process. Special exemptions are given to one organization while excluding all others and mandates situations that could promote animal cruelty.

ZUZANA KUKOL (REXANO, Responsible Exotic Animal Ownership):

I oppose S.B. 344 which is a bad exotic animal bill most locals do not support. This bill will not improve public safety or animal welfare. Nobody has died by exotic animals in Nevada in the past 20 years. The laws we have now need to be enforced. The bill will make it impossible for my facility to keep helping the government agencies in transporting and housing exotic animals. The three-day notice for transporting a sick animal to a veterinarian might be a certain death sentence in emergency situations.

I will read my remaining comments from page 2 of my letter in opposition ([Exhibit F](#)).

KEITH EVANS (Lion Habitat Ranch):

I oppose S.B. 344. There are many problems with the wording of the bill. The 72-hour provision is unreasonable. Giving AZA exemptions is an issue; laws governing everyone should not exempt anyone. I have lived in Clark County for nearly 50 years. Laws did not prevent Jeff Lowe from the *Tiger King* from bringing in animals illegally. Border check stations are the only way to prevent that. Animals and people will not be protected. Laws should not be arbitrary and capricious.

STEVEN HIGGS (Sierra Safari Zoo):

Sierra Safari Zoo opposes S.B. 344. Sierra Safari has 400 hours and 40 years working with big cats. The 72-hour notification provision is a problem for transferring any exotic animal to a veterinarian. These animals have never been a problem. The Sierra Safari facility is well built, and its licensing has never been an issue. Animals confiscated for unreasonable and unworkable situations could potentially be euthanized. Many of the animals are on the endangered list.

A 16-year-old visiting the facility was overjoyed to see a live tiger. Many of the animals will be gone when that 16-year-old is an adult. Thousands of people visit Sierra Safari Zoo and would be upset if the animals were confiscated.

JOSHUA COWART:

I oppose S.B. 344. It is not in the best interest of exotic animals.

ERIC SPRATLEY (Executive Director, Nevada Sheriffs' and Chiefs' Association):

The Nevada Sheriffs' and Chiefs' Association is neutral on S.B. 344. The procedural concerns originally held are being addressed, allowing for support of the bill. The Association agrees with regulations and oversight for large exotic and dangerous wild animals for the safety of the public.

MR. HARDY:

We will continue to work with the gaming industry and address the issues of the Nevada Sheriffs' and Chiefs' Association.

CHAIR DONATE:

I will close the hearing on S.B. 344.

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CHAIR DONATE:

Having no further business, we will close the meeting at 5:07 p.m.

RESPECTFULLY SUBMITTED:

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Christine Miner,  
Committee Secretary

APPROVED BY:

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Senator Fabian Donate, Chair

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

<b>EXHIBIT SUMMARY</b>				
<b>Bill</b>	<b>Exhibit Letter</b>	<b>Begins on Page</b>	<b>Witness / Entity</b>	<b>Description</b>
	A	1		Agenda
S.J.R. 3	B	1	Jennifer Reudy	Work Session Document
S.J.R. 3	C	1	Jennifer Reudy	Proposed Amendment from the American Wild Horse Campaign
S.J.R. 10	D	1	Jennifer Reudy	Work Session Document
S.B. 344	E	1	Lisa Wathne / The Humane Society of the United States	Written Testimony in Support
S.B. 344	F	2	Zuzana Kukol	Letter in Opposition