

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

**Eighty-Second Session  
May 3, 2023**

The Committee on Natural Resources was called to order by Chair Lesley E. Cohen at 4 p.m. on Wednesday, May 3, 2023, in Room 3143 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 Lesley E. Cohen, Chair  
Assemblywoman Natha C. Anderson, Vice Chair  
Assemblywoman Shannon Bilbray-Axelrod  
Assemblywoman Tracy Brown-May  
Assemblywoman Venicia Considine  
Assemblyman Rich DeLong  
Assemblywoman Bea Duran  
Assemblyman Bert Gurr  
Assemblywoman Alexis Hansen  
Assemblywoman Selena La Rue Hatch  
Assemblyman Howard Watts  
Assemblyman Toby Yurek

**COMMITTEE MEMBERS ABSENT:**

None

**GUEST LEGISLATORS PRESENT:**

Senator Pete Goicoechea, Senate District No. 19  
Senator James Ohrenschall, Senate District No. 21

Minutes ID: 1029



**STAFF MEMBERS PRESENT:**

Jennifer Ruedy, Committee Policy Analyst  
Erin Sturdivant, Committee Counsel  
Connie Barlow, Committee Manager  
Nancy Davis, Committee Secretary  
Cheryl Williams, Committee Assistant

**OTHERS PRESENT:**

Jake Tibbitts, Manager, Natural Resources, Eureka County  
Adam Sullivan, P.E., State Engineer and Administrator, Division of Water Resources,  
State Department of Conservation and Natural Resources  
Melissa L. Flatley, Chief, Hearings Section, Division of Water Resources, State  
Department of Conservation and Natural Resources  
Doug Busselman, Executive Vice President, Nevada Farm Bureau Federation  
Kyle Roerink, Executive Director, Great Basin Water Network  
Jacob Brinkerhoff, Natural Resources Manager, Nevada Association of Counties  
Chaunsey Chau-Duong, representing Southern Nevada Water Authority  
Mark James, Company Representative, Las Vegas Wave Group  
Karen Layne, Private Citizen, Las Vegas, Nevada  
Fred Voltz, Private Citizen, Las Vegas, Nevada  
Erica Roth, Government Affairs Liaison, Deputy Public Defender, Washoe County  
Public Defender's Office  
John J. Piro, Chief Deputy Public Defender, Legislative Liaison, Clark County Public  
Defender's Office  
Rich Sandoz, Private Citizen, Spring Creek, Nevada  
Dave Young, Private Citizen, Spring Creek, Nevada  
Josh Austin, Private Citizen, Spring Creek, Nevada  
Nick Vander Poel, representing Nevada Humane Society  
Larry Johnson, President, Coalition for Nevada's Wildlife  
Steve K. Walker, representing Eureka County

**Chair Cohen:**

[Roll was called. Rules and protocol of the Committee were reviewed.] I will give you a little lay of the land before we get started. We will recess at 4:25 p.m. to go to the Assembly floor to hear Congressman Horsford. We will start the hearing on Senate Bill 180 and will finish it up after recess. We will then hear Senate Bill 269 (1st Reprint). However, for anyone who is interested in S.B. 269 (R1), a friendly amendment from Senator Ohrenschall has just been uploaded to the Nevada Electronic Legislative Information System for you to view [[Exhibit C](#)]. I will now open the hearing on Senate Bill 180.

**Senate Bill 180: Revises provisions relating to groundwater boards. (BDR 48-597)**

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

I am bringing Senate Bill 180 to you today. Senate Bill 180 revises provisions relating to groundwater boards. Under existing statute, a board of county commissioners can recommend to the State Engineer to create a groundwater board. At that point, if the State Engineer decides to do so, he goes to the Governor and the Governor appoints one. Just a case in point: When I was a county commissioner in Eureka County in the 1990s, we did go through this process and tried to create a groundwater board for Diamond Valley. I know a number of you are familiar with Diamond Valley and the issues there. The bottom line is we never did get a groundwater board. Now 25 to 30 years later, it might have been a benefit; it might not have. With me today is Mr. Tibbitts. He is going to walk you through the bill because he is a lot better at it than I am. First, I am going to cruise over it for about two minutes' worth.

We came out of the Senate pretty clean on this bill, but I do believe we will have some opposition testimony on the Assembly side. I want to clarify one point in this bill, which is Clark County has a groundwater board that was appointed and created by an act in 1997. But there seemed to be some argument whether Clark County should be in this or not. Some people I have talked to say they want in; others say they do not. I think that is the only real discussion we have got with the bill. The rest of it—the appointment of the board and the board members—I will let Mr. Tibbitts walk through that.

The bottom line is this bill allows the board of county commissioners to request to establish a groundwater board. The State Engineer then considers their advice but he is not bound by it. If he chooses not to follow their advice and to act in a different direction, even that is not subject to judicial review. The board only lasts for four years. I am bringing this for the Central Nevada Regional Water Authority. These rural counties want the ability to at least offer some advice on those problem groundwater basins they have in their jurisdictions. That is really all I am asking you to do. I will now turn it over to Mr. Tibbitts for the technical explanation.

**Chair Cohen:**

Thank you, Senator Goicoechea. Before you go through the bill, Mr. Tibbitts, I just want to be clear to you, the Committee, and to the public: If we can get done in the next little while, that would be great, but we will take the time that it takes. This is an important issue. I do not want anyone to feel rushed. Please go ahead.

**Jake Tibbitts, Manager, Natural Resources, Eureka County:**

Thank you, Madam Chair. My board of commissioners call me the filibuster; I will try not to do that today. Eureka County is a member of the Central Nevada Regional Water Authority (CNRWA). This bill was a request of the CNRWA. We are very thankful for Senator Goicoechea sponsoring this bill and bringing it forward. The Executive Director of CNRWA, Jeff Fontaine, sends his regrets that he could not be here today to step through the bill with the Committee.

I will go ahead and step through the bill, but first, just a little background on it. This bill amends *Nevada Revised Statutes* (NRS) 534.035; it already exists that we can stand up groundwater boards. That statute was enacted in 1961 in Assembly Bill 437 of the 51st Session. Through that process, the Las Vegas Valley groundwater board was stood up. The statute has been amended at least three times since then. To our knowledge, there has never been another county groundwater board that has been created under the statute.

Under the current law, if a board of county commissioners wants to create a groundwater board, as Senator Goicoechea mentioned, it has to be approved by the State Engineer, and the members are appointed by the Governor. There is actually a mandate for the State Engineer to confer with groundwater boards and obtain their written advice before making any decisions in the groundwater basin. There are just a lot of cumbersome things in the current statute that are an impediment to creating a new groundwater board.

Stepping through the bill, section 1, subsection 2 enables a board of county commissioners to create a groundwater board by making a request to the State Engineer, who then appoints seven members. The membership is outlined in the bill; it is made up of a balance of senior priority water rights, junior priority water rights, and then somebody who owns or holds the majority or the highest quantity of water rights in the basin. Section 1, subsection 3 provides that in addition to the members appointed by the State Engineer, the board of county commissioners can appoint a member to the groundwater board as well, but that member would be nonvoting and would be there acting as a liaison and in an advisory role to help keep a pulse on what is going on.

Section 1, subsection 5 makes it clear that the groundwater board meetings would be public meetings, and they would be held in accordance with Nevada's Open Meeting Law. Section 1, subsection 8 removes the requirement under the existing law for the State Engineer to confer with the groundwater board before acting on any application or well drilling permit or before he issues an order or regulation. Instead, it simply requires the State Engineer to consider the advice and recommendations of the groundwater board on reducing overpumping in the basin. Subsection 8 also removes the requirement for the State Engineer to provide a written report on any disagreement with the recommendation of the board, and it adds language to clarify that a decision of the State Engineer not to comply with the recommendation of the board is not subject to judicial review.

Section 1, subsection 9 sunsets a groundwater board after four years, unless the board of commissioners and the State Engineer approve an additional four-year term. It also provides that the board itself can, at any time, dissolve themselves by a majority vote. Finally, section 2 removes the state funding for the groundwater board.

It is a fairly simple process. Allowing counties to stand up these groundwater boards and partnership with the State Engineer provides another local, grassroots, and proactive approach to managing groundwater basins. It can result in more place-based and local decision-making or influence on the decision-making.

Some questions have come up such as, Can the State Engineer get input without having to create a groundwater board? Yes, the State Engineer can do that. We feel that the legal backstop of state law and having the formal process in place are really important and it provides more legitimacy to the process. Counties can create any boards they want, subcommittees or boards. They could do this on their own, but again, having it in the water law itself provides that legitimate process. Another question that has come up is, What will these county groundwater boards do? They will use their local knowledge of the local conditions and they will make recommendations to the State Engineer. They will be actively engaged in the process to help basins, so they do not become overdrafted, or overpumped, or eventually having to be designated as a critical management area.

Another question we have heard is that some of these basins straddle different county lines: How will that take place? It is the groundwater holders in the basin who make up the membership of the board, and it does not require the membership of that board to come from the county in which the county commissioners stand up the committee. In fact, it has to be senior rights, junior rights, and somebody who has the greatest quantity, which could be in different counties. Also, one basin could have two groundwater boards for each portion of the county if they wanted to. Many of our counties work well together. There are other mechanisms for counties to work together when they have those basins that slop across county lines. We feel that is not an encumbrance to the process as it moves forward. With that, I think it is fairly simple, but if there are any questions that I can answer, I am happy to do so.

**Assemblywoman La Rue Hatch:**

I am delighted that both of you are with us today and we get to talk about water. My first question is, How does this make it more streamlined? You are saying that the goal is to make it more efficient so that they are more likely to have these boards. What about these changes makes you feel that we are more likely to get these boards?

**Senator Goicoechea:**

Realistically, it has been a really cumbersome process, and the fact that we have only seen one groundwater board put in place in the state and that was by legislative act. Since it has been in place for 60 years, there is probably something wrong with the existing practice. Good or bad, we hope to streamline it. I believe that in fact it is all about getting people together to confer, to talk about these issues, especially in these groundwater basins that are overappropriated. We need to deal with them, and at this point we have not been doing a great job. We hope to speed it up.

**Assemblywoman La Rue Hatch:**

I guess my question is because this is just adding members to the board and changing to "request" instead of "recommend." Are you suggesting that would change their regulations around these and therefore clean up some of that bureaucratic red tape that is getting in the way?

**Jake Tibbitts:**

Currently, if you look at the statute as it exists today, standing up the membership requires a governor's appointment. There are so many unnecessary steps. Also, the current statute mandates the State Engineer confer with the board. There are written recommendations, and if there is disagreement, the State Engineer has to write down why there is disagreement and submit that as well. This is formalizing an informal process; it is to get groups together. It is a formal groundwater board, but it is essentially to get folks talking about the issues, trying to come up with some potential local solutions, and to have that good dialogue with the Office of the State Engineer in a more streamlined way. This bill is simply trying to make it so that conversation is taking place.

**Assemblywoman La Rue Hatch:**

I think that helps clarify the streamlining. My next question is on the members of the board. If you could speak to your reasoning behind why you chose those numbers, those individuals, and perhaps why it is only water owners and not other community stakeholders who are part of those boards.

**Jake Tibbitts:**

This applies to designated basins; that is a specific term of water law which is a basin that requires some higher level of active management. The State Engineer designates those basins. This would only apply in basins that have reached that higher threshold. When we are talking about water management, in times of water shortage this body has created protections for domestic well holders, and that in times of curtailment they are guaranteed a 5 acre-feet allowance for their domestic use. There are also preferred uses that can be designated by the State Engineer. If a basin gets unbalanced or overdrafted, it is the water rights holders who pay the price. The balance of the membership is to have more senior rights members, but also to give junior rights a voice; there are fewer members there. Also, it is essentially the permit holder, the water rights holder, who has the most to lose or gain. This is trying to balance those who are using the most water and then the senior and junior approach. One more point of focus: It is an advisory group. It is an advisory board. They have no independent regulatory authority; it is to provide conversation and recommendations. That is all they will be doing.

**Assemblyman DeLong:**

Under section 1, subsection 8, it talks about written recommendations and advice regarding reducing overpumping. Are you contemplating something beyond curtailment of junior rights?

**Jake Tibbitts:**

I think that is the idea. There are different approaches than just curtailment. There should be a forum for folks to get together to talk about those and engage with the State Engineer. In some situations, curtailment may be the only tool, but we are trying to avoid that where possible, where there may be other management scenarios and people can get their water

allocation without having to go to curtailment. The idea in some of this is that there may be local approaches that are supportable by the State Engineer and supportable under the water law. Getting the right people to the table to talk about those is important.

**Assemblywoman Anderson:**

You mentioned this a little bit, but if you could go into it a little bit deeper: What happens if the water goes beyond the county boundary? I think when you were doing your presentation, you also mentioned that counties can have multiple boards. What happens if those boards do not line up to a county boundary? How do you envision that happening and working?

**Senator Goicoechea:**

We hope they would come together if it was a split county, and they would have a joint board. In the case they did not come together, then they could stand the boards up, one on each side, or you could have a board that was only looking at the impacts of the issues in that part of the basin that was in their county.

**Assemblywoman Anderson:**

Do we have any idea what sort of workload this would create for the Division of Water Resources? We have all discussed how much work the Division has to worry about. Also, for the counties, is there any idea at all to know if there will be an increased workload for them across county lines or otherwise?

**Senator Goicoechea:**

I will respond quickly and see if Mr. Tibbitts has a different view on it than I do. Yes, there will be some extra work, but it will not be tremendous. You have to weigh the benefits of having the collaboration and communication between that local government or sending personnel out there to take those measurements and have those discussions and then make a decision. I think there is an advantage to having the conversations that might even save time.

**Jake Tibbitts:**

The State Engineer does not staff these meetings; it is simply setting the table for conversations. Who would not want to have a local voice in bringing ideas forward for good management? Putting the time into a good grassroots process should be a supportable thing, I think, even from the State Engineer's Office.

**Chair Cohen:**

I am going to jump in right here to follow up on what you are talking about. Just to make things a little easier, we know we have had some boards and commissions that have not necessarily met as often as we would like them to. If this board wanted to meet virtually, would we need to have anything that said they could meet virtually; do we need to specify that is acceptable?

**Jake Tibbitts:**

The bill does clarify that they are public meetings. The intent is they will follow Nevada's Open Meeting Law. All the provisions of the Open Meeting Law to allow virtual meetings or virtual attendance and provide that opportunity would be accessible to these groundwater boards.

**Assemblywoman Brown-May:**

The bill says the board would be within a designated groundwater basin. Is it a single basin? We talked a little bit about counties, and there are multiple basins. Are we talking about a single basin, potentially consolidating basins, or a super basin? How does that all play into this?

**Senator Goicoechea:**

We will wait and see where we end up with some subsequent legislation as far as whether we are dealing with super basins. If it is a designated basin, you would deal with that particular basin, and it would only be that basin. If you have multiple designated groundwater basins in your jurisdiction, you could have multiple boards. I think to make this work, the membership work, you are going to have to be in specific basins and they need to be designated basins and have a problem before you call the board together.

**Chair Cohen:**

With that, we are going to take a recess [at 4:23 p.m.]. I will call the meeting back to order [at 5:42 p.m.]. Senator Goicoechea and Mr. Tibbitts, we have a couple more questions.

**Assemblyman Watts:**

I will just make a comment. I agree, I do have a little bit of concern with the proposed makeup of the board. I certainly appreciate the intent of making sure that some of those different interests—the senior rights, junior rights, and the major water user—are included. I would like to see some sort of flexibility to have some other potential stakeholders included. I guess one of the questions I have is, you mentioned Diamond Valley. I do know this might be difficult, but you mentioned that instance of when there was an ask and it did not follow through. Do you know how many other groundwater boards have been requested but no action has been taken by the state?

**Senator Goicoechea:**

I surely do not, and I do not believe Mr. Tibbitts does. I am only aware of that one because I was sitting on the commission and made the request.

**Assemblyman Watts:**

I can follow up with the Division about that as well. This is for designated groundwater basins: Do you happen to know how many designated groundwater basins we have?

**Senator Goicoechea:**

I am not positive, but I think it is 111. We have someone in the crowd who can probably answer that.



**Assemblyman Watts:**

I am not trying to put you on the spot for an exact number here, but I guess that is one concern. If some of these stakeholders, or if the counties are interested, there could potentially be quite a few of these boards being established. Also, you spoke to it a little bit, but I was wondering if you could put a finer point on it for us. Obviously, there are voluntary groundwater management plans that a community can come together to develop. There is the critical management area designation that kind of forces that issue. There are other more informal stakeholder engagement efforts. Could you elaborate and give a little bit of additional background on what is missing from the local engagement and stakeholder engagement process that you are looking to fix with this bill?

**Senator Goicoechea:**

I think the big piece of this is the fact that you could front-load it. We do not want to be in the position where we have to declare a critical management area and bring those pieces together. Clearly I think it is all about allowing public involvement. This board is in place for four years and they serve without compensation. The county is going to bear the actual costs. The only real costs involved in this for the State would be the fact that this is what we think and giving the advice to the State Engineer. I realize it will take a little time, be we are going to put that time in place, whether it is with the State Engineer taking readings in these basins or actually including the local jurisdictions in that process.

I am flexible as far as the makeup of the board. A groundwater board might be dealing with three or four basins in the jurisdiction. A jurisdiction in Nye County could be huge. Maybe to your point, flexibility is going to be required. It is supposed to be for each basin, but at some point, the county commissioners are going to recognize the fact we do not need 39 groundwater boards in a county the size of Nye County, so you would maybe see some collaboration and coming together. We are very flexible. I just want the locals to have an opportunity to meet with the State Engineer and say, We think you could do this, and it will help. I think the State Engineer's Office would benefit from that.

**Jake Tibbitts:**

Currently, there are informal things that can be done to try to bring stakeholders together. The formal things are a critical management area that may end up developing a groundwater management plan or curtailment. That is what the law requires. If this bill were to move forward, this now creates another opportunity for a local vetting, and specifically calls for written advice and recommendations on reducing overpumping in designated groundwater basins. This would create something in the water law to allow another opportunity for groundwater boards to at least talk about ideas. Maybe there are ideas out there that locals would have that the State Engineer has not thought about. This is to provide an avenue to try to bring ideas to the table; that is all it is about.

**Chair Cohen:**

I do not see any other questions, but before we move on to support, Mr. Sullivan, would you mind coming up to take a few questions?

**Assemblywoman Anderson:**

I realize this is not a money committee and I appreciate the fiscal note that you put in, which at this time is zero. However, the explanation itself, once you really dig into it, creates more questions. In particular, my question has to do with even in those circumstances of a groundwater board being created, it requires a substantial amount of Division time and resources. In more recent times, the Division experienced a substantial commitment of staff, time, and resources coordinating with nonstatutorily created groundwater boards and ad hoc groups. I was just wondering if you can possibly go into how much more time that was? Also, how would this impact the work and/or needs of the Division, if there is a way to go into that a little bit deeper.

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

I think the answer is in part related to the questions that have already come up about some uncertainties; for instance, how many groundwater boards would be requested to be created and what the different situations might be in different parts of the state. It is unpredictable about how much time that would require on the part of our staff to be responsive to different situations and to meet the expectations of the groundwater board as it is created.

**Melissa L. Flatley, Chief, Hearings Section, Division of Water Resources, State Department of Conservation and Natural Resources:**

Going to the first part of your question of how extensive the time invested now with those ad hoc groups is: it has been more hands-on. The way the bill is written is ambiguous about what the role of the State Engineer would be in the creation and operation of those groundwater boards. When we drafted the fiscal note, it was not obvious that our role would be limited to simply identifying who those senior water rights holders, junior water rights holders, and large volume or quantity water right holders are. It may go beyond that, and there may be research involved. There may be additional legwork involved in trying to identify exactly who the people are who would be on the groundwater board and going through the process of appointing and having them actually serve on the board. It is just unknown what that part would look like. The testimony today made it sound like we would not be providing support to the groundwater boards. Again, that was not obvious in the bill language.

**Assemblyman Watts:**

I will start with two numerical questions, one of which I know might be a little bit more difficult to answer offhand. We heard about a request that was put forward and ultimately a groundwater board was not created. Do you have any rough indication of how many of these requests have been received? What we heard in the testimony, there was originally one request that led to the creation of a Las Vegas groundwater board. We also heard about Diamond Valley. Can you provide any kind of broader context on how many requests have been received from counties for the creation of these boards? Also, how many designated basins are there? What is the maximum potential number of groundwater boards that could be created under this?

**Adam Sullivan:**

I will answer the second question first. The number is around 120, in that ballpark, which is about half of the basins within the state. On the first question, those are the two examples. We have done some research on this and asked former state engineers and former employees if there is something that we are not aware of now. We have not identified any time when a request to create a groundwater board was made and denied besides that one example in Diamond Valley. The one example in Las Vegas where the board was created is the one time that this statute has been applied and that was done in the 1960s. It was with a specific intent. That was when the pipeline from Lake Mead was being constructed for surface water to support municipal growth. The State Engineer was working with the county to identify where wells could be constructed that would eventually be served by that planned growth from the pipeline. Once that pipeline was built from Lake Mead, the groundwater board had served its purpose and it was dissolved in the early 1970s.

**Assemblyman Watts:**

Is the Division going to provide additional testimony in the neutral position at another point? I am trying to decide if now is the time for additional questions.

**Adam Sullivan:**

I was intending to make some comments in neutral.

**Chair Cohen:**

Thank you, we will have you come back in neutral. With that, we are going to go to anyone in support in Carson City.

**Doug Busselman, Executive Vice President, Nevada Farm Bureau Federation:**

Our organization has a number of water-related policies which draw attention to the importance of local engagement. Our support for S.B. 180 and the ability to form local groundwater boards is based on this foundation. We have a specific policy which states that the Division of Water Resources needs to be more engaged with groundwater rights owners to assist in improving water management. In our view, the formation of local groundwater boards will provide a consistent structure to make these engagements more effective. We urge your support for S.B. 180.

**Kyle Roerink, Executive Director, Great Basin Water Network:**

We support S.B. 180. Some of you may be asking what does a designated basin actually mean? This is a basin that needs some more management. The State Engineer has decided it needs more management and needs to get back in balance. Getting people together to figure out a solution should be something that we are all encouraging. If you look at section 1, subsection 2, the conversation has been that you kind of need a permission slip from the governor just to get this going, just to have water rights users sit down at the table and try to hash some things out. When you are considering this, subsection 2 and the changes that would be made, I think it would really help to galvanize getting people to the table and

figuring things out before you get in a situation where you need a groundwater management plan, and you have a critical management area. Getting people to the table talking is something that we support, and we thank you for your time and consideration.

**Chair Cohen:**

We had a question earlier about the makeup of the board. Is your organization concerned about the makeup of the board? I will say I had that same concern when I originally read the bill and I thought, Why not throw in another engineer? Why not throw in someone from environmental? The more I thought about it and talked to other people about the bill, I saw the wisdom of the makeup but still see why there might be a concern. I would like to know what your organization's opinion is.

**Kyle Roerink:**

We do not have an issue with the makeup because this is largely about water users trying to figure out how to get a grip on things as soon as possible. As much as I love to open my mouth and run my mouth, you do not need me there getting in the way. You need the water users to come to the table, figure it out, do it quickly, and not require a permission slip from someone who is very busy, like the governor. Let us get moving on this. That is where I am.

**Jacob Brinkerhoff, Natural Resources Manager, Nevada Association of Counties:**

Our members, as you probably know, are all 17 counties in the state. I appreciate the opportunity to come and testify on this and thank Senator Goicoechea for bringing this forward. Nevada Association of Counties is in support of S.B. 180. We believe it streamlines and provides clarity to the previously approved groundwater board formation process and that it will finally provide a framework for these boards to actually be formed, where it seems some bureaucratic hurdles have gotten in the way of that in the past. We believe this enabling legislation is a benefit to our members who would be seeking to establish these boards and streamlining the board formation process. This is a way that will allow county commissioners to advance meaningful local stakeholder involvement and collaboration with the State Engineer on the management of a critical resource in our state. Thank you again for the opportunity and I urge your support of S.B. 180.

**Chaunsey Chau-Duong, representing Southern Nevada Water Authority:**

We are here in support of the current language in the bill. This bill does not impact the Las Vegas Basin because we already have an advisory committee for the management of groundwater that is statutorily authorized. It could be necessary in other parts of Clark County. We appreciate your support for the bill.

**Chair Cohen:**

Is there anyone else who would like to testify in support in Carson City, Las Vegas, or Elko? Seeing no one, is there anyone on the phone? Hearing no one, I will go to opposition in Carson City.

**Mark James, Company Representative, Las Vegas Wave Group:**

I am here to testify in opposition today to S.B. 180. I had the privilege of serving on the Committee on Natural Resources when I served in the Legislature. It is a privilege to appear before you. I also chaired the statewide water committee in 1994; that was the last major amendments to the water law. When you go through the statute, you can see in 1995 we made major changes. We refrained from doing something like this because under the *Nevada Constitution* and the laws of the State of Nevada, the public waters are owned by the people of the state of Nevada.

The water law is set up so that an appointed nonpolitical—not elected public official—is in the role of the State Engineer. He is the person who makes the decisions about whether there will be an appropriation of water or a change application which changes the place, point, or manner of use of water. It is important that we keep that structure. Groundwater decisions and water decisions like the ones I just mentioned, appropriating waters or changing their place, manner, or type of use, must be made by the State Engineer.

Local input on a given change or appropriation of water is provided for in the statute under the protest law. The State Engineer is required to publish these as they become ready for action and anyone who is concerned can protest, and the State Engineer will hold hearings. On the cooperative water project which you all know about, the State Engineer held hearings all across the state. Those hearings are probably a very big reason that cooperative water project has stalled completely right now.

If we require the State Engineer to create these boards and require the State Engineer to consult with the boards, we are changing the structure of the water law. Right now, local people have the ability to give input on any decision the State Engineer makes. The State Engineer is the person whom that statute, from the beginning of the water law in 1913, puts in the position of making decisions about this scarce resource—water. It is owned by all the people of the state of Nevada. Local water rights holders, of which my group is one, are not the ones who make the decision. The State Engineer will consider all local input through the existing process. To engraft a required board will do a couple of things: It will change the structure, as I said, away from the original foundation of the water law; but it will also keep the State Engineer busier than he already is. This is probably one of the busiest offices in government and they already have more work than they are staffed to do. We strongly oppose this, and hopefully we will keep in mind that a change like this changes the direction of our public policy concerning water in Nevada. That direction should not be toward moving the decisions into the hands of local people who own water rights. It should be keeping it at the Office of the State Engineer who is a professional and has a professional office. That is our view, and we think it is very important that this bill not pass.

**Chair Cohen:**

Thank you, sir. Seeing no further opposition in Carson City, Las Vegas, or Elko, is there anyone in opposition on the phone? Hearing no one, is there anyone in neutral in Carson City?

**Adam Sullivan:**

I am testifying neutral on this bill. I do support the concept of the State Engineer's Office working with local communities that are affected by the decisions we make. This is something that, to the extent we can, we incorporate in our standard practice. It is really important to have good dialogue with stakeholders about what the data is telling us, what the risks might be, and what the law provides for. We need to be consistent about applying the law equally to everybody as well as what other alternatives might exist at the local level. We do meet now with a number of different advisory committees, boards, county water boards, community groups, and other organizations that have been created at the local level and have interests in water resource issues. I think it is an important effort that we make to get local input as we think through how to apply water law most effectively. I think the groundwater board and the concept that is envisioned here could be successful in just the right scenario, which is the scenario that is envisioned by the bill proponents.

When we look at it from a statewide perspective, there are a number of scenarios where that would not be a perfect situation. There could be some unintended consequences, problems, or some ambiguity that would come out of it. That is kind of how we look at it from a practical standpoint of how this would play out.

This has already come up in the discussion, but one of the issues is the groundwater basin and the county delineation. Most groundwater basins span multiple counties. I know this was discussed and it could work out. Maybe the counties get along and agree, but maybe they do not. If there is a situation where there are different interests on different sides of the county, or if the hydrogeology is such that there is recharge on one side and a lot of use on the other side, I could see situations where we would not be able to come to an agreement between counties.

Secondly, with regard to the makeup of the advisory board, in certain situations it would work great; in other places in some parts of the state, there would be problems. For instance, there might not be enough individual water rights holders to actually fill out the board in some places, or it could be the same people, the senior water rights holders, those who hold the most water, the junior rights holders, it would be the same people. Or it would not be individuals, it might be federal agencies that hold substantial water rights or other public entities. How would we handle that?

When we talk about senior and junior, it is not a clean line. We have to consider vested water rights holders, whether adjudicated or not yet adjudicated. It adds some question about who is a senior and who is a junior water rights holder. It is all relative. Another issue is how many boards would be created, and would we have the time to be sufficiently responsive and meet those expectations and be able to participate meaningfully and be involved at the appropriate level.

Lastly, there is the concern that we are creating a formality with the State Engineer appointing this board that does not really have any authority. What that might do is open up some ambiguity or some liability. Even though I know the intent is that the State Engineer's

decision would not be overridden by the local recommendation, we still think there might be some problem with opening some questions there. On that topic, I do want to turn it over to Ms. Flatley for her perspective. Thank you.

**Melissa Flatley:**

With that litigation risk, right now there are many steps that the State Engineer takes when implementing regulatory oversight in water rights. Each of those steps is subject to appeal under NRS 533.450 by anyone involved. Having the groundwater board make this recommendation is a new step in that process and it changes the structure of how everything moves forward. It creates this risk of getting sued by the State Engineer choosing not to follow the groundwater board's recommendation, but later when the ultimate decision of the State Engineer is different than what the recommendation was that came from the groundwater board. There is a new angle to sue for that being arbitrary and capricious where this formalized board with authority now is put at the same level of expertise that the State Engineer has previously provided in deciding matters like this. The risk of increased litigation would increase both in volume and complexity from the litigation that is faced now because of the angle of the recommendations that are coming and the competing ideas that might be brought by the board and the State Engineer's ultimate use of that recommendation.

**Erin Sturdivant, Committee Counsel:**

I want to note that the existing bill does say the decision not to comply with the view of the groundwater board is not subject to judicial review. Obviously, the decision of the State Engineer on whatever the issue is, is still subject to judicial review and you cannot stop people from suing. But the decision itself, whichever way he goes, if he follows the groundwater board or does not, is not subject to judicial review.

**Chair Cohen:**

Thank you for that. We have a couple of questions.

**Assemblyman Watts:**

I want to briefly follow up on the concerns that were brought up on litigation. If I understand the concern properly, you agree that the act of the groundwater board providing recommendations and the State Engineer choosing not to act on those recommendations, that decision itself cannot be challenged; that is in the bill. That is in relation to any hearing or official decision before the State Engineer's Office. Once that decision is rendered, which is subject to judicial review, in challenging that a litigant could point to the decision of the groundwater board and that could potentially add complexity into the review of that decision. Because of the statutory construction of that groundwater board, you are implying it would have a little bit higher standing or a little bit more weight behind it than if it was just a group of people who expressed some concerns. Am I laying out that concern properly?

**Melissa Flatley:**

Yes, you said it better than I did. That is exactly right.

**Assemblyman Watts:**

I think you did a great job. I was just trying to make sure I had that understanding of the different processes. This process, as it is envisioned, is its own separate thing. But to the extent that it relates to other official decision-making processes, at some point that could be brought into the mix in potential legal challenges. The only other question I have right now is, this has been brought forward and there is interest in having some additional more proactive conversations, more proactive processes, to try to address issues in certain basins. I know the State Engineer's Office has been proactive. I have been involved in some of those stakeholder groups and conversations that have happened and appreciate those efforts. Obviously, we are hearing about a request for some additional conversations or processes, but I was wondering if you could speak to how you see these things. You mentioned some scenarios where you could see this being very valuable, including what the proponents of the bill have stated. If you could provide any additional background that could help us in wading through making this something that can work and be helpful in those cases, and maybe supplement some of the current formal processes and informal stakeholder engagements, also anything else you see that may pose an issue around that.

**Adam Sullivan:**

The way we approach public meetings or working with local community groups is, water law does not provide a lot of alternatives for how we deal with the problems of where there is basically not enough water to go around for the long term. The problems that we see around the state were often initiated generations ago. We have to recognize that there is no simple fix to some of these problems, and there is no quick fix. What is important to communicate to the people who are potentially affected by curtailment or other restrictions on the ability to use groundwater is understanding how water law is written, what the limitations are, and what our role is as the state agency. It is very much specific to different areas of what the problem might be, what the data is telling us, and who the people involved are. I think the bill as proposed is envisioned for certain situations where this would work. I do not disagree that there could be some of those locations. I do not know specifically if there are basins in mind, and I do not want to speak for the bill's proponent on what he has in mind.

**Assemblywoman Hansen:**

I am actually thinking, Wow, this is a really great idea. We are always talking about water issues. We are talking about these basins overpumping. It seems to me that we are asking for a solution to be had by those who are involved to a large extent in those communities where that feedback is so important. I have attended Central Nevada Regional Water Authority meetings and have been so impressed by all those people who are involved. They regularly meet and they do not seem to have trouble meeting, and there is lot of discussion that is so important. I see that what we are doing here is kind of similar, and I am trying to understand what the pushback may be.

You just have to consider the written advice and recommendations of the groundwater board, not act on it. The only other big change is that a county commission would request that the State Engineer, rather than the existing language, was to recommend establishing a groundwater board. If it is going to add to the workload, certainly we heard the concerns and



I think we agree there are concerns about staffing and the ability. If this were to play out and we see that this turns into something that is maybe too onerous for your Division, we can maybe fix that when we come back?

I guess rather than a question, I have more of a statement. I am seeing that we are asking people who have been a part of discussions that we have concerns about water and overpumping and issues in Nevada. Now we are asking those people to help come up with the solutions. Rather than your being asked for the solutions or our being asked for the solutions, we are saying, Help us come up with some solutions. I see that as having them have some skin in the game about issues that are either litigious or controversial at the Legislature. This brings them in and now they can participate and understand how complex the issues are, and their views can be heard more at a local level. I see it as a support to you because, and I have said before on the record, you have an incredibly hard job. Unless I am missing something, I am seeing this as a great support to the State Engineer and not overthrowing prior appropriations. This board is not telling Nevada they do not have the authority to do what they want with the water. With that being said, thank you for what you do. I see this as being a help to your office, to your decision-making, and if I have missed something, I stand corrected because it is very complicated, what you have to do. Thank you for letting me make that comment.

**Adam Sullivan:**

You bring up the Central Nevada Regional Water Authority. That is a good example of an existing organization that is interested in protecting water resources throughout the state. They meet regularly, like you said. I try to participate in those meetings when I am available, and it is good to work with groups like that, but that organization does not require State Engineer appointment. One of my hesitations here is that by having the State Engineer appoint those people, it gives it a different kind of makeup that would have a different structure. I am not sure how that would play out. I like working with local organizations that are created at the local level with existing authority, who are interested in water resources, and we can have that good dialogue and a collaboration with those groups to work on regional water issues.

As our role as the State, we are limited by what water law allows us to do. That is an important part of that dialogue. There are a number of things that can happen at a voluntary level to address long-term water resource issues. But there is a separation there of what can happen and be implemented at a local level versus what suggestions we can take and actually implement. Again, we are limited by what water law provides.

**Assemblywoman La Rue Hatch:**

You just inspired another question. Would it help clear this up or make you more comfortable if the counties that are requesting it were the ones that were appointing the board as opposed to your being the one who chooses those members?

**Adam Sullivan:**

I would have to think through that. My first reaction is yes, that is a more appropriate way to do it for a locally developed board of water interests. There may be some other aspects that are not coming to me in this moment.

**Assemblywoman La Rue Hatch:**

It seems the goal of these boards is, as it says, to reduce overpumping. We heard there is a method now which is curtailment, or there is the public protest. That is basically how we get public input. Can you speak to what is being done currently to reduce overpumping and what your role is outside of these boards?

**Adam Sullivan:**

The first thing that comes to mind is if a basin is deemed to be in need of additional administration for whatever reason it is designated, and we have talked about that a little bit already. Commonly, the easiest threshold for designating a basin is if the water rights that are granted exceed what is estimated to be the long-term water available to the water supply. That might be something different than when we say "overpumping." When I hear "overpumping," I think there is chronic water level drawdown that might be consistent with appropriations exceeding the perennial yield. It might be a very localized circumstance where there is overpumping. There are a number of different considerations like that with regard to what we do and what our role is. The first one is to collect data so that we understand what is happening and we can document what is happening. That is how much is being pumped and the monitoring of both water levels and stream flow. Secondly, what to do about it. There are very limited options provided within state law. We can take some administrative steps to reduce the commitments for water that is not being used. For water that is being used, rights that are in good standing we can either curtail by priority or we can designate a critical management area. The third option I would throw out there is that in local communities, you could have voluntary reductions. That is what we have had some success in communicating with local water users about how much voluntary reduction would need to happen to have a measurable benefit. That is just to be realistic. Curtailment should be a last option.

**Chair Cohen:**

I do not think we have any other questions. Thank you both for your willingness to come up and answer our questions. Seeing no one else in Carson City, Las Vegas, or Elko, is there anyone in neutral on the phone? Hearing no one, would the sponsor like to make some closing statements?

**Senator Goicoechea:**

I have just a couple of quick points. One thing you have to understand is if this bill does not pass and existing law remains in place, you petition the State Engineer and the Governor appoints. I think this is a better mechanism. We talked about the makeup of the board. I am a little concerned, and I have been in local government a long time, but when you get a local community, if they make the appointments, you can get one side or the other actually leading the charge. We were just trying to put some structure in this on who was going to sit on the

board. To the opposition to the bill: I agree, you have the ability to protest. That is where the public process starts. Ultimately, it ends up in litigation and that is what we are trying to avoid. Let us get this handed off to start with this bill rather than having to go through the formal advertised protest. Everybody gets in line and hires an attorney. It is good for some people, but not everybody.

**Jake Tibbitts:**

With all things water, there are apparently no milquetoast water bills, which we kind of assumed this was when we brought it forward. Again, to highlight the no decision-making authority of this board: It does not subvert the State Engineer's authority. Regardless of the makeup, they are open public meetings with public comment periods, according to Open Meeting Law, where every viewpoint can be heard. To address the point about the intracounty issues or stakeholders on different sides of the line not being able to come to agreement: not coming to the table at all is never going to resolve agreement. This provides an opportunity to bring people to the table to at least talk about things. To say this bill is going to somehow breed disagreement, the disagreements exist already. This is providing a forum for collaboration, or a recipe for people to come to the table to resolve those conflicts.

The question about the ambiguity about who has junior or senior and vested water rights: I will just point out that the bill is specific that it is holders of permits or certificates to appropriate water, and the one with the greatest quantity of ground water in the basin. I think it is clear that it is permit holders and certificate holders, not vested rights holders, who are part of this process. It is the groundwater pumpers who are causing the issues and need to come together. The ultimate decision the State Engineer makes, if somebody is affected, they are going to litigate one way or the other. A groundwater board's decision as being so risk-averse to litigation not to stand up some local processes to try to work through the issues just because of fear of litigation, if it is a decision regarding water, just like this bill, people are going to be on all different sides of the issue, and it is going to be litigated if somebody feels that they are wrong in that decision. We believe this will provide an opportunity for people to try to address issues and try to avoid litigation. We know you are not going to avoid litigation all the time, but to say standing up groundwater boards is going to increase litigation, we just do not think that is a reality. Thank you.

**Chair Cohen:**

We appreciate your coming forward with the bill trying to resolve what, as we know, is a serious issue for our state. I will close the hearing on S.B. 180. Before we start the hearing on the next bill, we will be in recess [at 6:37 p.m.]. We will come back to order [at 6:48 p.m.]. I will open the hearing on Senate Bill 269 (1st Reprint). I invite Senator Ohrenschall up to present the bill.

**Senate Bill 269 (1st Reprint):   Revises provisions related to animal cruelty.  
(BDR 50-246)**

**Senator James Ohrenschall, Senate District No. 21:**

Thank you for hearing Senate Bill 269 (1st Reprint). I would like to tell you that we have everything worked out, but we are still a work in progress, and we have been trying to work with the stakeholders. I want to thank your Committee's counsel, Ms. Sturdivant, for helping me with this bill and the mock-up.

The origin of this bill has to do with a conversation I had with Dr. Layne, a former constituent of mine. She is not a constituent anymore; she moved over to the other side of town. I believe she is Assemblywoman Brown-May's constituent. Dr. Layne, besides being a retired professor from the University of Nevada, Las Vegas, is very active in our animal welfare community in southern Nevada. She is a former member of the Board of Wildlife Commissioners, a former president of the Las Vegas Valley Humane Society, and someone who cares tremendously about animals and does not just talk the talk, but walks the walk. When I have had constituents who needed an animal rescued, she would be out there trying to save that animal and make sure that it got the care it needed.

I want to direct the Committee to the mock-up amendment [[Exhibit C](#)] that should be on the Nevada Electronic Legislative Information System. The original bill deleted some exemptions that were in statute. The amendment restores the exemptions that were originally deleted in the bill in terms of the exemptions that are provided for hunting and hunting training.

I should start with one of the big changes in the amendment: we are proposing to lower the number of hours that a dog can be restrained using a tether, pulley, or chain from the current amount of time now, which is 14 hours in a 24-hour period, to 10 hours within a 24-hour period. That is one substantive change in the amendment on page 3. Additionally, we are proposing to restore the exemptions that are currently in statute, *Nevada Revised Statutes* (NRS) 574.100 for hunting. Section 1, subsection 4(b) of the amendment states, "Being used lawfully to hunt a species of wildlife in this State during the hunting season for that species" [page 3, [Exhibit C](#)]. We had proposed restoring the exemption for section 1, subsection 4(c), to "Receiving training to hunt a species of wildlife in this State . . . ." We were proposing to limit that during the hunting season for that species. I have had a lot of conversations with Kyle Davis; Dr. Layne has had conversations with Kyle Davis, representing Coalition for Nevada's Wildlife. I would like to propose not having any limitation on the time. Just restoring paragraphs (b) and (c) in section 1, subsection 4, the exemptions that were deleted, as they are in statute now, and not changing those exemptions regarding hunting or training and hunting.

Additionally, we are proposing to restore the exemption regarding a rescue operation. That is where my one-page proposed amendment comes in [[Exhibit D](#)]. I am proposing that there be a change in the language in section 1, subsection 4(f), to read, "Temporarily being cared for as part of a rescue operation, in conjunction with an animal rescue organization."

The rationale for that is to try to make sure the rescue organization is legitimate and is trying to help animals and is not something that is not able to do what it needs to do. That is the concern we had with that and with the original exemption.

When we worked on the bill in the Senate, Clark County and Washoe County came to Dr. Layne and me with concerns regarding issues when there are heat advisories, wind chill warnings, or cold warnings from the National Weather Service. That language was added; we accepted those amendments from Clark County and Washoe County. There are some concerns that were brought to me today by the Public Defender's Office. I would like to keep working with them on those concerns. With that, I would like to turn it over to Dr. Layne, and then I am happy to stand for any questions.

**Karen Layne, Private Citizen, Las Vegas, Nevada:**

I appreciate your taking time this evening to talk about this particular bill. It is about animals. I think everybody can agree that we want to do whatever we can to take care of the animals that are in our lives. I want to point out on the information about the heat alert, we added that in the bill because that is something that is currently being done in Clark County and the City of Las Vegas. If there is a situation where the temperature changes—it is not just based on temperature, it is actually based on the humidity as well—then the National Weather Service will put out an advisory, letting people know that there is going to be a shift in the temperature; that is what we are talking about. That was picked up from what Clark County and the City of Las Vegas are already doing.

I also like to add that most of you are probably familiar with this statute because you actually did review Assembly Bill 86, which looked at areas in the statute. Believe it or not, we looked at different subsections of that particular bill. You are probably very familiar with that, and if I remember correctly, there was a member during that hearing who asked about the question of heat. This is your answer to that: we are trying to address the heat issue. Washoe County came in later and said, Hey, we have got just as big an issue with the wind chill factor and winter storms. Can we add that to that particular area? That is why you are seeing it in there. We are hoping that will address some of the weather issues we are seeing.

The only other point I think we should talk about is reducing the 14 hours to 10 hours in a 24-hour period. In other words, right now you can tether an animal for a total of 14 hours in a 24-hour period. The problem that most animal protective agencies have with that is that if you want to prosecute someone, you have to keep a diary. The person who is watching that dog being tethered has to say, Okay, hour one, I see the dog being tethered; hour two, I see the dog being tethered. What the animal protective agencies have found out, someone may be willing to do that for a period of 10 hours, but they are much less willing to do it for 14 hours. You think of your life in eight-hour blocks. You sleep eight hours, you work eight hours, and then you have a family to take care of for eight hours. That is one of the reasons that we talked about reducing that. If you look at other state statutes, you will see that the 14-hour limit Nevada has is on the higher range. I think Senator Ohrenschall covered the exemptions pretty well.

**Senator Ohrenschall:**

Thank you, Dr. Layne. I am happy to answer any questions.

**Chair Cohen:**

I appreciate that this is still a work in progress, and I appreciate all the work you have done with groups today. I appreciate all your work over the years, Dr. Layne, but we have had a long day. Can you briefly walk us through where you are right now?

**Senator Ohrenschall:**

Would you like me to walk through the bill or walk through where we are with the other stakeholders?

**Chair Cohen:**

Walk through what you are proposing right now, where you are with your amendments and as the bill stands right now, what your proposal is, with the caveat that you are still talking with stakeholders. If you had your druthers, and you had it out the way you wanted with no more changes, where would it be?

**Senator Ohrenschall:**

In the ideal world, there would be no exemptions, but I understand there are good arguments for exemptions.

**Chair Cohen:**

Let me rephrase that, not if you have got everything you wanted, but where you are with level of agreement today. As it stands today, if you had no more agreements with stakeholders, where the bill is at.

**Senator Ohrenschall:**

I believe with my proposed verbal amendment to the mock-up [\[Exhibit C\]](#) on page 3 regarding restoring the exemptions for hunting at section 1, subsection 4, paragraphs (b) and (c), I would propose deleting the green language that says training would be limited during the hunting season for that species. I would propose restoring it to the way it is in statute now in NRS 574.100. Mr. Davis told me the Coalition for Nevada's Wildlife would be neutral on the bill. We have had some good conversations today with Mr. Piro and Ms. Roth, and I would like to continue those conversations. The concern is the unhoused community, especially with the heat and cold warnings issued by the National Weather Service and how that would affect the unhoused. I understand that there is language that was amended into Assembly Bill 86. I believe that is a little too broad. I believe there is a way to more narrowly address the issue of the unhoused. I think I would like to work on that with Dr. Layne, Mr. Piro, and Ms. Roth, but I do not have agreement on that yet. I am not aware of any other groups that have reached out to me about this bill.

**Assemblyman Yurek:**

I was the commander for a police department canine unit and have a true heart for those dogs as well. As I was reading the bill and looking at what you are targeting, I was really quite

curious as to how extensive the problem is that you are trying to address. As I look at the exemptions that are in statute and the attempt to remove them, these are dog lovers. These are veterinarians, hunters—and I realize we may be making an exception there—dog trainers, people who show dogs, dog breeders, boarding facilities, and rescue operators. These seem like people who would have the utmost compassion, know their dogs and want to take care of them, and yet we are trying to get them out of the exclusions for some of this. I guess my question is, Do we have a widespread problem with these traditionally very passionate animal lovers who are abusing the dogs in some way that I am unaware of? The other question is the 14-hour limit to 10-hour limit. I might suggest, because again, I am going to go back to my experience as a police officer, 10-hour work shifts. In particular in Las Vegas, 12-hour and 10-hour work shifts are very common, which may be why that 14-hour limit was included. I do not know if you care to comment on that.

**Karen Layne:**

I will say this to you, when we talked about this originally, this portion of the cruelty statute was a very critical one. It was added in 2009. I actually attended the very first hearing. It was a very difficult bill to get passed because at that time, tethering was something that was done to maintain control of the dogs; there was a widespread use of it. I can tell you that Clark County Animal Control, for example, said they were going to be neutral. They were not committing. Because of that, the exemptions, as you point out, are very broad ranging. They cover a wide area of topics. This is 14 years later, and it does not make sense that there are so many broad exemptions. One of the things we did was we talked to some of the animal protective groups and said, What are the issues? There have been problems with boarding facilities. I know personally, and I have also talked to other people, there have been issues with rescues in terms of not tethering so much.

If you notice, there is a section that we did not address; that is on the size of the caging. That has been a very big issue in the sense that too often the cage is too small for the animal. I understand what you are saying: yes, everybody is a dog lover. There is no doubt about it. Yet we know from experience that there is always about 10 percent who are not responsible pet owners and those are the ones we have to look on. I think everyone works hard to be a very good and responsible pet owner. But if you talk and look at your community, sometimes you will see there are problems in this area that are trying to be addressed and it makes it difficult. That is why I was pointing out the 14-hour limit. It is very hard for somebody to look at an animal for 14 hours. You may be correct that if you have a 10-hour shift, it is more difficult. I will say this to you: if you look at the weather problems now in Las Vegas during the summertime when the average temperature during July—I think in 2022 was 103 degrees—I do not think we should tether an animal outside. That is a long period of time for an animal to be tethered in a 24-hour period. That is why we are talking about reducing it. Does that help to answer your question?

**Senator Ohrenschall:**

I want to also address the exemption issue. Most of the exemptions that we sought to delete through the amendment [\[Exhibit C\]](#) are being restored. There is a tweaking of the language regarding rescues where we are trying to ensure they are working in conjunction with an

animal welfare organization. Additionally, you mentioned law enforcement. I believe there is a new exemption proposal in Assembly Bill 86 sponsored by Assemblywoman Hardy. As I understand, if her bill passes and if this bill is lucky enough to pass, I do not believe there is a conflict. I believe that exemption would still go forward because this bill does not address that or try to delete that.

**Assemblywoman La Rue Hatch:**

I have a couple of questions. The first one is with the winter storm warning or the heat advisory. If I am at work and suddenly a winter storm rolls in and I was not expecting it, would I now have to go home and bring the dog in or else be in violation of this law?

**Karen Layne:**

Heat advisories, for the most part, are usually issued anywhere from two days to seven days ahead by the National Weather Service because they can pretty much determine that is going to be the case. There is always a good forewarning with those weather alerts. I do not really think you would see that as a problem for the most part; people would know about it in advance.

**Assemblywoman La Rue Hatch:**

I appreciate that might be the case for heat warnings, but coming from the north, I know that storms can roll in very suddenly up here. What happens in that circumstance, when a storm that we did not expect rolls in, much like yesterday, when we get a bunch of snow?

**Senator Ohrenschall:**

We started off with an amendment that was proposed by Clark County as to the heat warning. Washoe County asked us to consider the cold warning amendment. I do not want to speak for them, and I do not have information on what happens in Washoe County, but I can try to find out. Like Dr. Layne said, normally I will see those forecasts in advance, but if something happens, hopefully any animal control officer would take that into account. We did have someone from Clark County Animal Control here to testify, but they were not able to be here this late. I do not have an answer to that. I hope animal control would take that into account, especially if a weather warning was not posted prior to that day, if it happened all of a sudden. Maybe there needs to be more specificity here.

**Assemblywoman La Rue Hatch:**

I appreciate that you might not have that answer now. My other question was clarifying the exemptions being brought back in. I am looking at page 3 [\[Exhibit C\]](#), line 31. It looks like there is a line that is crossed out that says "temporarily in a camping area." Can you clarify, does that mean that if I am camping with my dog and a storm rolls in, I am now in violation, or is there something else I am missing about that line?

**Karen Layne:**

We did talk about this in the Senate hearing, and I think one of the reasons we took out camping is calls for animal protective services are generated, like police calls as an example. Somebody is going to have to complain about your camping with your dog. That is one of



the reasons we took that out. We felt like that seemed to be overly broad in terms of looking at that as an exemption, because most people are going to camp and are obviously going to make sure your dog is close to you. That is one of the things in wildlife; we see a lot of issues with dogs that may run off or they may hit a trap. There are various reasons why you want to have your dog close to you. That is one of the reasons why we did not see that as a big concern of putting that in there. The other one that was left out was the boarding facilities, which was originally included. That was taken out because there are some major problems with boarding facilities right now in terms of some of the violations that are occurring there.

**Assemblyman Gurr:**

I am pretty sure my question just got answered, but I want to make sure it did. Are you saying you left the exemption for camping in or you took it out? Is camping included or not included in the prohibitive part of this bill?

**Senator Ohrenschall:**

Camping is being deleted as are boarding facilities as an exemption.

**Assemblywoman Hansen:**

I want to clarify that I understood it right as I looked at this. I think I heard you say the amendment is a 10-hour limit, but I thought it was a 14-hour limit. It says 10 hours here. But then I thought maybe you verbalized 14 hours.

**Senator Ohrenschall:**

The current statute says a person cannot keep their dog restrained by a tether, a choke chain, or a pronged chain for more than 14 hours total within a 24-hour period. I am proposing to change that to 10 hours within a 24-hour period. That would be new language in the statute. That 14 hours has been there at least since 2009, if not longer.

**Assemblywoman Hansen:**

I just want to make sure I had read it right. I know this is existing language: not less than 12 feet on tethering an animal, it cannot be less than that. The concern I have is, again it is existing language, but sometimes we need to tether shorter. I am more worried about coyotes than I am traps. If I am somewhere and because I have a small dog, I want my dog tethered closer to me, and it is going to be less than 12 feet. I guess all these years I have been violating the law, is that my understanding? I cannot tether my small dog less than 12 feet when I am concerned about his safety.

**Senator Ohrenschall:**

As I read the existing statute, the 12 feet requirement is in NRS 574.100.

**Erin Sturdivant, Committee Counsel:**

That is true, but there is an exception for temporarily in the custody. For less than an hour, you can use a tether that is under 12 feet long.

**Assemblywoman Hansen:**

I am still guilty, but I am honest. In regard to the unfortunate proliferation of homeless people, and I see so many of them with pets, which is endearing, what happens when, especially here in the north, those winter storms come in and we have homeless encampments in different parts of town and these animals are tethered. What happens in those circumstances?

**Senator Ohrenschall:**

As to what happens with particular animal control agencies right now under the law, when I accepted the amendments from Clark County and Washoe County as to extreme heat warnings and extreme cold warnings, at first glance it seemed like the right thing to do. As to the question of how this will affect the unhoused, the bill does not have an adequate response right now. I certainly do not want to make a criminal out of someone who has lost his housing or is living in his car and trying to take care of his dog the best he can. Today I had some talks with Mr. Piro and Ms. Roth regarding a possible amendment. As to the 14 hours in a 24-hour period, that is the current law. You cannot keep a dog tethered more than 14 hours within a 24-hour period. In the enumerated exceptions, there is no exception for the unhoused. There is the camping exception, but I do not believe that was ever meant to apply to the unhoused. As to what is happening at local animal control agencies now, I am not sure if Dr. Layne has any information. We did have someone from Clark County Animal Control, but they were not able to stay this late. I might be able to find out and get back to you on that.

**Karen Layne:**

In Clark County, this has been a big issue that we talked about in terms of what happens now. There are cooling centers. When there is a heat alert, the county sets up cooling centers and animals are permitted to come to the cooling center with their homeless person. That does not address the issue in other counties, particularly in terms of the cold weather. Right now, the statute says for anyone, if the weather goes below 55 degrees, you have to provide additional warming. The current statute says that outside of the tethering issue, so clearly there is an area that probably needs to be addressed.

**Assemblyman Watts:**

I do want to take a moment to express my appreciation having talked with some of the sportsmen about making both the initial change in the proposed amendment [\[Exhibit C\]](#) as well as the further change verbally to restore section 1, subsection 4, paragraphs (b) and (c) as they currently stand in the law today. I want to express my gratitude for that. I think that makes a lot of sense.

I have a couple of questions. I am trying to really get acquainted with the statute as it stands and how it is intended to be implemented. What I can see here in section 1, subsection 2, "Except as otherwise provided," essentially the exemptions, "a person shall not restrain a dog: (a) Using a tether, chain, tie, trolley or pulley system or other device . . ." and then it has the length requirement or allows the dog to reach a fence. Basically, a person shall not restrain a dog using any of these various chains or tethers. Section 1, subsection 2(b) states,

"Using a prong, pinch or choke collar or similar restraint." Then we have the new proposals here, and then we have the time period, and it looks like both the original and the added language is "or." My understanding is that restraining a dog is kind of the core of this and restraining them in any of these individual various manners is prohibited. At one point, you mentioned using these specific types of prong, pincher, choke collars. I also heard references to the times. But my reading of this is that it is not some of these other things, or this period of time, or some of these things with those restraints; it is any restraining that fits any of these subcategories. Is my reading of that correct?

**Senator Ohrenschall:**

I believe your reading of that is correct. I believe any of those would violate the statute. However, I believe the time period, the 10 hours in a 24-hour period, I believe that is specific to the tethering. I think some of the other paragraphs give more specificity about this, the conditions and the collar. That is how I understand the statute: the 14 hours within a 24-hour period is the total amount of time in a 24-hour period that a dog can be tied up and not be allowed to roam free.

**Assemblyman Watts:**

Essentially, this proposal would be for any period of time outdoors during these advisory conditions would be a violation of the statute. Is that the intent?

**Senator Ohrenschall:**

I believe we would be lowering it to the 10 hours, not for any period of time; 10 hours for the chaining unless I am misunderstanding the current statute.

**Assemblyman Watts:**

We do have Legal Counsel here as well who might be able to help on this. I am sorry for taking up so much time, but I will have one more follow-up.

**Senator Ohrenschall:**

Certainly I think the time limit will not apply to the heat advisories if there is a heat advisory in effect. I believe the time limit applies to the tethering, and if I am misunderstanding, then I apologize.

**Assemblyman Watts:**

That is the clarity: any amount of time a dog is restrained outdoors when these heat advisories, excessive heat warnings, wind chill warnings, or winter storm warnings are in effect would be in violation of the statute as proposed under the bill.

**Senator Ohrenschall:**

That is my intent. Whether my language has managed that, that is my intent.

**Assemblyman Watts:**

I think that is correct. I just wanted to make sure I was clear. In the exemptions under section 1, subsection 4(h) [page 3, [Exhibit C](#)], you have the proposed addition of "Under the

direct custody or control of a person, if the person is engaged in a temporary task or activity with the dog for not more than 1 hour." Again, you have the added clarification as long as there are not the various advisories or warnings for weather. I am wondering if you can speak to what was this envisioning and ultimately, what is the definition of "restrained"? I am just wondering, do leashes count? Does this encompass walking a dog?

**Senator Ohrenschall:**

We did discuss this in the Senate hearing. Certainly my intent is not that anyone walking his dog would be violating the statute. Although when there is a heat or cold warning, that is where we want the animal to be protected. This is certainly not meant to criminalize dog walking.

**Assemblyman Watts:**

I appreciate your getting that on the record. I might be interested in some additional follow-up on that, but it sounds like it is essentially being restrained, unattended, and outdoors for any period of time when these extreme weather conditions are in effect. I appreciate your providing some clarity. I will just put a comment on the record that I certainly encourage you to work with the public defenders to address the issues of unhoused populations.

**Assemblyman DeLong:**

I want to follow up on Assemblyman Watts' question about section 1, subsection 4(h) [page 3, [Exhibit C](#)]. I think I want to ask Legal, would a dog lead or a leash qualify under section 1, subsection 2(a)?

**Erin Sturdivant:**

I think the current statute is ambiguous as to the extent to which a leash constitutes a tether. I do not think it is intended to prohibit anyone from walking their dog, but it is not clear in the existing language.

**Assemblyman DeLong:**

If it is, then it is illegal to walk your dog more than an hour. Hopefully that is not the intent of the law.

**Senator Ohrenschall:**

Certainly that is not my intent. As I looked at the statute through the years and remembering the battle in 2009, what I always understood this statute to intend—maybe the plain language does not accomplish it—was that prohibition on conditions where an animal is tied to a post, not being under control of a human being, and left outside and tied up. That is where I understood this statute to try to protect dogs, not dog walking. I am certainly open; if there is a way I can clarify the statute, I am not averse to friendly amendments as long as they are friendly.

**Chair Cohen:**

I think all the questions I had were answered, but I am going to make a statement. I have a history of doing pet rescue. The vast majority of my adult life, I did pet rescue. I think

everyone loves pets, as you said. I take it very seriously. I take the welfare of animals seriously, but I am not looking to criminalize the unhoused having pets. Additionally, just today we had winter storms in northern Nevada. Not only do we have heat in Las Vegas and southern Nevada almost all the time, but Reno is the city in this country that is warming the most. I just want to be really careful that we are not setting people up for failure with their pets. Keeping in mind that we do want to keep pets in good condition and that no one wants to see a pet outside on a stake stuck there for its whole life, we have to kind of balance things and make sure we are being fair to the owners at the same time we are making sure those pets are being taken care of.

**Assemblyman DeLong:**

I want to follow up again on section 1, subsection 4(h) [page 3, [Exhibit C](#)]. I understand adding the provisions on the heat and the cooling. But what is the intent of the exemption for one hour? What are we trying to restrict that happens for more than an hour?

**Karen Layne:**

We had actually taken that out, and we put it back in because Clark County requested that. They are thinking about the recreation areas when people have picnics, and they are doing something like that and they have their animals with them. They were trying to account for that time period, basically. It has nothing to do with walking the dog. It is when you are doing an activity in that situation. I think they were just trying to cover those situations.

**Senator Ohrenschall:**

With the work we did with amending this with Clark County, I think the concern was that if people were out for an hour at a picnic and they were to tie the dog to a post, that would not be during one of these extreme warnings, heat or cold issued by the National Weather Service. The exemption stayed with some changes but not during those extreme heat or cold warnings.

**Chair Cohen:**

I am now going to move on to support. I do not see anyone in Las Vegas. If anyone in Elko is in support, please raise your hands. Anyone in Carson City, please come forward if you are in support. Okay, seeing no one in Carson City, Las Vegas, or Elko, is there anyone on the phone?

**Fred Voltz, Private Citizen, Las Vegas, Nevada:**

I would like to speak in strong support for the amended version of S.B. 269 (R1) [[Exhibit C](#)], and I will make three quick statements along those lines. First, it should be indisputable that Nevada needs to protect its dogs from extreme weather conditions. We do need to cut the hours of continuous tethering, which is independent of dog walking. Finally, responsible dog owners should ensure their dogs are safe from extreme weather just as they would for their children; the standards should be no different. [A letter was also submitted, [Exhibit E](#).]

[[Exhibit F](#) was submitted but not discussed and is included as an exhibit of the hearing.]

**Chair Cohen:**

Hearing no one else in support, I will move to opposition in Carson City.

**Erica Roth, Government Affairs Liaison, Deputy Public Defender, Washoe County Public Defender's Office:**

Per the rules of the Committee, we are testifying in opposition this evening. We do appreciate Senator Ohrenschall for working with us. He has worked with us through our initial concerns regarding the exemptions and we appreciate those changes that have been made. Our concerns are specific to how this will impact the unhoused community. There is no way around it: if you do not have a home, you cannot bring a dog, cat, or whatever pet you have inside.

I think it is great that we are hearing that Clark County has warming or cooling centers, but that is not true across the state. Until we invest in housing for everybody or the ability to bring a dog or cat into a warming or cooling center, we need to exempt those people. Pets are lifelines to our unhoused community. Also, I think a lot of the questions are very on-point. Some of the issues that are raised when we start legislating are that all pets are different and they have different needs. I can tell you that my dog would probably bite me if I told him he was never allowed to go out during a winter advisory warning ever again, because that is his favorite thing to do. I think we need to consider that when we are legislating this, the counties do have the ability to make more specific laws or ordinances in regard to the weather or issues in their communities. When we are looking at this at the state level, we need to really consider how this is going to impact different people, different pets, different situations. I treat my dog like he is my son, but there are working dogs out there that are happier being treated a different way. Thank you. Again, I appreciate the bill sponsor working with us through these issues.

**John J. Piro, Chief Deputy Public Defender, Legislative Liaison, Clark County Public Defender's Office:**

I echo most of the comments of Ms. Roth. However, in listening to the conversation between the Committee and the presenters, more things were brought up that are of concern. Initially, it started with the unhoused population, but regarding the camping situation, I am not exactly clear on that. Also, making Assemblywoman Hansen's actions a misdemeanor, I am not a huge fan of that either, and I was thinking, Please stop confessing on the record.

**Chair Cohen:**

I will say as a fellow member of the Assembly Committee on Judiciary, I was thinking the same thing.

**John Piro:**

It seems like the bill has very good intentions, but I think it is going to need a substantial amount of work. We are more than happy to work with Senator Ohrenschall on this issue. Thank you.

**Chair Cohen:**

Seeing no one else in opposition in Carson City or Las Vegas, we will go to those in opposition in Elko.

**Rich Sandoz, Private Citizen, Spring Creek, Nevada:**

First of all, I like the exemptions where we can still use hunting dogs, but they mentioned that the dog can only be trained during the hunting season. There are trials for bird dogs and hound dogs during the summer, and that is when we are training.

**Chair Cohen:**

I am sorry to interrupt, sir, but that was removed. The sponsor did a lot of work today even late into the afternoon. The training part has been removed, so you can train year-round.

**Rich Sandoz:**

The gentleman sitting next to Ms. Layne said that you can only train during the hunting season. Maybe I am wrong.

**Chair Cohen:**

No, that was changed.

**Rich Sandoz:**

I am going to go to the weather conditions up here in Elko. Even if you have a heat advisory, it is 102 degrees, maybe. A dog's normal temperature is 101 degrees to 102 degrees. They need water and they need shade. But personally, in the springtime and the fall, I want my dogs outside to get acclimated to the weather because they are going to be out. I hunt in the middle of winter and in summer. In the middle of winter, my dogs have to be acclimated in case they go on an overnight trip. The dogs have to get acclimated to the weather. I will leave them out most of the day when it starts warming up. When it gets cold, they are out until their hair is grown and all that. That is all in the spring and summer, the hair growth and the shedding stuff. I take care of my dogs, and I think most people do, yet you are coming up with these laws that are saying that I do not know what I am doing, basically.

Now I have another question for you. First of all, I would think that a veterinarian should have some input in this on what kind of heat and cold that the animals can take. For instance, people think because the dog is panting, it is dehydrated. That is not true. Panting is a cooling mechanism. You can take the back of a dog's neck, pull it up and then let go. If it falls down, he is not dehydrated; if it stays up, he is.

The last point I want to make is, What are we going to do about the coyotes? Coyotes are out in that stuff no matter what. There is a mandated heat alert, they are out there. You can have a dog under shade with water available in 105 degrees, I would say. I do not have that extreme temperatures. Anyway, there needs to be a little bit more common sense, I guess. Thank you.

**Dave Young, Private Citizen, Spring Creek, Nevada:**

I want to thank you for letting it happen where we can come and be involved in this. It is really important to us here. This bill is really confusing the way it has been in all the multiple different ways. I just want to say this bill seems to be implying that most dog owners are not capable of making responsible decisions on how to care for their animals safely. I do not see the evidence that says we all need to be told how to handle our animals this way. Where is the list of all the violations and all the things that are triggering this? This is just someone's opinion or misguided overcare of animals; it is their imagination. The other thing is that what happens in Vegas is in Vegas. You can have your own regulations in Las Vegas for heat regulations without trying to force it on the entire state.

The other question I have is, apparently in this bill dogs that live on farms and ranches just do not count. It is just the dogs that hunters have, or regular people have, that need to be treated this way. Another thing is we need some definition on what outdoors and indoors means. If you have a dog that is on a tether—and you know, tethering is actually better than kenneling—most dogs function better if tethered properly. Just because they are on a tether does not mean they do not have a heated doghouse that they can crawl into, or a really shaded area with water and maybe even a pool they can crawl into to cool off. You are saying that a tether is somehow this cruel item that does not allow a dog any safety, which is wrong. It is totally wrong. It is just being misconstrued in this context.

What is outside? What is inside? Is it inside a doghouse? Is it inside a barn? Is it inside your house? Do I have to bring my Great Pyrenees inside in the winter? That dog is designed to live in basically arctic temperatures. If I bring him inside, he is going to have a heat stroke. What are we talking about here? We have some clear definition because you are criminalizing dog owners across the state, especially when it comes to hunting. I hunt with my dogs. I make my living with my dogs. I care about them. Just because I am a hunter, sir, does not mean I do not care about my dogs per your comments. I raised them, I make my living with them, I camp with them all the time. If I do not tether them in camp, it is against their safety and it is also against the safety of the wildlife in the mountains that deserve not to have a dog running loose at random. Also, I can lose my dogs in the mountains if I do not have them tethered when I am not actively hunting with them and have a tracking collar on them. They need to rest at that point. Tethering is for their safety and also the safety of the animals in the mountains. The list goes on and on. I really disagree with this bill.

I am all for the safety and not leaving a dog chained up all the time and the pictures you see on late-night fundraiser shows or commercials. The truth is that most of us out here really care about the animals and we do not really need to be told how we should do it. We look at heat advisories and cold advisories, and we make decisions on that already because we are responsible adults. We are all responsible citizens. There is always this factor that is across the board in our society. There is always a factor. We are going to punish all the responsible people for the acts of a few. Thank you for letting me speak.



**Josh Austin, Private Citizen, Spring Creek, Nevada:**

I strongly oppose this bill. We do love our dogs; we do all the livelihood of being able to have our dogs. Before you made the amendment [[Exhibit C](#)], and I appreciate your working out and keeping the original, this bill almost seemed like a personal attack against the hunting community. As houndsmen and houndswomen, we do take care of our dogs. We make our living with our dogs. I just want to say that I oppose this bill. Thank you.

[[Exhibit G](#) and [Exhibit H](#) were submitted but not discussed and are included as exhibits of the hearing.]

**Chair Cohen:**

Thank you all. With that, is there anyone on the phone in opposition? Hearing no one, I will go to neutral in Carson City.

**Nick Vander Poel, representing Nevada Humane Society:**

The Nevada Humane Society is northern Nevada's no-kill shelter. As we all know, this is a very passionate topic when it comes to pets. I remember last year working with Mr. Piro and his former colleague from Washoe County, spending countless hours trying to get a bill right. Nevada Humane Society is always willing to work on this piece of legislation because it is a very sensitive space. We appreciate the sponsors and look forward to working with them.

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

I thank you for this opportunity. I want to thank Senator Ohrenschall for working with our representative in the deletion of number one, the hunting aspects of this, and secondly, the training aspects. As long as those amendments are adopted, we are in a neutral position. The only thing I would add further is that we are incredible pet lovers. My Brittany sleeps with me, and my wife says it is a very good thing I cannot get my horse in the house.

**Steve K. Walker, representing Eureka County:**

I was unaware of the amendment [[Exhibit C](#)] when I signed in, so I signed in opposition. I would hope the secretary will move me to neutral. We were in opposition because of the hunting dog exclusion; the amendment is moving us to neutral. With the testimony we heard during the hearing, there are still issues with this bill and we recognize that.

**Chair Cohen:**

Is there anyone else in Carson City, Las Vegas, or Elko wishing to testify in neutral? Seeing no one, is there anyone on the phone? Hearing no one, Senator Ohrenschall, would you like to make closing remarks?

**Senator Ohrenschall:**

I appreciate your hearing the bill. I appreciate the Committee's indulgence at this late hour. I just want to remind everyone and to all the passionate speakers in Elko, we are restoring both paragraphs regarding the hunting exemption and the training for hunters exemption. The current agriculture exemption stays in the statute; that is not deleted in this bill. Dogs being used in agricultural settings are not subject to the statute. As to the current

14-hour limit within a 24-hour period, Dr. Layne and I looked at statutes around the country and I believe 14 hours is one of the higher limits in the whole country. Many states have 10 hours or 8 hours, so 14 is still one of the higher limits. As to what the Chair mentioned regarding the issues with the unhoused folks, this bill is not meant to try to criminalize being homeless and trying to take care of your dog. I want to clarify that because we accepted Clark County's and Washoe County's amendments. They seem like good amendments. No one should have their dog tied up during an extreme cold warning, but we need to make sure this does not criminalize the unhoused who are dog owners. It was never my intent, and I do not believe the statute was meant to address people out walking dogs. My understanding of the statute was that it was always meant to address someone who ties a dog to a post or something like that and leaves the dog out. It was never meant to criminalize dog walking. Certainly I do not think that was the intent 14 years ago. I also would like to thank Dr. Layne for flying up here to testify on the bill.

**Chair Cohen:**

With that, I am closing the hearing on S.B. 269 (R1), and I am opening public comment. Seeing no one in Carson City, Las Vegas, or Elko, is there anyone on the phone wishing to provide public comment? Hearing no one, we are adjourned [at 7:49 p.m.]. Thank you.

RESPECTFULLY SUBMITTED:

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Nancy Davis  
Committee Secretary

APPROVED BY:

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Assemblywoman Lesley E. Cohen, Chair

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

## EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is a proposed amendment to Senate Bill 269 (1st Reprint), dated May 3, 2023, submitted and presented by Senator James Ohrenschall, Senate District No. 21.

[Exhibit D](#) is a proposed amendment to Senate Bill 269 (1st Reprint), submitted and presented by Senator James Ohrenschall, Senate District No. 21.

[Exhibit E](#) is a copy of an email dated May 1, 2023, submitted by Fred Voltz, Private Citizen, Las Vegas, Nevada, in support of Senate Bill 269 (1st Reprint).

[Exhibit F](#) is a collection of copies of emails in support of Senate Bill 269 (1st Reprint).

[Exhibit G](#) is a letter dated May 2, 2023, submitted by Jason Graham, President, Nevada Sporting Dog Alliance, in opposition to Senate Bill 269 (1st Reprint).

[Exhibit H](#) is a copy of an email submitted by Nick Kufalk, Private Citizen, in opposition to Senate Bill 269 (1st Reprint).