

**MINUTES OF THE MEETING  
OF THE  
ASSEMBLY COMMITTEE ON GOVERNMENT AFFAIRS**

**Eighty-Second Session  
May 16, 2023**

The Committee on Government Affairs was called to order by Chair Selena Torres at 9:08 a.m. on Tuesday, May 16, 2023, in Room 4100 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada and to Room 130, Greenhaw Technical Arts Building, Great Basin College, 1500 College Parkway, Elko, Nevada. Copies of the minutes, including the Agenda [[Exhibit A](#)], the Attendance Roster [[Exhibit B](#)], and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at [www.leg.state.nv.us/App/NELIS/REL/82nd2023](http://www.leg.state.nv.us/App/NELIS/REL/82nd2023).

**COMMITTEE MEMBERS PRESENT:**

Assemblywoman Selena Torres, Chair  
Assemblywoman Bea Duran, Vice Chair  
Assemblyman Max Carter  
Assemblyman Rich DeLong  
Assemblyman Reuben D'Silva  
Assemblywoman Cecelia González  
Assemblyman Bert Gurr  
Assemblyman Brian Hibbetts  
Assemblyman Gregory Koenig  
Assemblyman Richard McArthur  
Assemblyman Duy Nguyen  
Assemblywoman Angie Taylor  
Assemblywoman Clara Thomas

**COMMITTEE MEMBERS ABSENT:**

None

**GUEST LEGISLATORS PRESENT:**

Senator Julie Pazina, Senate District No. 12  
Senator Pete Goicoechea, Senate District No. 19

Minutes ID: 1139



**STAFF MEMBERS PRESENT:**

Jennifer Ruedy, Committee Policy Analyst  
Asher Killian, Committee Counsel  
Sarah Delap, Committee Counsel  
Judi Bishop, Committee Manager  
Geigy Stringer, Committee Secretary  
Lindsey Howell, Committee Secretary  
Cheryl Williams, Committee Assistant

**OTHERS PRESENT:**

Tracy Wilson, Nevada State Director, American Wild Horse Campaign  
Kris Thompson, Project Manager, Tahoe-Reno Industrial Center  
Nicole Hayes, Nevada Conservation Operations Manager, American Wild Horse Campaign  
Sena Loyd, Director, Public Policy, Blockchains, Inc.  
Brooklyn Kirk, Private Citizen, Reno, Nevada  
Suzanne Roy, Executive Director, American Wild Horse Campaign  
Allison Hinkle, Virginia Range Program Coordinator, American Wild Horse Campaign  
Fred Voltz, Private Citizen, Boulder City, Nevada  
Rachel Holzer, Private Citizen, Las Vegas, Nevada  
Diane Davis, Private Citizen, Pahrump, Nevada  
Chandler Caldwell, Private Citizen, Lake Las Vegas, Nevada  
Cathy Cottrill, Board Member, Wild Horse Preservation League  
Jodie Feist, Advocate, American Wild Horse Campaign  
Mary Cioffi, President, Pine Nut Wild Horse Advocates  
Suzanne Baker, Advocate, Wild Horse Preservation League  
Craig C. Downer, President, Wild Horse and Burro Fund  
Nicolette Curth, Private Citizen, Stateline, Nevada  
Greg Hendricks, Private Citizen, Carson City, Nevada  
Jim Sedinger, Private Citizen, Reno, Nevada  
Boyd Spratling, Private Citizen, Deeth, Nevada  
Larry Johnson, President, Coalition for Nevada's Wildlife  
Martin Paris, Executive Director, Nevada Cattlemen's Association  
Ashton Caselli, Director, Northern Nevada Safari Club International  
Gianna Caselli, Private Citizen, Reno, Nevada  
Stewart Davis, Private Citizen  
Giovanni Caselli, Private Citizen, Reno, Nevada  
Lynn Chapman, State Vice President, Nevada Eagle Forum  
Charlie Booher, representing Wild Sheep Foundation  
David McNinch, Chairman, Administrative Procedures, Regulations, and Policy Committee, Board of Wildlife Commissioners  
Dre Arman, Idaho/Nevada Chapter Coordinator, Backcountry Hunters and Anglers

Jim Jeffress, Private Citizen, Elko, Nevada  
Tina Nappe, representing Coalition for Healthy Nevada Lands  
Willie Molini, Director, Coalition for Healthy Nevada Lands  
Mark Freese, Administrator, Habitat Division, Department of Wildlife  
Lydia Teel, representing Nevada Bighorns Unlimited  
John Hiatt, Private Citizen, Las Vegas, Nevada  
J.J. Goicoechea, Director, State Department of Agriculture

**Chair Torres:**

[Roll was taken. Committee rules were explained.] Welcome to the Assembly Committee on Government Affairs. We have a bill scheduled to be heard today, but we will begin with our work session. We have five bills on our work session today. It is not customary for the Committee to take testimony or otherwise rehear the bills during the work session. However, I may invite a witness to come forward for clarification or questions during the consideration of the measure. We will start with Senate Bill 20 (1st Reprint).

**Senate Bill 20 (1st Reprint): Revises provisions relating to the process for filling a vacancy in the office of county commissioner. (BDR 20-393)**

**Jennifer Ruedy, Committee Policy Analyst:**

Thank you, Chair Torres. As nonpartisan staff, I do not advocate for or against legislation. I am just going to walk you through the work session.

[Reading from work session document, Exhibit C.] The first bill, Senate Bill 20 (1st Reprint), creates a process for filling a vacancy on the board of county commissioners: first, by an appointment made by the governor from a list of two persons provided by the county; second, through a special election; or third, by a board of county commissioners pursuant to a process established by ordinance. See the attached amendment [page 2, Exhibit C] provided by the Nevada Association of Counties subsequent to the bill hearing; I am going to go to our Legal Counsel.

**Asher Killian, Committee Counsel:**

The amendment that was proposed was to deal with the situation where there would be a tie vote. We do not believe the amendment would be necessary because under *Nevada Revised Statutes* 241.0355, a public body, to take action, has to take action by majority vote. By definition, a tie vote cannot be a majority vote because a majority vote is more votes in favor than against; so, a tie vote would be the same as a failed vote. In order for the public body to take action to make an appointment under this bill, a majority vote would be required by existing law. Therefore, the amendment is not necessary to clarify what happens in the event of a tie vote.

**Chair Torres:**

Members, are there any questions? At this time, I will entertain a motion to do pass Senate Bill 20 (1st Reprint).

ASSEMBLYWOMAN GONZÁLEZ MADE A MOTION TO DO PASS  
SENATE BILL 20 (1ST REPRINT).

ASSEMBLYMAN NGUYEN SECONDED THE MOTION.

Members, is there any discussion on the motion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblywoman González. Next, we will consider  
Senate Bill 22 (1st Reprint).

**Senate Bill 22 (1st Reprint): Revises provisions relating to the publication of legal notices. (BDR 19-390)**

**Jennifer Ruedy, Committee Policy Analyst:**

[Reading from work session document, [Exhibit D](#).] Senate Bill 22 (1st Reprint) authorizes the additional publication of a legal notice or advertisement on the website of a newspaper of general circulation. If published on the website of a qualified, legal, and competent newspaper, an error in the legal notice or advertisement made by the newspaper, a temporary Internet outage, or a service interruption that prevents the posting or display of the notice is harmless, and the legal notice or advertisement must be deemed sufficient if it is printed and published in such a newspaper. Finally, any and every legal notice or advertisement published on a website maintained by a newspaper in violation of certain provisions of law is void.

Again, to avoid any confusion, there was an amendment presented by the Nevada Press Association, but the Committee's Legal Counsel established on the record at the bill hearing on May 11, 2023, that it was unnecessary to accomplish its intended purpose. There is no amendment for consideration.

**Chair Torres:**

Members, are there any questions? There do not appear to be any questions. At this time, I will entertain a motion to do pass Senate Bill 22 (1st Reprint).

ASSEMBLYWOMAN THOMAS MADE A MOTION TO DO PASS  
SENATE BILL 22 (1ST REPRINT).

ASSEMBLYWOMAN TAYLOR SECONDED THE MOTION.

Members, is there any discussion on the motion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblywoman Thomas. Next, we will consider Senate Bill 23 (2nd Reprint).

**Senate Bill 23 (2nd Reprint): Authorizes certain legislative bodies to amend a redevelopment plan to remove an area from a redevelopment area under certain circumstances. (BDR 22-367)**

**Jennifer Ruedy, Committee Policy Analyst:**

[Reading from work session document, [Exhibit E](#).] Senate Bill 23 (2nd Reprint) authorizes the legislative body of a city whose population is less than 25,000 to amend a redevelopment plan to remove part of a redevelopment area if it determines, following a public hearing, that the removal will not adversely impair any outstanding bonds or securities, the area consists primarily of single-family or multifamily residential dwellings of three stories or less, or both, and the removal is necessary or desirable because it is in the public interest for the purpose of property tax collections. The measure also prohibits the legislative body from amending a redevelopment plan to remove an area if the removal would adversely impair outstanding obligations of any political subdivision of the state or any other public entity. There are no amendments for this measure.

**Chair Torres:**

Members, are there any questions? [There were none.] At this time, I will entertain a motion to do pass on Senate Bill 23 (2nd Reprint).

ASSEMBLYMAN GURR MADE A MOTION TO DO PASS SENATE BILL 23 (2ND REPRINT).

ASSEMBLYMAN NGUYEN SECONDED THE MOTION.

Members, is there any discussion on the motion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblyman Gurr. Next, we will consider Senate Bill 261 (2nd Reprint).

**Senate Bill 261 (2nd Reprint): Revises provisions relating to local governments. (BDR 19-793)**

**Jennifer Ruedy, Committee Policy Analyst:**

[Reading from work session document, [Exhibit F](#).] Senate Bill 261 (2nd Reprint) requires the governing body of a local government to notify chambers of commerce of any proposed rule that is likely to impose a direct and significant economic burden upon a business or directly restricts the formation, operation, or expansion of a business.

The bill further requires the governing body to hold a workshop to solicit comments on one or more general topics to be addressed in a proposed rule upon the timely request of two or more chambers of commerce or trade associations or any combination thereof. Finally, among other provisions, the measure requires business impact statements to include the total number of businesses likely to be affected by the proposed rule, a list of the chambers of commerce and trade associations notified of the proposed rule, and a summary of any workshop held regarding the proposed rule. There are no amendments for this measure.

**Chair Torres:**

Members, are there any questions? [There were none.] At this time, I will entertain a motion to due pass Senate Bill 261 (2nd Reprint).

ASSEMBLYWOMAN TAYLOR MADE A MOTION TO DO PASS  
SENATE BILL 261 (2ND REPRINT).

ASSEMBLYMAN HIBBETTS SECONDED THE MOTION.

Members, is there any discussion on the motion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblywoman Thomas. Next, we will consider Senate Bill 264 (1st Reprint).

**Senate Bill 264 (1st Reprint): Revises provisions relating to collective bargaining.  
(BDR 23-932)**

**Jennifer Ruedy, Committee Policy Analyst:**

[Reading from work session document, [Exhibit G](#).] Senate Bill 264 (1st Reprint) provides that a civilian employee of a metropolitan police department may be a member of an employee organization only if the employee organization is composed exclusively of such civilian employees. There are no amendments for this measure.

**Chair Torres:**

Members, are there any questions? [There were none.] At this time, I will entertain a motion to do pass on Senate Bill 264 (1st Reprint).

ASSEMBLYMAN D'SILVA MADE A MOTION TO DO PASS SENATE  
BILL 264 (1ST REPRINT).

ASSEMBLYWOMAN TAYLOR SECONDED THE MOTION.

Members, is there any discussion on the motion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblywoman Taylor. This concludes our work session today. [Notice of upcoming work sessions was given.]

Before we move into the bill hearing—we have had a lot of conversations about this bill hearing. I am sure I am not alone in having several meetings, both in support and opposition of this bill. As a result, we have decided to make sure there is ample time for the community to be heard both in support and opposition. This is what we will be doing today—this is standard practice in this Committee. This is something that has been done historically with controversial pieces of legislation. It is something I saw as a freshman with Assemblyman Steve Yeager in the Judiciary Committee. It is something that I participated in, in the Assembly Committee on Commerce and Labor when I was a sophomore legislator. It is something I think is good practice for making sure communities have their voice heard.

We will be opening the hearing on Senate Bill 90 (1st Reprint), which designates the wild mustang the official state horse of the state of Nevada. We will be allowing for a 15-minute presentation in support; then we will be moving on to questioning, and then we will have the opportunity for 20 minutes of support testimony from members of the public. We will be taking four here and then we will go to Las Vegas or Elko and then the phones, and then come back around. Then we will allow for a 15-minute opposition presentation, and then questioning, and 20 minutes for opposition testimony. Then we will move on to neutral, allowing 20 minutes. I do not expect there to be too many neutral testimonies on this piece of legislation. At this time, I will invite Senator Pazina and the presenters up, and you may begin when you are ready.

**Senate Bill 90 (1st Reprint): Designates the wild mustang as the official state horse of the State of Nevada. (BDR 19-560)**

**Senator Julie Pazina, Senate District No. 12:**

It is my pleasure to be before you today to present Senate Bill 90 (1st Reprint). Thank you so much for having us.

By way of background, I would like to share with the Committee that the idea for S.B. 90 (R1) was brought to me by a very enthusiastic group of fourth graders from Doral Academy of Northern Nevada. The nine- and ten-year-old students had been learning about civic engagement and the legislative process and asked if I would support their choice of legislation, which was to make the wild mustang the official state horse—not state animal, but state horse—of Nevada. I could not refuse their request. You will be hearing from one of these students today, and we have also asked to have some of their testimony posted on the Nevada Electronic Legislative Information System (NELIS) [[Exhibit H](#)], as each member of the fourth-grade class also wrote an essay on why they believe the wild mustang should be the state horse as part of their class project.

To give you a brief summary, S.B. 90 (R1) designates the wild mustang as the official state horse of the State of Nevada. It has long been a symbol associated with Nevada and is even featured on the Nevada Commemorative Quarter. This bill simply designates the wild mustang as the official state horse, and the text of the bill as was amended in the Senate to work with different stakeholders, is quite short. Following several "Whereas" clauses regarding the symbolic nature of the wild mustang and its potential to promote tourism, section 1 adds a new section to Chapter 235 of the *Nevada Revised Statutes* stating, "Consistent with the Wild Free-Roaming Horses and Burros Act, 16 U.S.C. §§ 1331 et seq., wild mustangs are living symbols of the historic and pioneer spirit of the West. As such, the animal known as the wild mustang is hereby designated as the official state horse of the State of Nevada."

I am going to introduce Senator Pete Goicoechea. We have continued to work with our stakeholders, and he has a proposed amendment we got first thing this morning, which is hopefully up on NELIS [[Exhibit I](#)]. I apologize if it is not yet. We will get it to all Committee members; it is my fault for getting it to everyone so late, and Senator Goicoechea will present that.

**Senator Pete Goicoechea, Senate District No. 19:**

I do hope you have the amendment. I did support this bill on the Senate side, clearly because I believed we needed some language in there as the amendment [[Exhibit I](#)] brings forth. Very simple, "Whereas Nevada recognizes the need to manage the horses in compliance with the Wild Horse and Burro Act as amended."

It is critical that we get that language in the same bill that designates the mustang as the state horse. Unfortunately, it is not the horses' fault that we have these problems with our habitat or ecosystem today. The fault is the management, the program. We have had a clear failure with the program, and I realize there is case law saying you cannot sue an agency because their program is not working, but folks, we are awfully close to that in the state of Nevada.

Again, the mustang is the icon for Nevada. It is an icon of the West. We know that. It is not the horses' fault that we have the degradation of habitat in our state, especially our resources, that is occurring. I am here offering this amendment. Please, let us put it in the same declaration that makes them the state horse, then talk about the need to obey the law; federal law is explicit, the Wild Free-Roaming Horses and Burros Act of 1971, as amended. With that, I will take any questions.

**Senator Pazina:**

Tracy Wilson, Kris Thompson, and Nicole Hayes will also be joining us. I am going to step to the side to create room for them, but I will, of course, also be free for any questions later. Thank you so much, again, for hearing this bill.

**Tracy Wilson, Nevada State Director, American Wild Horse Campaign:**

Senate Bill 90 (1st Reprint) is a simple bill that designates the wild mustang as the official state horse of Nevada. Public policy polling shows 86 percent of Nevadans believe



that wild mustangs are a defining symbol for Nevada and the West [page 2, [Exhibit J](#)]. The wild mustang is a longstanding icon of Nevada that symbolizes our freedom, strength, and independence. An animal that is protected under federal law as a living symbol of the West, the mustang promotes ecotourism and is an economic development resource for our state. You have heard, and we will hear today, a lot of different passionate opinions [page 3]. The bill should inspire conversations and encourage collaboration to find a better way forward to manage wild mustangs. We appreciate Senator Goicoechea's acknowledgment during the Senate floor session, and it is hard to argue with it. There is no other symbol more iconic to the state of Nevada than the wild mustang. The fact that there are so many voices speaking on this bill goes to show exactly why I hope you will pass S.B. 90 (R1), which can encourage collaboration among these diverse interests.

The state of Nevada has many state designations [page 4], including the desert bighorn sheep as the state animal, the mountain bluebird as the state bird, the Lahontan cutthroat trout as the state fish, but no state horse. Twelve other states have designated state horses, including the colonial Spanish mustang in North Carolina and the Chincoteague pony in Virginia. Travel Nevada [page 5], a tourism website that is part of the Nevada Division of Tourism which operates within the Department of Tourism and Cultural Affairs, lists the twelve icons of Nevada. The first eleven are state designations; the twelfth is the Nevada icon honorable mention, the wild mustang.

Nevada is the Mustang State [page 6]; from high school mascots to roadside sculptures, to murals, to T-shirts, to beer, and, of course, our state quarter, the wild mustang is prominently featured and used widely to symbolize our great state. The Nevada legislative gift shop was authorized by the Nevada Legislature during the 1995 Session and opened in 1997 to address the demand for a place to purchase souvenirs by visitors to the legislative building. These items [page 7] are some of the many featured in this gift shop, including the blanket you see here, which hangs on the wall outside the shop, prominently displaying state symbols and designations, with wild horses roaming across the bottom.

A state horse designation of the wild mustang benefits Nevadans in many ways [page 8]. It benefits local economies, not just Reno or Las Vegas, but rural areas where people travel to see the iconic animals. It enhances the Nevada brand and is bringing new business to the state, and it celebrates the long history of the wild mustang in Nevada.

I would like to address some common misconceptions [page 9]. Senate Bill 90 (1st Reprint) does not grant additional protections or regulations for wild mustangs. Senate Bill 90 (1st Reprint) does not replace the bighorn sheep as the state animal. Bighorn sheep reintroduced to Storey County are thriving in the habitat with wild horses, mountain lions, and nearby grazing cattle. Wild horses are an important prey source for mountain lions when they are not killed for other interests, taking predator pressure off of prey species and ungulates. The biggest threat to bighorn sheep is not wild horses. It is disease spread by

domestic sheep and trophy hunting. The threats to sage grouse are many. Scientists will tell you in great detail that those threats are livestock fencing, resource extraction, livestock grazing, climate change, and human recreation and development. Wild horses are scapegoated for all of these but are actually far down the list of threats.

Horses are a native-reintroduced North American wildlife species [page 10, [Exhibit J](#)]. The Coalition for Nevada's Wildlife, whose sole purpose is hunting, trapping, and fishing, has made some statements regarding wild mustangs threatening other wildlife [page 11]. However, their own website states quite the opposite. It states that Nevada now has more bighorn sheep than any other state except Alaska. Both elk and pronghorn are at their highest populations in recorded history. These facts are supported by other wildlife organizations that are not opposed to this bill as well. Their site will also tell you that in partnership with government wildlife agencies, they have introduced non-native game birds such as chukar and Himalayan partridge from Asia.

When S.B. 90 (R1) was introduced, four classes of fourth graders took on a civics lesson [page 12]. They heard about S.B. 90 (R1). They had presentations from the Bureau of Land Management (BLM) and a children's author. They did projects and they did research. They made up their own minds. Out of 104 students, only 8 letters came back not in support of S.B. 90 (R1). The rest were all in support. They came to the Legislature, and several of the students testified at the Senate Committee on Natural Resources, which you just heard, and while they currently have state testing, they have followed the bill each step of the way. They are looking forward to hearing today's outcome.

Senate Bill 90 (1st Reprint) has broad corporate, business, and organizational support in addition to public support. This is just a partial list here [page 13]. That support includes the Carson City Chamber of Commerce with this quote [page 14]: "This is a simple bill making these beautiful mustangs the state horse. We support this bill because it is one of the first questions asked by visitors - where can I see the wild horses?" As Senator Goicoechea said [page 15], "There's no other horse that is more iconic to the state of Nevada than the wild mustang."

We hope today that you will consider the broad support for this bill from Nevada citizens and vote yes on S.B. 90 (R1) [page 16]. We are an organization that deeply cares about the environment for all wildlife and cares about humane management of the wild mustangs, so much so that we do on-range fertility control and are starting habitat restoration projects. Thank you for your time today. I am going to turn this over to Kris Thompson.

**Kris Thompson, Project Manager, Tahoe-Reno Industrial Center:**

I am the project manager for Tahoe-Reno Industrial Center (TRI) and for our newest project, TRI II. I have lived in the park for about 13 years as I was the president of the board of our water sewer utility. Nobody has spent more days in TRI than I have over the last 13 years, my having lived within the park. Secondly, I have been involved with Lance Gilman in every single negotiation and with the vast majority of tours for the corporate companies, the global companies, coming into our park over the last 13 years.

The wild horses in TRI roaming free is critical, and it is the best symbol that we have about why it is great to come to Nevada. Yes, we have fast-track permitting. Yes, we have land, power, and water, but when people come here—buyers from these global companies, the site selectors, the decision-makers—they come into the park and two things get their attention. One is the gigafactory where Tesla and Panasonic are and where all the battery manufacturing takes place. Second is the wild horses. I have been on tours with corporate bigwigs, ministry heads from foreign countries, students from foreign countries, academics from foreign countries, and it is the same thing. They look at these wild horses as something truly special. When we made the Tesla deal in 2014, the phrase that went viral worldwide—you can google it today and it will still show a whole list of responses—the phrase that went viral is Tesla is locating outside Reno, Nevada, where cowboys and cowgirls still gamble, and wild horses still roam. That phrase has rung true ever since. When our corporations come into TRI, that is what they want to see.

Part of it is we have 70,000 acres owned outright by tech companies, three times the size of San Francisco. Part of that attraction is when these tech company decision-makers see the wild horses, they see themselves. As a matter of fact, if you go to your own gift shop downstairs, one of the best statues down there has a band of three or four wild horses, and on the bottom is a plaque that says "Freedom." The wild horse persona is really attractive to these folks. Another part is, you do not bring in companies as we have if you are a slouch on environmental issues. Environmental excellence is critical to our success. We are building a \$100 million reclaimed water system right now. We are the builder, doing it for a consortium of these tech companies. The environmental issue that gets the most support and the most attention from our companies is the wild horse preservation efforts that we do in partnership with these good people who are angels on this earth. We had a wild horse conference in the park, our fourth one, just last month. Every single big tech, important tech company in the park showed up and engaged, and they engaged with these folks too.

I urge you, please pass this bill and send it to the floor. What other coalition are you going to see like you are seeing today, with icons like Senator Goicoechea, environmental activists, and corporate America? Please pass this bill to the floor. Thank you for the time, Madam Chair.

**Nicole Hayes, Nevada Conservation Operations Manager, American Wild Horse Campaign:**

I have been working in conservation for the last seven years. Due to time constraints, I will save my comments for public comment. I will say that if you look into the scientific literature, you can see the evolution of the horse. It evolved in North America almost 60 million years ago. This is a North American species, and I will speak more towards the entire evolutionary history of that. I have managed to condense it to a two-minute comment, which is pretty impressive. With that, we will be taking any questions.

**Chair Torres:**

Members, please raise your hand if you have questions.

**Assemblyman Carter:**

Listening to your impassioned testimony about the tech companies, I am curious now. I am a lifelong Nevadan. My sister's very first horse in 1972 came off the range. Tina was a mustang. She held the state record in keyhole for several years in this state. I value and look at them, and I actually own a Chincoteague pony that I bought in the auction off the island. I have seen that wild herds can be managed properly. We have a massive problem in this state where the herds are not being managed because of giants bashing heads against each other. You talked about the tech companies. Why are they not putting their money where their mouth is to help create an effective, well-funded management plan for these out-of-control herds?

**Kris Thompson:**

I can address that. First, I grew up on a cattle ranch in central Kansas. We had a four-loop ranch, 300 head of Black Angus. We leased government land. I have a soft spot in my heart for ranchers. I spent the first one-third of my life in Kansas, before I went into the United States Army.

The tech companies in the park are supporting the efforts. As a matter of fact, the bighorn herds that Lance Gilman, in conjunction with the Department of the Interior, repopulated the Virginia Range with after they went extinct from overhunting in 1950 are doing great, and the wild horses are healthy now because we have had four years of the darting and the rescues and the management, under the cooperative agreement with the Department of Agriculture, which was just reinstated during these past couple of weeks, which is a great thing.

The population has come down, I think, by 60 percent in the Virginia Range. I am out there every day. I just took Amy Alonzo from the *Reno Gazette Journal* on a tour of the park. Every band of horses we saw was in great shape; muscular haunches; ears poking up; prancing around. They are in great shape. I cannot speak for the BLM land. We cannot speak for the federal government, but I can tell you in TRI, in the heart of the Virginia Range, which is in the basin between the eastern and western dorsals of the Virginia Range, the horses are in great shape and the population is coming down, thanks to these good people.

**Assemblyman Carter:**

In reference to what you say, we all know there is a problem on the BLM land. I am very frustrated and disappointed that this massive coalition here has not worked together to join their voices, because the tech companies do have big voices that are heard in Washington, D.C. Why are we not seeing a coalition coming together to solve the problem on the BLM lands? I am sure we will hear about that in testimony.

**Kris Thompson:**

They are coming together. They provide monetary support to these groups, both the national group, American Wild Horse Campaign, and the state group. Massive amounts of funding. One of the reasons for the Wild Horse Conference was to gather the funding from them. These tech companies, many of them on the periphery of our built-up area, are putting up

water stations for these horses to keep them from migrating into the built-up and highly trafficked areas. They are helping with diversionary feedings, and they are allowing access for the darters. They are cooperating in every way, financially and otherwise, with the wild horse groups. This is the New West. Yes, we still have fast-track permitting. Yes, we are still doing handshake deals with these people, but we are also environmentally hardcore. These tech companies feel that same way. They are providing great support to these wild horse groups.

**Assemblyman DeLong:**

You mentioned that we had the genus *Equus* in North America during the Eocene. When did that genus go extinct?

**Nicole Hayes:**

Recent scientific evidence that was published in *Science* this year, 2023—they recently did an entire genomic study and showed that horses existed here in North America until 5,000 years ago. When you compare that with another iconic species of North America, the moose, that actually has complete origins in Asia and only crossed the Bering Land Bridge 10,000 years ago. Humans existed in North America starting at 30,000 years ago. Horses were here for millions of years before people and then existed after people. A paper published last year, 2022, in *Nature Communications* shows definitive evidence of humans hunting on horses.

**Assemblyman DeLong:**

Your supposition is then, that from essentially 3,000 B.C. to 1,500 A.D., there were no horses in North America?

**Nicole Hayes:**

That is not actually confirmed; they are still working on evidence. As of right now, we do not have any fossil species. However, the species that evolved in North America crossed the Bering Land Bridge into Asia, and it is the same species that was reintroduced into North America by colonists.

**Assemblywoman Thomas:**

I appreciate any knowledge I can glean. I am a city girl who grew up in an urban community and moved out here to the Wild, Wild West. I am very appreciative of what we have here. I have been here for over 40 years, so I feel like I am a native Nevadan. My question is, and I would ask Ms. Wilson to respond, when you say you have kept the horse range down by controlling the fertility of the horses, how are you doing that? If you would not mind explaining that to me.

**Tracy Wilson:**

We have a darting program. The vaccine is administered through darts, through a CO2-powered air rifle. On the Virginia Range, we have a program for the entire herd there. We have documenters and darters. The documenters go out with long-lens cameras, and they document every horse on the range. We have a very full database; each horse record shows a

face shot, side shot, and feet shot so that we can identify the horses via their markings and their distinct features. It also records every vaccine that a mare gets. It runs reports and tells the darters when the mares are due for their vaccine boosters.

This program has been going on, as Kris mentioned, for the last four years. We were able to reduce foal births, from the end of 2020 to the end of 2022, by 61 percent. Over the three and one-half years, the population came down an estimated 20 percent. There is a similar program that has started up on the Pine Nut Mountains herd management area (HMA) to our south, which also goes to Assemblyman Carter's question. Some might not be aware that last year, the BLM put out a notice of funding opportunity for organizations to help with fertility control on other ranges around the West. Our organization submitted proposals for four of those. They are starting to look at other ways to control population, and other organizations also put in for those requests. Those will be determined mid-year this year.

**Assemblywoman Thomas:**

Thank you for that explanation. Something else that I am concerned about—are we taking these horses and shipping them to Mexico and/or other countries for food or something like that?

**Tracy Wilson:**

The BLM does not ship horses directly. They are not sold directly to slaughter buyers. What has happened is, the BLM has a program called the Adoption Incentive Program. It was paying people \$1,000 to adopt horses; they would get that money after one year. They can take up to four per person. Investigations have shown those horses sit in a pasture for a year, they collect their money, and then those horses were getting into that slaughter pipeline where they are being trucked over the borders to slaughter plants in Mexico and Canada. That is an ongoing investigation. We do not actually propose ending the program, we just propose shifting it so that the incentive is veterinary vouchers. Anybody who has ever owned a horse knows that veterinary care is not cheap, and any good, honest horse owner would welcome veterinary vouchers as an incentive for those horses rather than cash.

**Assemblywoman Duran:**

Thank you for your presentation this morning. We have a lot of tribal lands that have their own issues with wild horses destroying their native homelands. Were the elders in the community supportive of this special designation?

**Tracy Wilson:**

I do not know that I could answer that question directly. I can tell you that I have somebody on my staff who is Native American. Her father is an elder, and he actually supports wild horses. There are a lot of mixed feelings there. There are a lot of mixed feelings about how horses are managed when we know there are ways to manage those populations. I do not think anybody speaks for all when it comes to Native American opinion on wild horses.

**Senator Goicoechea:**

The Native Americans are sovereigns. As we look over the last five to ten years, Duck Valley, McDermitt, the Pyramid Paiutes, have all done horse gathers and removed those horses because of the overpopulation. Because they are sovereign, they can deal with them, and they do not have to deal with the federal program.

**Assemblywoman Duran:**

I am concerned; I have heard how destructive these animals have been to the natural environment. How will this designation hurt the efforts to control their population?

**Senator Goicoechea:**

I am not sure I got your question. Could you ask it again, please? Was there more of a response? I did not hear you very well. I am getting old and hard of hearing.

**Assemblywoman Duran:**

Concerning the destructiveness of the horses to the natural environment, how is this designation going to control their population?

**Senator Goicoechea:**

Clearly, I would hope we can bring some pressure on the federal agencies to in fact reduce the numbers. You have to understand that the Wild Free-Roaming Horses and Burros Act of 1971 requires that you maintain the AML, which is the appropriate management level, in those existing heard management areas, or HMAs. At the point the Wild Horses and Burros Act came in 1971, we had approximately 11,000 head of horses. Now we are very close to 50,000 head of horses in the state. It cannot support it, and that is the real problem. I am sorry, we talk about the darting program. I defy you to dart enough horses to remove 40,000 head.

**Kris Thompson:**

To follow up on Senator Goicoechea. In TRI, whose original landmass was 107,000 acres, we have right now, in the heart of Virginia Range, a wild horse herd doing great. We have the bighorn sheep that we repopulated into the Virginia Range in 2012, under Lance Gilman's leadership, in the park. They are doing great. We have had a cattle lessee who has brought his 250 or 300 head of Black Angus into the park for the last, I think, 10 years, and he keeps coming back. They are all coexisting just fine because of the darting efforts and the population control efforts by the wild horse advocates.

I know the federal government is now looking at darting and some other ways other than helicopter roundups and removals and slaughters in order to manage these populations, but the Virginia Range and the efforts of the state wild horse advocates have shown a good blueprint.

**Senator Goicoechea:**

If I may, I think we need to clarify the point. The Virginia Range horses are not under the jurisdiction of the BLM. They are under the State and the State Department of Agriculture. They are two separate programs; do not confuse it.

**Chair Torres:**

Can we go very quickly because I have several members with more questions.

**Nicole Hayes:**

Your question gets to the point of why these animals are considered less. A recent paper published in 2022 in *Society and Animals* said humans are seemingly intent on controlling their environment and are able, by labeling animals feral, stray, or domesticated, to exert power over animal bodies. The word feral has no meaning in biology. It just relates animals to humans. These animals evolved here. It is proven in the fossil record, they only went extinct after the last ice age with human hunting and climate change, and are actually reintroduced native species, so why are they not entitled to use the land? I agree, the populations need to be managed, and we are working towards that. We would like that conversation, and we would like to work with these groups for that.

**Assemblyman D'Silva:**

Thank you all for being here today. It is always great to see fellow Nevadans involved in the great issues that are at play here in our state Legislature. I have two quick questions. One, how effective has the darting program been on the BLM lands? Somebody mentioned a 60 percent reduction rate on the state lands; are we seeing similar numbers on the BLM lands? Secondly, what is the actual process for the adoption of these horses, and is this a state-run or a federal-run program?

**Nicole Hayes:**

I can speak to the first question. The BLM uses a different immuno-contraceptive than we use. A lot of their work is not publicly available. We have submitted some Freedom of Information Act requests to see how those programs are going, but we have not received those back. We have not heard from the BLM as to what they have used, but they are using a different vaccine than we are using. We are currently also looking into it in that effort of collaboration, to try to see how all of this can work together.

**Assemblyman Koenig:**

I walked in here thinking I would just sit and listen and not say anything, and against my better judgment, here I am saying something. First point: The wild horses on the Virginia Range, that is the Beverly Hills. We have the rest of the state that is living in the ghetto. To compare the state of the horses in the Beverly Hills versus the state of the horses in the ghetto are two different things. I represent rural Nevada. I tease people and say I represent the rural of the rurals. I kept stats on the emails I have received in my office, and I am over 75 percent against this, as far as these letters go. This bill is fairly germane. We are not having the debate. No matter how we vote—yes to horses or no to horses—the horses are still there, and we still have the problem of the horses. All this is doing is saying, do we call it the state



horse, or not the state horse? I have not decided yet. I always want three votes: I want a yes vote, a no vote, and an I do not really care vote. This one is an I do not really care vote—whether we call it the state horse or not—we still have that issue. The question is, what is the lifespan of a feral horse or a wild horse?

**Nicole Hayes:**

That varies greatly; on the average, 20 years.

**Assemblyman Koenig:**

Let us use 20 years. I am going to use that. Senator Goicoechea brought up there are 50,000 wild horses in the state. The data I looked at said it is closer to 60,000. The federal government said we should have only 14,000. We have four times as many wild horses in the state as the federal government says we can support. Even if we do great birth control and are able to stop any new foals for the next 20 years before some of these horses—this is not an easy fix and an easy solve.

I think the best thing that can come out of this hearing and this bill is if we get on top of it and can manage our horses as we need to. I will call it the state horse if we can solve the problem, but that is what the focus needs to be: Let us solve the problem and not quibble over whether we like horses or not. That is not what this is about.

**Kris Thompson:**

The greatest thing about this whole exercise is everybody is talking from different sides of the spectrum, with Senator Goicoechea's input and the wild horse advocates' inputs. As you said, maybe this is the start of a conversation, going forward, to expand the population control efforts to the BLM lands and all of us work together on that, but voting yes on this bill would help move forward that conversation about the importance of the wild horse to the state and how important they are to all of us for different reasons, perhaps.

**Senator Goicoechea:**

We have to understand, it is the law. It is federal law that these horses will be maintained at AML and in the existing HMAs, and we are ignoring the law.

**Assemblywoman Taylor:**

Thank you to both Senators for being here in the hardest-working committee in the Nevada State Legislature and thank you for the presentation. I am glad I get to follow my colleague, Assemblyman Koenig, because my questions are along the same line. We know we have a tremendous horse problem in our state; we all admit to it. This is my first year in the Legislature. I have been here 10 minutes, but man, I want to solve problems. That is why we were all sent here. I am not sure what problem this solves, because we still have a major problem that is primarily at the federal level; I certainly get that, but all of my emails mirror yours, maybe leaning a little bit more towards 85 percent against. Part of that is because we

see a tremendous—I have seen a tremendous amount of pictures from various lands, some of them from our tribal communities and otherwise, where there has been a lot of damage in our rural communities. For me, as one legislator, how do I balance that and just ignore there is a major problem for some of our ranchers?

**Nicole Hayes:**

I would argue that, as Kris Thompson mentioned, this is the exercise where we are bringing a very benign piece of legislation up because we are also willing to put our money where our mouth is. We started a fertility control program that is completely privately funded. We are showing that we want to help be part of the solution. We want to help. We have submitted four of these notices of funding with the BLM to try to help the problem. We are on board with better management. We are actually proposing solutions; maybe it is not the full solution, but it is at least a way forward so that we can stop kicking the can down the road.

This exercise we are having—right now, we are brainstorming ideas. It is bringing ideas to the forefront versus all these other groups that want to talk about it. They have not done anything for the problem. We are here trying our best to help whatever problems are being created the best way that we can, using the best available science. Working towards that and working collaboratively across the aisle is showing that we are willing to move forward, and this is just a step forward in the right direction.

**Assemblywoman Taylor:**

I appreciate that. I am going to agree wholeheartedly. You just said that yourself: The best thing that has come from this, regardless of where we end, is—Doral Academy is in Northern Nevada in my community, so I want to support the kids too; it is a big deal for the fourth graders—it is the conversation that is happening. It is not the bill that is solving the problem, it is the conversation that is working towards the problem. Those are two different things.

**Assemblyman D'Silva:**

I had a two-part question. The second part was the adoption process. What does that look like? Who runs the program? What does the process look like if you want to adopt one of the horses here in the state?

**Tracy Wilson:**

The BLM runs that program. They have some specific guidelines and requirements that you have to have in place to adopt a wild horse, such as fence height, that type of thing. They have an application process. I am not even certain on the cost today. At any rate, there is a fee to adopt. They also have that adoption incentive program. They do adoption programs throughout the country where they take horses to other states that do not have wild horses, to get those horses adopted in other areas. My cousin was just helping with one in Michigan last weekend.

**Senator Goicoechea:**

I am looking around the room. There is a wealth of information back here waiting to testify who can give you definite answers on what the BLM program looks like, what the

recruitment numbers are, and what fertility drugs are being used. I am saying you are probably overloading us and our expertise at this time.

**Assemblywoman González:**

Thank you so much for the presentation, and I apologize if I missed this during some of the discourse. I was curious why the mustang and not the curly horses from Elko. Then I have a few other questions.

**Senator Goicoechea:**

The curly is not from Elko but rather Eureka. Eureka is the birthplace of the curly horse. We had Johnny Kincaid, and the Damele family had the curly horse. The curly is just a curly-haired mustang.

**Assemblywoman González:**

My other question is, do any other states have any invasive species as their state animal?

**Chair Torres:**

I will ask that members of the public keep their comments, laughs, and giggles aside because we are discussing the bill.

**Nicole Hayes:**

The fossil evidence proves that it is not an invasive species. People would like to say it is feral and it came from lines of domestication. However, that has no impact on biology. These horses have been living wild for hundreds of years. Their reproduction has been based on their survival, which is the main issue when they say that feral things cannot survive in the wild. These are very well-adapted wild animals—a lot of people in this room would argue too well-adapted—but the fossil record shows they are a North American species. Thus, they are not invasive.

**Kris Thompson:**

We know it is undisputed, the horses were here centuries before any European set foot in the state of Nevada. We know that from the Lewis and Clark diaries. They encountered an already well-established horse culture with the Shoshones, which is north of here. We know the horses were here long before any European.

**Assemblywoman González:**

My question was not about when they came here or if they are indigenous. My question was, does any other state have an animal that is invasive to their environment? We have had a lot of discourse on the problem with wild horses in our state. That was my question.

**Nicole Hayes:**

If they are a native species, they cannot be invasive.

**Assemblywoman González:**

Okay, so another word for invasive—destroying the environment, destroying other animals, ecosystems, whatever word you want to use—is my question. Do we have, anywhere else, a state animal that interferes with many other ecosystems, that destroys them, harms them, or makes it difficult for those other ecosystems to operate?

**Nicole Hayes:**

Twelve other states have state horses. As a reminder, this is a state horse bill, thus the applicant must be a horse. Two of those twelve states have wild horses as their designated state horse.

**Assemblyman Gurr:**

I would just ask that we stop with the questions. I have a comment to make, and then I would like to go to the opposition. There has been a lot of conversation about the Virginia Range horses and about the private land horses. There has been damn little conversation about the 60,000 horses that live outside the Virginia Range. Eastern Nevada, my district, has over 30 million acres in it, and none of you have been out there and seen the destruction and damage those horses have done. I have been living with this since 1974, so I know.

This is not a question. I do not want to have a question-and-answer segment here. It just distresses me that corporate America is looking at one area with 107,000 acres that they let these horses live on and feed and water. Where I am, it is a disaster. It is inhumane, it is killing a bunch of horses out there. It is just—anyway, I just get excited about it. If we could stop at this point and let the opposition talk? They have had an hour and we only have an hour left.

**Chair Torres:**

We are going to go ahead and do 20 minutes of support, then I will invite the opposition to do a 15-minute presentation, and then we will hear the opposition testimony. I imagine there will not be quite as many questions for the opposition as well. I do not believe there are any additional questions, so I will go ahead and move us into support testimony.

As a reminder to the public, we will be doing 20 minutes of support testimony. If you are wishing to testify in support of the bill, please come up. As a note, although you have two minutes, if somebody has already said what you wanted to say, you can feel free to say "ditto," or "what they said." At this time, anyone wishing to testify in support of the bill, come up. Remember, you do not have to use your entire 20 minutes. It is 10:02 a.m. on my clock. We are going to use that time; we will have 20 minutes. We will begin here in Carson City when you are ready.

**Sena Loyd, Director, Public Policy, Blockchains, Inc.:**

Blockchains owns approximately 67,000 acres in the Tahoe-Reno Industrial Center and founded Project Frontier, a nonprofit providing funds to wild horse advocates for the management of horses that live on the Virginia Range. Blockchains believes this legislation

will recognize the importance of, and not protect, the Nevada wild horses as an emblematic symbol and state horse of Nevada. We support this legislation. [Testifier submitted [Exhibit K.](#)]

**Brooklyn Kirk, Private Citizen, Reno, Nevada:**

Chair and members of the Committee, I am 12 years old. I am proud to say that I was born and raised in Nevada. As long as I can remember, I have enjoyed seeing our wild mustangs. They truly make our state special. When my relatives from out of state visit, they are always excited to see the real, living, breathing symbols of Nevada. Even my grandpa, who is Native American and a tribal elder, believes that wild mustangs are icons and supports this bill.

These are the same wild mustangs that are the primary picture on our state quarter. In fact, 18,900 Nevada citizens chose them to be on our quarter. The vote for the wild mustangs defeated the picture of the bighorn sheep and the Comstock miner by 4,400 votes each. The wild mustangs represent all that Nevada stands for: they are strong, they are majestic, they are survivors, and they are in Nevada. I cannot think of any other horse that is more battle born than the wild mustang. Most Nevadans are proud supporters of wild mustangs. I am asking you to please join them and vote yes on S.B. 90 (R1). Thank you for your time and letting my voice matter.

**Chair Torres:**

Thank you for coming out to our Committee today.

**Suzanne Roy, Executive Director, American Wild Horse Campaign:**

The American Wild Horse Campaign is the largest wild horse protection organization in the country. We have 700,000-plus followers and supporters across the United States, including 11,000 in Nevada.

This should be a simple bill to designate an undeniable state emblem that is already recognized as a living symbol of the West by federal law. But it has been hijacked by special interests and it is a well-funded special interest coalition, which was the same interests that opposed the Wild Free-Roaming Horses and Burros Act 50 years ago. Basically, we are relitigating a battle that was fought 50 years ago when the outcome was the protection of the wild horses. Today, as 50 years ago, the public overwhelmingly supports wild horse protection. Eighty-six percent of Nevadans believe they are important symbols for the state. That is a public policy polling survey. This is a strongly bipartisan issue. When we do polling, we find slightly more Republicans than Democrats support wild horse protection and oppose their slaughter.

The American Wild Horse Campaign and our supporters cherish wild horses and believe they are the state horse of Nevada. We also cherish this incredible part of the West where wild horses still run free, and that means protecting habitats, the wild horses, and all the wild animals that inhabit the lands. We wholly agree that wild horses should be managed properly. We also wholly agree that the federal government has failed miserably at this task

and that the current approach of rounding up horses with helicopters—[a two-minute warning was given]. Okay, I am going to end with thanking Senator Goicoechea for recognizing the importance of the wild horse to the state of Nevada and for opening the door to collaborative conversations.

**Chair Torres:**

I am going to have to ask you to wrap up. We can go to the next testifier.

**Allison Hinkle, Virginia Range Program Coordinator, American Wild Horse Campaign:**

I will be continuing the history of the horse. As we just covered, horses evolved in and spread out from North America, providing the horses that were eventually domesticated. Horses existed in North America until at least 5,000 years ago, over 20,000 years after humans came to North America where human hunting of horses has been confirmed in the fossil evidence. Additionally, alternative to colonist history, Yvette Running Horse Collin, in her dissertation found that according to the oral histories of seven different nations, each Indigenous community reported having horses prior to European arrival, a fact proven by DNA evidence published earlier this year. These horses that arrived with Europeans are the same lineage of horse that arrived and evolved in North America for millions of years, long before and after human presence in North America. As the horse only went locally extinct and not completely extinct, we were able to reintroduce a native species back into its native range.

I would like to discuss the term "feral" given to wild horses. Feral is defined in the *Oxford Dictionary* as a species of animal in a wild state, especially after escape from captivity or domestication. As you can see from the definition, feral does not define or have a place in biology, and it merely relates the animal to humans. It is humans defining an animal's worth by the proximity of the animal to the human. A paper published in *Society and Animals* in 2022 concluded that humans seem intent on controlling their environment, and by labeling animals as feral, stray, or domesticated, are able to exert power over animal bodies where the word feral represents animals that have slipped out of human control. In the case of the word feral, humans are given the power to define the rights of the animals to hunt, procreate, or even exist in certain situations. Horses have lived in a wild state for hundreds of years in North America, having only survival affecting their ability to pass genes on, not human interference.

**Chair Torres:**

As a reminder, we do have a room in Elko. We also have callers on the line. I am going next to the phones. I will take four callers on the phones and then I will come back to the room here in Carson City. To members of the public, I am trying to give as much time to every single person to participate in this conversation, so the longer you go, the fewer people I am going to have room for to testify. We started at 10:03 a.m., so we are going to go to about 10:23 a.m.

Next, I am going to the phones. Do we have anyone wishing to testify in support of S.B. 90 (R1)?

**Fred Voltz, Private Citizen, Boulder City, Nevada:**

I would like to make four quick points about S.B. 90 (R1). The first is that proclamations and designations are made frequently by various levels of government. It is a routine activity. Secondly, this is a very simple bill acknowledging the wild horse and its place in Nevada. The issue of the numbers of horses is not going to be solved by this Committee today or by this legislation. It needs to be designated in another time and place, and we can talk then about the ten times the number of cattle versus horses and also the impacts of indiscriminate hunting. Finally, there is no fiscal impact with this bill, and it would be very good for tourism. I hope you will support it.

**Rachel Holzer, Private Citizen, Las Vegas, Nevada:**

The wild mustangs are an invaluable symbol of our West, the wildness of Nevada, and our battle born spirit. I do know there was some language proposed to be added. I am a little confused by that language. I am coming from a place as a lawyer. I do not understand why we need any language regarding conservation in the bill, because this is not a bill about conservation. It is simply a bill to designate—

**Chair Torres:**

That language was presented by the proponents of the bill. If you are in support of the bill, you are in support of the bill as presented with the amendment language. Could you speak to that? Otherwise, I will have to ask you to wait until opposition testimony.

**Rachel Holzer:**

I am certainly not opposing the bill. I think the bill should pass. It does not need any amendments, but I support the bill. I have contacted all of my state representatives stating that I support the bill and why. Not only will it aid tourism, but it enhances our natural environment. It enhances all of our lives. The horses have certainly enhanced my life. I go to see them very frequently, and when I have visitors in town, I take them too. I know that is a regular practice for many people I know, and it can only be a positive addition to our state to have this majestic animal designated as our state horse.

**Diane Davis, Private Citizen, Pahrump, Nevada:**

I am speaking for myself and thirty others who asked me to speak for them because they are working at this time. While it has been stated that it is scientifically proven that these horses are native, there will be those who will argue that their bloodlines are not pure. How many of you on this Committee, including myself too, have pure bloodlines? No one has been more damaging to our country and our lands than man, yet we are still considered Americans, and so are these horses. They represent all horses that played a huge part in our history. Since most remaining wild horses are in Nevada, it is only right that they should be honored by being Nevada's state horse. I ask you to pass S.B. 90 (R1).

**Chandler Caldwell, Private Citizen, Lake Las Vegas, Nevada:**

I am a proud resident of Lake Las Vegas where we live with many, many wild animals. I want to express my community's support of this bill. I agree with all the previous callers, and I hope we can see that in Nevada, in this great state, we can live with these animals, the wild mustang, that has been so productive and positive in our state growth. Thank you very much for your consideration.

**Chair Torres:**

We will next come back to Carson City. I do not see anybody in Elko.

**Cathy Cottrill, Board Member, Wild Horse Preservation League:**

We recognize that the wild mustang is already a powerful symbol for the state of Nevada. The wild mustang brings visitors, tourism, and a sense of pride to the state. I am the signer and coordinator of a memorandum of understanding between Wild Horse Preservation League and the Carson City BLM office for on-range fertility control for the Pine Nut Mountain HMA.

We believe in humane, sustainable management of wild mustangs. That said, this bill simply recognizes something that already is. The wild mustang is used as an emblem for Nevada on everything, from school mascots, to sculptures, T-shirts, murals, beer, wine, and our own state quarter. When we have friends and family in town, you have heard this, every time they come out, they all want to go see the horses, and then they go do other things like gamble or go to Lake Tahoe. This is something that people of Nevada want; take out the ranchers, the hunters, the advocates; what you have left are people of Nevada with no flesh in the game other than the purpose of wanting to continue our rich history of the mustang by honoring it. Nevadans are proud of this iconic horse. I am asking you to support S.B. 90 (R1).

**Jodie Feist, Advocate, American Wild Horse Campaign:**

I have lived here for 42 years, and my parents were both blackjack dealers. In the casino, most people came to see the horses and to go to Lake Tahoe and gamble. Making the wild horse the symbol of Nevada will help with revenue and with ecotourism. The wild horse is ingrained in our state's history, from letters from Mark Twain, diaries from the Oregon Trail and the pioneers about the Black Rock Desert mustangs, Native American petroglyphs, pictographs throughout the state, the Pony Express, the military, the Nevada state quarter, and sculptures. Even the walls here have pictures of the horses. We do have a unique opportunity to make the mustang our state horse. I know a big concern is horses in other areas. Opening up the conversation is going to help implement these programs into other areas so we can help the horses in the Assemblyman's area or anywhere in Nevada. Every big change is going to start with something small. This is a small thing that could open up something that would really help the mustangs.

**Mary Cioffi, President, Pine Nut Wild Horse Advocates:**

I am a real estate broker/salesman working in northern Nevada for nearly 40 years. A frequent comment we get when the buyers are moving into our area is, we just cannot wait to see the wild horses. A frequent request we get is to find them a home where they can see



the wild horses out of their windows. Nevada is known for our wild horses. We are proud of them and the contributions they made in our history. As a businesswoman, I can attest to you the importance of wild horses as a tourist attraction.

I am also president of the Pine Nut Wild Horse Advocates, a nonprofit that stewards the Fish Springs wild horse herd, which resides on the open range just east of the towns of Gardnerville and Minden. This is BLM land. We work to protect not only the horses but the range they roam on. As someone who has spent countless hours viewing and photographing wild horses, I can attest to the magnificence of the animals and the way in which they coexist with the abundant wildlife in our area. On the BLM land, I also lead the fertility control darting program on our range and can attest firsthand to the success of the approach in managing without roundups. Our program has reduced the reproduction on a range by over 90 percent in the last three years.

We have the support of the vast majority of the local residents and the leadership of Douglas County; our county commission has declared a proclamation to support our efforts as well as to support the efforts of the community when they want us to help support them. We have the support of our local county chamber of commerce. We also have the support of the local ranching permittee. Our community loves our wild horses. We ask you to give fertility control a chance to reduce the controversy and the growth of our herds.

I urge you to pass S.B. 90 (R1) to designate the wild mustang as the official state horse of Nevada. It is good for ecotourism, economic growth, and they have earned this, historically and today. This is simply symbolic in nature.

**Suzanne Baker, Advocate, Wild Horse Preservation League:**

We care about the land and the wild horses and the balance of the ecosystem. I want to address Assemblywoman Taylor and the Assemblyman [Assemblyman Gurr] down there. From the basis of my knowledge, the wild horses are not causing the damage out where you all are talking about. The cattle and the sheep are causing that damage, and the wild horses are getting the blame for it. Craig C. Downer will speak about that.

Starting in 2024, I believe a big Asian airline is going to be flying direct to Reno to bring people to come and see the wild horses. Millions of people come here. They come, number one, to see the wild horses. Number two is to see Lake Tahoe. Madeleine Pickens owns 12,000 acres of a wild horse sanctuary in Elko near Wells. She has 12,000 square miles of all these wild horses and burros. They are roaming free out there, and there is no damage to their land. These are the reasons why I want our Assemblywomen and Assemblymen to vote yes on Senate Bill 90 (1st Reprint).

**Chair Torres:**

It is 10:23 a.m. I am going to allow the three folks whom I have at the table right now to testify in support. They will be the last three individuals I will have testifying in support. Please go quickly. I am going to expand your time by three minutes, so everybody taking a minute would be how I would divide my time to allow for the interruptions. Go ahead.

**Craig C. Downer, President, Wild Horse and Burro Fund:**

I am a former carpenter and a wildlife ecologist. I have a nonprofit called the Andean Tapir Fund, also known as the Wild Horse and Burro Fund. As a wildlife ecologist whose ancestry goes back generations to Nevada's pioneers and who has studied the horse's natural behavior, evolution, and ecology, I must strongly protest the mere labeling of these beautiful and beneficial, as well as legally protected, animals as mere feral, escaped livestock.

The horse species traces back to a longstanding North American ancestry that encompasses millions of years of coevolution with myriad plant and animal species, right up to recent times, that they complement rather than harm. Their re-wilding in Nevada enhances the Great Basin life community and bolsters its natural resilience—of crucial importance today due to life-threatening challenges of global warming. They also greatly mitigate against catastrophic wildfires. To forever pin the demeaning label of feral on these very innocent animals after they have become fully naturalized in their unique natural habitats and entailing generations of valiant struggle to fill their time-honored role and niche is very blind, backward, and really obnoxious.

Furthermore, the horse's evolutionary lineage is much more ancient and longstanding North American than that of the bighorn. Were the issue, one, of declaring a Nevada state animal, this would argue more strongly in favor of the wild horse or mustang. Though I greatly admire and respect the bighorn sheep as a Nevada native and have no problem with its being our state animal, its hardy survival ability—

**Chair Torres:**

Thank you for your testimony. I appreciate it. If the next testifier could go quickly, please.

**Nicolette Curth, Private Citizen, Stateline, Nevada:**

I am the first vice chair of the Douglas County Democrats, but I am here this morning testifying as a private citizen for the approval of S.B. 90 (R1) to name our wild mustang the official horse of Nevada.

Currently our wild horses are in crisis. The Bureau of Land Management is trying to remove them from our public lands with cruel and devastating helicopter roundups or with traps to make room for even more cattle and sheep. I fear for their continued existence in our state. These animals are not feral, rejected, domestic horses, but a keystone species that archaeological studies have proven to have evolved here long before the last ice age. Unlike the cattle and sheep, they are an integral part of our ecosystem, providing vital benefits, including reseeding our native plants and grasses through their elimination processes, conserving water in the roots of these plants, and even helping in the prevention of wildfires.

**Chair Torres:**

I apologize, I need to cut you off so I can have time for the next gentleman to give his brief remarks. Sir, you can say ditto; that way I can go ahead and go into opposition.

**Greg Hendricks, Private Citizen, Carson City, Nevada:**

I represent myself, but I also sit on the Bureau of Land Management Northern Great Basin Sierra Front Resource Advisory Council, advising for wild horse and burro. I started my career with BLM in 1978. I am retired as a range conservationist working with a wild horse and burro program. I want to give you some hope in that there are programs going in place right now that are improving the management of the wild horses, including designated monies going to fertility control, which was a weak point for the BLM for many years, with less than 1 percent of their budget going to fertility control. The last figure, \$11 million, was designated for fertility control, and the results are starting to show in certain areas like the Desatoyas. You have a situation where it is a heavy lift. There are a lot of horses, but there are tools that are being developed and new drugs being developed that give us hope.

I reference, again, support for S.B. 90 (R1) because bringing the attention from the state to mustangs is important to show the federal government and our Congress that the money is well spent, and the people of America care about these animals and want them managed.

**Chair Torres:**

Thank you for your testimony, sir. I appreciate it. At this time, I will ask everybody here in support of this bill to please rise for the cameras to capture the audience here in Carson City. We have the wide angle of the camera. I also invite you to submit your written remarks. If you have not yet sent those in—I know we have had hundreds of letters sent in for this bill [[Exhibit L](#)]. Those have been posted on NELIS, many of them in Committee view. I know many of you have reached out individually to Committee members.

[[Exhibit M](#) and [Exhibit N](#) were submitted in support of S.B. 90 (R1) and made part of the record.]

At this time. I will invite the opposition to present. Dr. Jim Sedinger, Dr. Boyd Spratling, and Larry Johnson will give a 15-minute presentation.

**Jim Sedinger, Private Citizen, Reno, Nevada:**

I am a retired wildlife faculty member from the University of Nevada, Reno. I am also a member of the Coalition for Healthy Nevada Lands, wildlife, and free-roaming horses. We are an all-volunteer organization consisting of people with interests in wildlife of all kinds and our public lands.

Madam Chairwoman and Committee members, we thank you for the opportunity to address you on the important issue of S.B. 90 (R1). We are aware of the history of this bill. It is being proposed by a fourth-grade class, and there are clearly strong feelings on the issue of free-roaming horses. We are aware of the often well-meaning passion this issue generates among some members of the public. We enjoy and feel strongly about free-roaming horses ourselves. We accept that they have an important place on western rangelands, including those here in Nevada. That said, we believe strongly that S.B. 90 (R1) will have serious

negative consequences for the management of our rangelands, the native species that live here, and the horses themselves. Free-roaming horses represent a powerful symbol about freedom and history in the American West. Many people, including us, enjoy seeing horses on the range.

We recognize S.B. 90 (R1) was intended by the students who submitted it to formally recognize that symbolism. We believe, however, that some of the proponents of S.B. 90 (R1) intend it as a cudgel with which to continue to hamper the Bureau of Land Management's ability to effectively manage free-roaming horses. Because of the destructive nature of horses when overabundant, and the fact that they are not native to Nevada, we do not believe horses represent an appropriate symbol for the state. After some brief introduction material, we will address these concerns, the impacts of current management on our native wildlife, effectiveness of management in the Virginia Range, the impacts of poor management on the horses themselves and on our rangelands, and we will finish with a path forward that we believe S.B. 90 (R1) could interfere with.

Advocates for free-roaming horses, and we just heard some of them, claim that the horses that now occur in the West are the same as those that went extinct in North America millennia ago [page 2, [Exhibit O](#)]. They are correct in a way. Modern horses in North America are the same species that existed in North America thousands of years ago. That said, modern horses are the descendants of horses that underwent centuries of domestication and breeding for specific purposes. They are no more the same animals as prehistoric horses as St. Bernards and Chihuahuas are the same thing, even though they are both dogs. Furthermore, prehistoric horses lived at a time when the Great Basin was much wetter and more productive and could better support horses. Additionally, prehistoric horses lived with a suite of predators, now extinct, that could better control their populations than modern-day predators are capable of.

Protection of horses was formally instituted under the 1971 act which called for the protection of free-roaming horses from the brutal harassment they had received from mustangers [page 3]. Treatment of wild horses stimulated Velma Johnston, Wild Horse Annie, to work tirelessly for the protections written into the act. Wild Horse Annie, however, never intended for the overpopulation of horses that we now have. She intended for horses to coexist with other uses of our rangelands. The original act called for the regular removal of excess horses to allow for the maintenance of a thriving ecological balance on western rangelands. It called for horses being maintained at numbers that allowed for this ecological balance, which we now call appropriate management levels, or AML. In Nevada, the high AML is around 13,000 horses. On BLM and U.S. Forest Service land, we now have about 52,000 horses, and an additional 10,000 horses or so on other lands in the state. We believe that many current advocates have forgotten that horses were to be managed as part of sustainable ecosystems. They advocate for horses to be the primary use of these ecosystems. We recognize such views may reflect a lack of understanding of how arrangements function, but such views have detrimental impacts nonetheless. We suggest S.B. 90 (R1) will contribute to such problems.

Now, a couple of minutes about one of the principal proponents of S.B. 90 (R1) [page 4, [Exhibit O](#)]. Request for action is prominently displayed on their website. More importantly, this group has expended substantial resources on hampering BLM's ability to effectively manage horses. This slide [page 5] shows the number of actions taken against BLM in the years 2018 to 2021. These efforts have contributed to BLM having insufficient funds to do their work, reduce numbers of horses removed from the range, and exploding horse numbers in Nevada and elsewhere. The ultimate consequences will show as severely degraded rangelands, substantial negative impacts on wildlife, and suffering horses.

We have one disclaimer to make [page 6]. Our belief that horses represent a serious risk to our native ecosystems does not mean we are unaware that in many places, livestock grazing is a serious problem. That does not mean, however, that horses should not be properly managed. Even if you are unconcerned about the socioeconomic implications of removing livestock from rangelands, and we are not suggesting that you are, there are very practical problems with just removing cows. For example, ranchers own most of the water in rural Nevada. If we remove the ranchers' livelihoods and the ranchers themselves, where is that water going to go? I think we all know the answer to that question, and it is not going to be rural Nevada. The issue of dealing with livestock is complex and, we believe, needs to be addressed, but that is not what we are here about today.

We have scientific literature to support each of these statements [page 7], and I am not going to read all of them. These are just indications of evidence developed by professional biologists about the impacts of horses in the West on our wildlife resources: They are dominant to our big game; they spend way more time at water; biodiversity around water sources is substantially reduced when horses are present; and sage grouse populations decline in areas where horses are over AML. They are contributing to the decline in sage grouse populations, and we know what that means.

While horses have increased dramatically, the orange bars on this graph [page 8], native big game, the blue bars, have declined over the last decade or so. Although we cannot prove it, we believe horses are contributing to this decline. We now have a situation where horses in Nevada represent more than three times the biomass of our native wildlife in rural Nevada. This hardly seems like managing for sustainable ecological balance.

What about the horses in the Virginia Range that we have just heard so much about [page 9]? Some of the key proponents are responsible for managing these horses, as we heard, and they have claimed great success. I take my hat off to them. They have treated well over 1,000 horses. As we heard, fertility control drugs have reduced birth rates by 69 percent. Despite this, horses in the Virginia Range are more than six times the appropriate management levels. The habitats in the Virginia Range are being decimated, and the horses and native wildlife are suffering as a result. Recent potential decline in the numbers of horses in the Virginia Range is likely a result of both high mortality and reduced birthrates associated with

the extreme drought that we have just been through. Overabundant horses increase the likelihood the horses and native wildlife will suffer under such conditions. This is another shot from the Virginia Range [page 10, [Exhibit O](#)], and there are no livestock in these areas, by the way; these are all horse impacts.

The population may have come down, but as I suggested, it has been influenced by high mortality rates. This is a photo taken just northeast of Hidden Valley a few weeks ago by a resident of Hidden Valley [page 11]. You can see the condition of the habitat and the condition of the horse. Another shot from the same area [page 12], so the notion that horses are thriving in the Virginia Range, I do not think is accurate. Yes, this problem extends across the state. This is a photo taken of a spring near Ely, Nevada, in an area that does not have livestock grazing [page 13]. These are all horse impacts. This is Moody Springs near Duckwater, Nevada [page 14]. This site and the preceding one will require centuries to recover, if ever. We have an emergency in Nevada, and we are concerned the passage of S.B. 90 (R1) will make it more difficult to fix.

Here are their impacts in urban areas. This is a sign from the Hidden Valley neighborhood that I mentioned a minute ago [page 15]. Vehicle collisions have increased, although they were down a bit last year. Reno is planning extensive fencing to keep horses off of key roadways. Lack of effective management is hurting our lands, the wildlife, and the horses themselves, and increasingly the public is facing higher costs as well.

This is some modeling that addresses how we managed the situation [page 16]. This was done by U.S. Geological Survey scientists. The yellow line is fertility control only, the same method that is being used in the Virginia Range. You can see that fertility control by itself does not bring populations down. In fact, the population continues to increase. That is because birth rates need to be reduced by about 90 percent to get population stability. A 69 percent reproductive reduction, under normal range conditions, will not bring numbers down. The green line is BLM practices in the past. They are doing better recently. The blue line is fertility control combined with removals, and we believe that removals first, followed by fertility control, puts us on a path to success, but we need to bring numbers down before fertility control can be effective. We have a choice. We can have this [page 17], or we can have this [page 18].

Our ultimate goal is healthy horses and healthy landscapes. As you have seen, the Virginia Range's proposed approaches are not working. Severe degradation of our lands is occurring across the state. We strongly urge that S.B. 90 (R1) not move forward as it will impede our moving towards the goals that many of us share.

**Chair Torres:**

You have about four and a half minutes left. Go ahead.

**Boyd Spratling, Private Citizen, Deeth, Nevada:**

I am a practicing veterinarian in northern Nevada, and I spent nine years on the Wild Horse and Burro Advisory Board for the BLM on the national level.

There are a lot of similarities to the passage of the Wild and Free-Roaming Horses and Burros Act of 1971 and what is happening today. At that time, emotional attachment for the horse was a powerful engine driving support and passage of that bill. Communications from passionate young people, such as those attending this meeting today, and the emotions are what ruled the day. In the 50 intervening years, we have all discovered that emotion did not trump science and fact.

We, the agencies and citizens, have found the lack of horse population management and all of its detrimental consequences severely degrade the resource. Fact: Degraded landscapes lead to declining health and well-being of all species of animals dependent upon those resources. Horses are vigorous and can intimidate almost all other wildlife in competing for forage and water sources. At the point of collapse, those other species tend to disappear. While serving on the national board and consulting with local BLM as a veterinarian, I have had the displeasure of witnessing those horrible consequences. Combine those with weather disasters such as three years of drought, followed by a historically tough winter which we have just experienced, ranges and animals alike take a brutal hit. Mother Nature takes a cruel harvest.

Modern range science is very complex, but there are two cornerstones that are involved with every grazing plan. One of those is time—how long are the animals allowed to graze on a certain rangeland? Allowing plants to have full rest following harvest is essential for forage health. Secondly, alternating seasons—for example, the first year they might graze in the spring, the second season, maybe in the fall, and in the third season, they might be at total rest. Horses allow no rest. They are on the land 12 months of the year, year in, year out. We should not enshrine a mustang until the BLM and the U.S. Forest Service are fully able to properly manage populations and restore rangeland health. In closing, scientific management should be followed, thus not allowing emotion, once again, to rule the day.

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

The Coalition for Nevada's Wildlife's mission is to protect and enhance our state's wildlife resources. I also spent a decade on BLM's Wild Horse Advisory Board. I am a Native American by heritage and a passionate horseman and outdoorsman. As a lover of my people's rock arts, petroglyphs around the state, something you will never see is a depiction of a wild horse in a petroglyph. That is just not so. Some of these petroglyphs, like those at Pyramid Lake, are 12,000 years old. You will never see a horse depicted in a petroglyph in this state.

At the present overpopulation levels, they are the most destructive animal in the state. Appropriate management levels that our rangeland can support is only 13,000. Nevada has over 60,000, over half and almost two-thirds the wild horses in the U.S. Horses consume more forage than all of our native wildlife species put together, with devastating results. They rate among the greatest adverse impacts, along with wildfire, drought, and cheatgrass.

The advantages to the horse advocacy groups backing S.B. 90 (R1) are the same as they have always been, to give the message to Congress who controls program funding that all is well in Nevada with current management levels. That is just not the case. Secondly, to keep those donations rolling in to continue funding, lobbying, and litigation efforts. You have seen the level of litigation these groups have perpetuated against BLM, stopping gathers, stopping proper management levels.

**Chair Torres:**

If you could start to wrap up, there is one more presenter, but you can always speak in opposition after.

**Larry Johnson:**

Evidence of this propaganda campaign can be seen in recent op-eds claiming the wild horse populations are self-regulating, as well as the recent comment on NELIS that, and I quote, "They are becoming extinct," when in reality they double their population every three and one-half to five years. I urge you to vote against this bill.

**Chair Torres:**

Thank you for your presentation. Members, are there any questions? I do not believe there are any questions. At this time, I invite anyone wishing to testify in opposition to come up. I will allow for the same 20 minutes in opposition. At the end, I will see whether there are a last few folks who need to testify, but I will go first to the gentleman on the right.

**Martin Paris, Executive Director, Nevada Cattlemen's Association:**

I also run cattle on a Bureau of Land Management grazing permit that contains a wild horse herd management area. I would like to give a personal account of the ongoing situation on my family's grazing allotment. The herd management area in central Nevada where I reside is supposed to have a range of 25 to 33 horses. Currently, there are roughly 400 horses within the herd management area. As a result of exploding horse populations, there is not enough forage available during the year to sustain both livestock and wild horses, especially as this unmanaged and unsustainable horse population grazes 365 days a year. This has led to us giving up about one-third of the total area of our grazing permit, and we consistently use only half of our allotted animal unit months, which is a standard formula that determines appropriate livestock stocking rates. This reduction in the time and places my livestock can legally graze is not a choice but rather necessary to ensure the health and well-being of my livestock, as well as the health and well-being of the illegally overpopulated wild horses. In other words, our legal grazing is reduced to help sustain illegal wild horse populations.

Several of our association's members are forced into the same situation but sometimes at a much more severe scale. It is also important to note that ranchers are providing food for our nation. For these reasons, we believe the mustang being designated as a state horse will send a message that it is okay to violate the law and will ultimately mask the real crisis that is occurring on our public lands.



We also implore this body to not overlook the working cow horse and other horse breeds that have a long and storied history in Nevada. Several different types of horses helped build Nevada through their use in cattle ranching, mining, the Pony Express, construction of railroads, and many more examples. The Nevada Cattlemen's Association respectfully asks this Committee to not unintentionally promote the mismanagement of wild horses through bills like S.B. 90 (R1).

**Chair Torres:**

Thank you for your testimony. Please submit your written remarks to our committee secretary. That goes for anyone who has the opportunity or does not have the opportunity to testify.

**Ashton Caselli, Director, Northern Nevada Safari Club International:**

As a father of two, I always tell my children I was placed on this earth for two purposes. One of those purposes is to keep them safe for the rest of my life. Keeping these two kids safe is ensuring their future, Nevada's future. Senate Bill 90 (1st Reprint) might have started with good intentions, but my feeling is there are intentions at work here that do not support Nevada's best interest.

I volunteer for the Northern Nevada Safari Club, Coalition for Nevada's Wildlife, Coalition for Nevada Healthy Lands, Reno Elks Lodge, and the Reno Rodeo Association. All of these groups have Nevada's best interest as their priority—Nevada's best interest and its future. I own a horse. My daughter rides a horse as a volunteer for the Reno Rodeo Flag Team. Our love for horses runs deep. I am here in opposition to S.B. 90 (R1) because I know, through volunteerism, through biology, through conservation, education, and experience—I have learned that horses calling Nevada home are destroying habitat as we know it.

As Nevadans, we fear drought; we pray for snow; despise Mormon crickets; sanitize our boats between lakes because of invasive mussels. The Bureau of Land Management has a war on weeds to eliminate nonnative invasive plants. I am confused as to why we as Nevadans would not want to have the same sentiment across the board for anything and everything that negatively affects our state. We cannot let emotion get the best of us. As a parent, I am required to make hard decisions in the best interest of my kids, to do what it takes to keep them safe. Your task, the vote you earned, bestowed upon you the purpose of doing what is in the best interest of the state. Keep it safe. Make it a better place than you found it.

Pending management of horses, getting them to appropriate management levels, and funding that management adequately, we cannot place the horse on a pedestal of any kind. We must be honest with ourselves, honest with our kids, and do what is right. You have received the science, the data, and the facts. Protect Nevada habitat, protect our native species. Please vote no on S.B. 90 (R1).

**Gianna Caselli, Private Citizen, Reno, Nevada:**

Hi, Madam Chair and Committee members. I am 18 years old and will be graduating from Reno High School this year. I am a sixth-generation Nevadan. As an avid sportsman and a horse owner, in these experiences, I can alert people that the wild horse eats more forage than all the other wildlife in Nevada combined. I am here to testify before you because I have been able to witness the devastation caused by the feral horse, and it concerns me because in my future, I want my kids to see the beautiful rangelands of Nevada. I am worried I will not be able to witness this beauty in the near future because of the amount of damage being caused.

I am a flag girl for the Reno Rodeo. My love for horses started at a young age and, through my rodeo career, is very important to me. My horse is my partner in achieving my goals. It would be naive of me to ignore the natural characteristics of horses, those of being territorial, aggressive, without natural predators, and having the will to survive that stomps out wildlife. These horses need to be managed in order to keep all Nevada wildlife thriving. How could we prioritize the horse over thousands of other species, species that are native to Nevada and have every right to be here?

**Chair Torres:**

I forgot to congratulate the young lady on her graduation. Congratulations to you and all your friends graduating this year.

**Stewart Davis, Private Citizen:**

Madam Chair and members of the Committee, I am 11 years old, and I am in fifth grade in a Washoe County public school. I also live in Assemblywoman Taylor's district. I am here today to speak in opposition to Senate Bill 90 (1st Reprint) which would make the wild mustangs our state horse.

I believe schools should teach students both sides of an argument before they bring a bill as a project. In my class right now, we are doing a project about problems in the environment. My group is trying to figure out solutions to problems with overpopulation and endangered ecosystems. Feral horses were a topic we discussed in my group because of their overpopulation and crowding problems. They are eating all of the native species, food, and water. Horses are not native to Nevada. By making the wild mustang our state horse, it would show that we do not care about our native wildlife species. Feral horses are extremely overpopulated. According to BLM, in some areas of our state there are ten times over the appropriate management levels. A place that has been taken over by wild mustangs is the Virginia Range near Reno. This is a good example of our native species like deer and bighorn sheep being shoved out of areas where there is food and water. Feral horses are large and strong animals that outcompete the native animals. Most of the feral horses in Nevada are managed by the federal government. If we pass S.B. 90 (R1), it will send a message to Congress that the horse situation in Nevada is fine. The truth is feral horse populations are out of control, and they are destroying Nevada's environment. Please vote no on S.B. 90 (R1).

**Chair Torres:**

Thank you for joining us today. We will take the young gentleman here next; then I am going to go to the phones and then we will come back.

**Giovanni Caselli, Private Citizen, Reno, Nevada:**

Madam Chair and Committee members, I am a 14-year-old Reno High School student. I am an avid sportsman and conservationist. I am here today to testify my grave concerns for the state of Nevada. In my short life, I have witnessed the destruction caused by the feral horse in the state of Nevada. I have spent many days hunting big game in the mountains throughout Nevada and chasing ducks at Scripps State Wildlife Management Area. I have witnessed the destruction, from mammal habitat to migratory bird habitat. We should not elevate one animal over another. We should protect our native species first before we engage in a conversation about an animal that is a guest in Nevada. Please vote no on S.B. 90 (R1).

**Chair Torres:**

Is there anybody on the phones wishing to testify in opposition to S.B. 90 (R1)?

**Lynn Chapman, State Vice President, Nevada Eagle Forum:**

I live in Sparks, and when I drive down to Carson City for the legislative session, I see the horses out in different areas on my drive down. They are fun to see. However, knowing their numbers are growing concerns me. The amount of food and water for them is limited. We need to control their numbers so we will not see carcasses out on the road to Carson. When the number of horses decrease and remain at a sustainable number, that would be the appropriate time for a bill like this. Let us work with our federal delegation and our state, fix the problem first, then maybe proceed with this bill.

**Chair Torres:**

Next. I see somebody in Elko; we will go to Elko after the phone calls.

**Charlie Booher, representing Wild Sheep Foundation:**

I am calling in to register the opposition of the Wild Sheep Foundation to Senate Bill 90 (1st Reprint). I want to raise two points in addition to echoing everything that has been said by the opponents of this bill this morning. The first is to highlight our ongoing work in Washington with the Bureau of Land Management and the Forest Service on this ongoing issue. As of this year, the White House has requested \$155 million to manage wild horses and burros for the Bureau of Land Management. That is out of a total budget of \$1.7 billion. As we have heard today, we know that current policies are not doing right by the land. They are not doing justice to our native wildlife, nor are they doing justice to the horses themselves. To send the signal to Washington would be a disservice to all of those factors.

The other element I would like to raise is our commitment to the ongoing education, both of natural history and of civics, of folks across the West, including elementary students. Many members of the Committee will note that we have reached out to Doral Academy, both to offer to speak to the students about the democratic process of opposition and how that process works from the perspective of a stakeholder group, and we have also offered to

engage their classrooms with our ongoing educational program that is based in Reno and developed by a local fifth-grade teacher to meet the science curriculum standards of the state of Nevada. With that, we respectfully request that your Committee table this bill if it is brought before you for a vote and appreciate your time. I will be available for questions.

**David McNinch, Chairman, Administrative Procedures, Regulations, and Policy Committee, Board of Wildlife Commissioners:**

The Wildlife Commission remains opposed to S.B. 90 (R1). Wild horse and burro populations far exceed established appropriate management levels in most, if not all, herd management areas in the state. The Wildlife Commission is concerned that such a designation would make it more difficult to achieve those management objectives to the detriment of fish, wildlife habitats, and frankly, to wild horses themselves. There is a limit to what the land can support. It would certainly elicit a strong response if there were proposals to remove the state horse from public lands. The Wildlife Commission has not been opposed to wild horses on the landscape but will continue to advocate for thriving Nevada wildlife, helping Nevada lands, and sustained ecological balance.

**Dre Arman, Idaho/Nevada Chapter Coordinator, Backcountry Hunters and Anglers:**

It was mentioned in the pro argument today that Nevada has one of the highest sheep populations in the Lower 48. While this may be true, we cannot use state-to-state comparisons to determine appropriate wildlife management goals. Having more sheep than another state does does not mean that sheep populations are exempt from habitat degradation that wild horses cause. The Nevada Department of Wildlife cited horse overpopulation is one of the top factors contributing to the decline in wildlife populations, including the desert bighorn sheep and the Lahontan cutthroat trout. In other words, the current overpopulation of horses is detrimental to the native populations of other state symbols.

Another testimony in support of the bill asked that you remove the voice of hunters to hear the real voice of Nevada. I ask that you consider the voice of all Nevadans, including hunters and anglers, and make a decision to uphold holistic integrity within the symbolism officially representing the state of Nevada.

Nevada Backcountry Hunters and Anglers recognizes that horses have a place in the great state of Nevada alongside many other species on our public lands. Passing Senate Bill 90 (1st Reprint) before solutions to the wild horse and burro problems have moved the population into alignment with the Bureau of Land Management goals would be another step away from restoring the native habitats of Nevada that desperately need reprieve from our out-of-control horse herds.

The students who requested this bill are well meaning. We hope this bill will be rejected and this experience can be used to educate the youth and adult citizens of Nevada about the rich biodiversity that is possible within our public lands.

**Chair Torres:**

At this time, we will go to Elko.

**Jim Jeffress, Private Citizen, Elko, Nevada:**

I have been a practicing wildlife biologist in the state for over 50 years and am a certified wildlife biologist for The Wildlife Society. I oppose this legislation. Anything that is going to validate or escalate the stature of an animal that depredates or destroys wildlife habitat to the extent the feral horse has, I cannot support. Nevada is the driest state in the Union. Less than 1 percent of the total land mass supports open water sources: lakes, ponds, springs, streams, et cetera. Yet it supports 258 different birds, 79 different mammal species, 25 different reptiles and amphibians. It is ranked as eleventh among the 50 states as the richest in biodiversity. It is sixth in the number of endemic mammals, so there is wildlife in that sagebrush.

My job when I worked for the Department of Wildlife was to do surveys and inventories and determine whether the species were sustainable at current levels, whether they were going up, whether they were going down. Part of my job in being an advocate for wildlife was, if you identify the problem outside of Mother Nature impacts that are man-caused, you deal with BLM or Forest Service because they regulate 86 percent of the state. Habitat is wildlife, and when you have problems, you have to work your way around that. That is what I did my entire career to improve habitat for wildlife.

When it comes to horses, your hands are tied; you cannot do anything. You can look, you can assess the degradation, but you cannot do anything about it. I can take it to BLM, take it to Forest Service; they will say we are above AMLs, we do not know what to do, we cannot control this, but yet the degradation continues. So no, I cannot get behind a change or support the feral horse as a state horse, particularly when they degrade so much of our valuable wildlife habitat.

**Chair Torres**

Is there anybody else in Elko? [There was no one.] At this time, we will come back to Carson City. I will remind the opposition, if somebody has already said the point that you need to make, please feel free to say "ditto," as there are a number of you here and I want to give the opportunity for as many people to speak as possible. Go ahead.

**Tina Nappe, representing Coalition for Healthy Nevada Lands:**

I have lived in Washoe County all my life, which as you can see, is now mostly behind me. As a conservationist, I have focused on water-dependent and endangered species since the 1960s. I do not hunt or fish. I grew up as many girls do, reading horse books and loving horses—still do—but the horse population we have now, which is almost uncontrollable, is really causing concern for me about its impacts on wildlife, particularly on riparian areas and water sources.

A cattleman can send his cattle to market, but we, as the public owners of horses, are responsible for them from birth to death. The more horses there are, the harder it is to remove them if they are in excess, and the longer they live on the land, decimating it—and a horse can live 20 to 30 years and cost thousands even when it is removed by BLM. Horses can consume every blade of grass, wildflowers, and even shrubs, thereby eliminating food for

wildlife like rabbits and deer, and pollinators like bees and butterflies. When vegetation-dependent species are reduced, predators like coyotes, red tail hawks, and lizards are likewise reduced.

What about the costs that we are seeing? Portions of the Sheldon National Wildlife Refuge, after removing horses and cows, had to be fenced to keep the horses out. Reno is facing fencing, and there are places like Washoe Valley, Washoe Lake State Park, where fencing might be desirable to protect the native resources there. We have to think about what these costs are and how many horses we can afford with them, and to protect our wildlife. We all enjoy seeing a few wild horses and burros, but please, do not elevate an animal that is so destructive and expensive and which we have yet to learn to manage.

**Willie Molini, Director, Coalition for Healthy Nevada Lands:**

In terms of full disclosure, I should indicate that I worked for 30 years for the Department of Wildlife and served as director of that agency for 16 years.

It is clear here today that wild horses elicit strong emotions from the many people who have an interest in them. While S.B. 90 (R1) may indeed be well intentioned, its unintentional consequences are potentially debilitating to our fragile Great Basin lands and the 700-plus species of fish and wildlife that depend on those lands. Nevada is the driest state in the Union, as you all know, yet we host 63 percent of the nation's wild horses. In short, Nevada is ground zero for the problems caused by excessive numbers of wild horses. *Nevada Revised Statutes* 501.100 is a legislative declaration regarding wildlife. It states that wildlife in this state not domesticated in its natural habitat is part of the natural resources belonging to the people of the state of Nevada, and the preservation, protection, management, and restoration of wildlife within the state contributes immeasurably to the aesthetic, recreational, and economic aspect of these natural resources. In respect to this declaration, the Board of Wildlife Commissioners and the Nevada Department of Wildlife were charged to protect, restore, and manage the state's wildlife resources. Furthermore, the State has designated, as you have heard, various animals such as the desert bighorn sheep as the state mammal, the mountain bluebird as the state bird, Lahontan cutthroat trout as the state fish—[Chair requested testifier to wrap up testimony.]

It just seems inappropriate to me to take a nonnative animal that impacts our native animals, in concert with what is designated in statute to protect, and name it the state horse.

**Mark Freese, Administrator, Habitat Division, Department of Wildlife:**

While we applaud the efforts of students to get the bill to this point in the legislative process, we believe that the legislation lacks the recognition of the impacts horses have on our native wildlife populations. The passage of S.B. 90 (R1) will only further convolute the public's perception and make the management of Nevada's ecosystems and finding the balance to sustain the health of the land, vegetation, horses, and wildlife that much tougher.

Our basis comes from some statistics from the Bureau of Land Management in 2022. Seventy-three percent of the herd management areas in Nevada are over AML. Of those over

AML, the average is 353 percent above AML. Bureau of Land Management-managed wild horses and burros consume over two times as much wild forage and as much as three times more water than all of Nevada's big game species combined. Horses overlap with 35 to 40 percent of all our big game, creating competition. Wild horses have morphological and physiological attributes enabling them to be superior competitors compared to our native wildlife species, including they are cecal digesters, have upper and lower incisors, and are the most socially dominant grazer in the Great Basin. These attributes, combined with the high growth rates, lack of sufficient predation to keep populations in check, broad habitat requirements, and large group sizes, can enable horses to outcompete native wildlife for water and forage and lead to degradation of rangelands and wetlands when over AML or their ecological carrying capacity. I will ditto the comments on water exclusion. Wildlife is indeed impacted. On average, for every 50 percent increase in horse abundance over AML, there is a correlated 2.6 percent decline in sage grouse.

**Chair Torres:**

We will go to the next person. I want to remind people, feel free to say ditto. We only have about three minutes left.

**Lydia Teel, representing Nevada Bighorns Unlimited:**

For the last 40 years, our organization has been instrumental in the reintroduction of bighorn sheep, our state animal, into more than 60 mountain ranges throughout Nevada. One of those mountain ranges is the Virginia Range, where the native desert bighorn sheep were reintroduced in 2011. Normally, reintroduced bighorn sheep do quite well and establish sustainable populations. However, there are less than 150 adult bighorn sheep within the Virginia Range today, and with low lamb survival rates. When you compare the over 3,000 horses in the Virginia Range, based on the amount of forage they eat and the water they drink—this is their biomass—that would equate to over 25,000 bighorn sheep. Can you imagine taking two and one-half times the number of bighorn sheep in the entire state of Nevada and cramming them into one mountain range? This bill may seem harmless at face value; however, it empowers irresponsible management of a resource that is already exceptionally challenging to work with. This bill will only make responsible management of our lands even more challenging than it is today.

**Chair Torres:**

Before I continue in Carson City, is there anybody in Las Vegas wishing to testify in opposition to S.B. 90 (R1)? We will go to Las Vegas and then we will come back here.

**John Hiatt, Private Citizen, Las Vegas, Nevada:**

We have an enormous amount of damage from wild horses in the southern part of the state and almost no way to recover the habitat that is being destroyed. I am really concerned about the unintended consequences of this bill which will send a message to the rest of the country, specifically to Congress, that we do not have any problem with wild horses here, and therefore we do not need additional funds to manage wild horses in the state of Nevada.

I urge you very strongly to vote against S.B. 90 (R1) and not send an unintended message to the rest of the country.

**Chair Torres:**

We will come back to Carson City. Go ahead.

**J.J. Goicoechea, Director, State Department of Agriculture:**

I am here today in opposition of S.B. 90 (R1) on behalf of the State Department of Agriculture; I am a two-time state veterinarian with the agency as well. To help set the record straight, these are census numbers on the Virginia Range estray: 1997, 413 horses; 2002, 1,274 horses; 2008, 1,448 horses; 2014, 1,959; 2018, 2,951; and in March 2022, 3,567. That is an unsustainable trend.

I am going to pivot for a minute. Ditto on everything that they said on the wildlife species, but coming from a veterinarian, I can say I have been able to offer assistance to the BLM when needed over the years. However, those calls for assistance on debilitated horses are increasing in frequency. The die-offs of the 1990s, recent drought die-offs, and now the need to euthanize, at times, dozens of horses on our rangeland leaves a mark on me that I am glad no one sitting up there has to experience.

Please do not hang a label on an unmanaged horse in this state. If we want to pass meaningful legislation, let us follow the Wild Horses and Burros Act, and once we are at managed levels, we can come back and revisit this and truly do it. You are doing an injustice to the horse if you hang a label on them at this point.

**Chair Torres:**

Thank you. At this time, our time has concluded for opposition. I understand there are a number of people still here to speak. I encourage you to please submit your written remarks to our Committee staff, but at this time, I would ask the camera to capture everybody—if you came here in opposition of this bill, please stand to have the cameras capture you. I appreciate it. I am working with my Committee staff to get the sign-in sheet posted online. We will, of course, be blocking out any personal identifying information like phone numbers.

[[Exhibit P](#), [Exhibit Q](#), [Exhibit R](#), and [Exhibit S](#) in opposition to S.B. 90 (R1) were submitted but not discussed and are included as exhibits of the hearing.]

We are moving to neutral testimony on S.B. 90 (R1). Is there anyone wishing to testify in neutral here in Carson City? I do not see anyone. Is there anyone in Elko wishing to testify in neutral? [There was no one.] Is there anyone in Las Vegas wishing to testify neutral to S.B. 90 (R1)? I do not see anyone. Are there callers wishing to testify in neutral? [There were none.] At this time, I will invite the bill sponsor for any closing remarks. I do not see Senator Goicoechea. It does not appear there is anyone here for closing remarks, so we will close the hearing on S.B. 90 (R1) at this time. We will move on to the last item on our



agenda, which is public comment. I will allow member remarks after public comment. I will limit public comment to about 10 minutes. Is there anyone wishing to testify in public comment?

[Public comment was heard.]

Members, are there any remarks?

**Assemblyman Gurr:**

Madam Chair, I would like to thank you for the fair way you have run this meeting. I know all of members' computers have blown up in the last 24 hours. There are 1,150-plus in opposition—you cannot show them on a camera—but that is 1,150-plus I have counted since yesterday afternoon. As far as whether that is a representation of the whole state, I do not even know where they are all from; but 1,150 people have written in opposition to S.B. 90 (R1).

**Chair Torres:**

Thank you. I will note, there are many who have submitted letters in support as well. I know our Committee members will review those before considering this bill. Members, are there any additional remarks? It does not appear there are any. [Meeting reminders were given.] The meeting is adjourned [at 11:21 a.m.].

RESPECTFULLY SUBMITTED:

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Geigy Stringer  
Committee Secretary

APPROVED BY:

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Assemblywoman Selena Torres, Chair

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

## EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is the Work Session Document for [Senate Bill 20 \(1st Reprint\)](#), submitted and presented by Jennifer Ruedy, Chief Principal Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit D](#) is the Work Session Document for [Senate Bill 22 \(1st Reprint\)](#), submitted and presented by Jennifer Ruedy, Chief Principal Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit E](#) is the Work Session Document for [Senate Bill 23 \(2nd Reprint\)](#), submitted and presented by Jennifer Ruedy, Chief Principal Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit F](#) is the Work Session Document for [Senate Bill 261 \(2nd Reprint\)](#), submitted and presented by Jennifer Ruedy, Chief Principal Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit G](#) is the Work Session Document for [Senate Bill 264 \(1st Reprint\)](#), submitted and presented by Jennifer Ruedy, Chief Principal Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit H](#) is a collection of letters from Doral Academy of Northern Nevada, submitted by Senator Julie Pazina, Senate District No. 12, in support of [Senate Bill 90 \(1st Reprint\)](#).

[Exhibit I](#) is a proposed amendment to [Senate Bill 90 \(1st Reprint\)](#), submitted by Helen Foley, representing American Wild Horse Campaign, and presented by Senator Pete Goicoechea, Senate District No. 19.

[Exhibit J](#) is a PowerPoint presentation titled "SB90 Designates the wild mustang as the official state horse of the State of Nevada," submitted and presented by Tracy Wilson, Nevada State Director, American Wild Horse Campaign, in support of [Senate Bill 90 \(1st Reprint\)](#).

[Exhibit K](#) is a letter dated May 12, 2023, submitted by Sena Loyd, Director, Public Policy, Blockchains Inc., in support of [Senate Bill 90 \(1st Reprint\)](#).

[Exhibit L](#) is a collection of letters in support of [Senate Bill 90 \(1st Reprint\)](#).

[Exhibit M](#) is a letter submitted by Representative Dina Titus, Congressional District No. 1, in support of [Senate Bill 90 \(1st Reprint\)](#).

[Exhibit N](#) is a letter dated May 15, 2023, submitted by Dorothy Nylen, Director, Wild Horse Preservation League; Co-Lead Documenter, Dayton Valley, American Wild Horse Campaign; Volunteer, Wild Horse Connection, in support of Senate Bill 90 (1st Reprint).

[Exhibit O](#) is a PowerPoint presentation titled, "Senate Bill No. 90—Committee on Natural Resources," submitted by Mike Cox, Coalition for Healthy Nevada Lands, Wildlife and Free-Roaming Horses, and presented by Jim Sedinger, Private Citizen, Reno, Nevada, in opposition to Senate Bill 90 (1st Reprint).

[Exhibit P](#) is a collection of letters in opposition to Senate Bill 90 (1st Reprint).

[Exhibit Q](#) is Resolution No. 2023-22 titled, "A Resolution Declaring a State of Emergency in Regards to Wild Horses in Elko County With a Call to Action," submitted by Rex Steninger, Chair, Board of County Commissioners, Elko County, in opposition to Senate Bill 90 (1st Reprint).

[Exhibit R](#) is a letter submitted by Bryce Pollock, Nevada Chapter, Backcountry Hunters & Anglers, in opposition to Senate Bill 90 (1st Reprint).

[Exhibit S](#) is a letter submitted by Linda J. Linton, dated May 10, 2023, in opposition to Senate Bill 90 (1st Reprint).