

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

**Seventy-fifth Session
March 19, 2009**

The Senate Committee on Natural Resources was called to order by Chair David R. Parks at 3:40 p.m. on Thursday, March 19, 2009, in Room 1214 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to the Grant Sawyer State Office Building, Room 4412, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator David R. Parks, Chair
Senator Allison Copening, Vice Chair
Senator Bob Coffin
Senator Bernice Mathews
Senator Dean A. Rhoads
Senator Mark E. Amodei

COMMITTEE MEMBERS ABSENT:

Senator Dennis Nolan (Excused)

GUEST LEGISLATORS PRESENT:

Senator Randolph Townsend, Washoe County Senatorial District No. 4

STAFF MEMBERS PRESENT:

Michelle Van Geel, Committee Policy Analyst
Shirley Parks, Committee Secretary

OTHERS PRESENT:

Karen Goodman
Karen Layne, Director, Humane Society of Las Vegas Valley
Gina Greisen, Nevada Voters for Animals
Stacia Newman, Nevada Political Action for Animals

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Connie Williams, Nevada Society for the Prevention of Cruelty to Animals
Mitch Schneider, Washoe County Animal Services
Franklin D. McMillan, D.V.M., Best Friends Animal Society
Tom Jacobs, Executive Director, Northern Nevada Society for the Prevention of Cruelty to Animals
Marc Peralta, Humane Society of Northern Nevada
Cherie Owen, Douglas Animal Welfare Group
Lorayn Walser, Founder, Dog Town Canine Rescue
Beverlee McGrath, Humane Society of the United States
Rick Martin, Recovery and Mitigation Manager, Division of Emergency Management, Department of Public Safety
Don Moradian, Bonanza Kennel Club
Barrie Schuster
Christine Puhl
Veronica Selco
Patty Smith
Joe Boteilho, Chief of Code Enforcement, Clark County
Barbara Kubichka
Bertha Strauss
Elizabeth Kinney
Dennis R. Wilson, D.V.M., President, Nevada Veterinary Medical Association
Keith Forbes, D.V.M., Veterinary Diagnostician, Division of Animal Industry, State Department of Agriculture
Susan Sage
Brian O'Callaghan, Nevada Sheriffs' and Chiefs' Association
David Fritsche, Board of Directors, German Shepherd Dog Club of America

CHAIR PARKS:

Today the first order of business will be to open the hearing on Senate Bill (S.B.) 132.

[SENATE BILL 132](#): Revises provisions governing the treatment of animals.
(BDR 50-369)

SENATOR RANDOLPH TOWNSEND (Washoe County Senatorial District No. 4):
My purpose for being here is to represent those who cannot speak for themselves and their needs, to be an advocate for the disabled and the disadvantaged whether human beings or animals. I am a longtime dog owner, and I truly love dogs. I bring two bills today that are both needed and timely.

The first bill to be introduced, S.B. 132, addresses the issue of tethering dogs. It has come to my attention over the years, as we have worked with this bill considering all the issues, particularly in the rural communities, that there are concerns even in the urban areas when an animal is left unattended. A dog could be left tethered outside in the harsh weather of winter or the devastating heat of summer. There is a responsibility when we have an animal to take care of them in an appropriate manner. This bill would help define this for the good of the animal. People who do shift work in our 24-hour-employment state are challenged to be home by certain hours to care for their dogs. We hope to address this component. The second bill, S.B. 133 considers a dog fighting law. Several other bills on this subject are in the development stages in the Assembly, particularly Assembly Bill (A.B.) 199, and it may be more thorough, depending on your point of view. Our colleague, Senator Breeden, has prepared a bill, S.B. 241, concerning breeding regulations. Debate on these issues will be important, and the bill process is good. There are many here today ready to testify on these two bills. There are those who have strong feelings about this issue, and we as legislators have an obligation to consider all these challenges.

ASSEMBLY BILL 199: Revises provisions relating to fights between animals.
(BDR 50-717)

SENATE BILL 241: Requires the licensing of cat and dog breeders by the State Department of Agriculture. (BDR 50-778)

SENATOR COPENING:

There are listed exceptions in the bill, but I notice there is nothing about cross-country travel. I would suggest this issue be an addition for S.B. 132 regarding air travel. It could be in an amendment form.

SENATOR TOWNSEND:

This is a good suggestion, and it should be pursued by the Senate Committee on Natural Resources.

KAREN GOODMAN:

I have had a sad experience with a neighbor's badly treated dog. Because of this experience and the neglect I witnessed, I have become an advocate for dogs. There are four things S.B. 132 will accomplish, as stated in my written testimony (Exhibit C, original is on file in the Research Library). First, it will give animal control the authority to educate people on the chaining, tethering and

penning of dogs. Next, it provides public safety. Dogs that are restrained and isolated, whether chained, tethered or penned, have heightened territorial issues and can be dangerous. A third result of S.B. 132 is to recognize the link between animal abuse and neglect, and child abuse and neglect. In my testimony, [Exhibit C](#), there is a suggested Website from a page in a publication "American Humane Organization" that speaks to this issue. Lastly, it is inhumane to lock a dog in a pen or chain or tether it for its whole life. Forcing a dog to live in solitary confinement is not a natural condition for the dog. I will continue to quote from my prepared testimony, [Exhibit C](#). Let us protect our children and at the same time teach our children compassion and kindness. This used to be the way people kept their dogs, because we did not know better. Now we do.

CHAIR PARKS:

Las Vegas has several people ready to testify.

KAREN LAYNE (Director, Humane Society of Las Vegas Valley):

I have a handout letter as part of my testimony in [Exhibit C](#). We receive calls from people who are alarmed about a dog living in terrible conditions in a neighbor's backyard. Extreme temperatures in Las Vegas can be devastating to any tethered animal. Usually the dog's water dish is tipped upside down as well. People do call and complain about the situation, but they are afraid because they do not want an upset neighbor. We have no specific law enforcement powers. We direct these complaints to an animal control agency. People who chain their dogs outside in harsh weather conditions are irresponsible pet owners. It is important to look at humane treatment for the dog. I support S.B. 132.

GINA GREISEN (Nevada Voters for Animals):

You will hear from people today who will give you statistics and from others about the humane treatment of animals. I have seen some of the opposition to this issue. People feel passionate about animal care. Some testimony will be from people who feel a dog is part of the family. They do a lot of rescue work. Others see their animals as property or a source of income. The pet industry is a multi-million dollar industry. I do not understand how we as a society can look at ourselves in a mirror and think it is alright to own a dog and chain it to a tree or a fence or a post and think it is acceptable pet ownership. The way we treat the weakest among us is a reflection of who we are. I have a question to ask. How do we treat those around us that are weaker? We are their voice. As

taxpayers, I would think you would want more animal control officers to oversee this problem. You are going to hear from many today about S.B. 132. I support this bill.

STACIA NEWMAN (Nevada Political Action for Animals):

I have served on the board for "People Against Cruelty to Animals" (PACA) for ten years in Las Vegas. We are in support of S.B. 132. In my ten years of volunteering with PACA, we have seen many reports for animal abuse, and it always involves tethered dogs who are in trouble. Dogs have actually choked themselves on a chain wrapping around the stake. A more recent story is one from last week. A woman had her dog chained in her backyard, and two other dogs came in and attacked the chained dog. The dog received 70 wounds from the attack, and the woman called to ask for help with the veterinarian bill. There are many inhumane stories of animal abuse. Animal control agencies need authority to protect dogs that are left alone all day or even a long weekend.

CONNIE WILLIAMS (Nevada Society for the Prevention of Cruelty to Animals):

I am an adoption counselor and handler for the Society for the Prevention of Cruelty to Animals. I work with abused and abandoned dogs so they may be rehabilitated. It can take a lot of time and effort to help an animal become socialized. Our trainers are taught to take care when the dog is on a leash because it is similar to tethering if not done properly. We provide rehabilitation so the dog is prepared to go into a caring home. We support this bill.

MITCH SCHNEIDER (Washoe County Animal Services):

Most people are against tethering for a variety of reasons. It is unhealthy for the animal. Dogs are pack animals. When isolated to a yard, the dog may become a nuisance to the neighborhood because of barking or more aggressive behavior to those who may come near their area. It is time to end excessive tethering.

So there are no unintended consequences to the humane agencies and to the public, I would like to recommend additional language to S.B. 132. The time frame that I suggest to leave an animal tethered would be 12 hours. This would be less of a burden for the pet owner who is working longer hours or travels distances that may take more time to arrive home. These extra few hours will not harm the pet. I want to see the time in the yard tethered and forgotten eliminated. The dog is not a yard ornament. If we address this issue, then we can do well here. Another addition I want to suggest is for a pet owner who has just moved into a new home. This amendment would give a 30-day time limit to

tether an animal for its protection while a kennel or fence is being built. This may help eliminate tethering altogether. I support the bill.

SENATOR RHOADS:

How are you going to enforce this law, whether it is 9 hours or 12 hours? How will a law enforcement officer know the time a dog has been tethered?

MR. SCHNEIDER:

This is a good point. We have citizens and neighbors who are observant and report the time. We have a similar issue with barking complaints. We rely heavily on neighbors with their testimony and sworn statements as to the reason for their complaints. We need the law so that we can move into an abuse situation and use it to educate the pet owner about good animal health care.

SENATOR COPENING:

With these new regulations and laws, do you think we will see more animals abandoned?

MR. SCHNEIDER:

It could happen. Shelters and humane agencies will see an increase with surrendered animals.

SENATOR COPENING:

I have another question. Do you have something in place to avoid court action regarding those neighbors who repeatedly testify against the pet owner?

MR. SCHNEIDER:

In answer to your question, the officers will follow up on a neighbor's complaint and actually talk with other people in the neighborhood for corroboration. We attempt education and mediation and other various ways to help the pet owner understand the importance of pet care. We do not take court action until it is absolutely necessary. We try to minimize the impact on the court system. There certainly are challenges with these issues. Most people who have been made aware of their pet problems voluntarily comply with the regulations.

FRANKLIN D. McMILLAN D.M.V. (Best Friends Animal Society):

I am a veterinarian. I have been in practice for 26 years. I have authored dozens of scientific and medical journal articles and book chapters as well as lectured

on the quality of life concerning an animal's stress, emotional neglect, abuse and the mental health of animals as indicated in my written testimony. I will read it to you ([Exhibit D](#)).

CHAIR PARKS:

I had a dog at one time that was troubled with separation anxiety. I presume this is a diagnosed condition.

DR. McMILLAN:

Yes, it is a form of social isolation and loneliness.

CHAIR PARKS:

While I was gone to work the dog would pace from one gate to the other. My neighbors told me. I decided that I needed another dog. They would be company for each other.

SENATOR AMODEI:

I have two dogs. I thought a companion would help the first dog. It did not help. I still have a barking dog.

DR. McMILLAN:

Two dogs will never solve the problems of a dog's emotional pain. Dogs have become dependent on humans rather than other dogs. They will almost always look to the pet owner for support.

TOM JACOBS (Executive Director, Northern Nevada Society for the Prevention of Cruelty to Animals):

We are in support of this bill. I will not repeat what has been said so far today. I have a letter that is my written testimony in the packet [Exhibit C](#). It is important to understand that we need to give animal control agencies the tools needed to deal with these problems. It is the only way we will solve animal abuse. There are no laws on the books to give these agencies authority. We are involved with animal rehabilitation. Some bad behavior is severe. It takes time to work with a dog to prepare it for a new home environment. I agree with Mitch Schneider that a possible amendment to extend two or three extra hours that a dog can be tethered would be helpful to the pet owner who has work issues and distances to drive.

MARC PERALTA (Humane Society of Northern Nevada):

I am the dog care manager for the Nevada Humane Society in Reno, Nevada. We support this bill. We in the shelter industry see the effects of tethering every day. Many times when dogs are surrendered to us, their behavior and their unhealthy condition is so advanced we find we cannot rehabilitate the animal, and it must be euthanized. We want to stress the importance of S.B. 132.

CHERIE OWEN (Douglas Animal Welfare Group):

I am the founder and president of the Douglas Animal Welfare Group. We are a support group for the animal shelter in Douglas County. I am a volunteer at the shelter. I help rehabilitate dogs. I want to put a face to one of these chained dogs. You will find a picture of a rehabilitated dog named Henry ([Exhibit E](#)). His story begins when a woman spotted him with a five-foot chain dangling around his neck, running down Highway 395 trying to cross the road. She followed him and was finally able to get the dog into her car and then bring him to the animal shelter. He was a snarling, growling and unhappy dog dragged into the shelter that day. We muzzled him so that we could examine him. He was in the worst possible condition that can be imagined. He was a rack of skin, bones and matted hair. Eventually, over the year, he was brought back to good physical health. It has been much more difficult to help Henry trust anyone. Over time, we have been successful in this area as well. A miracle happened recently when a wonderful couple saw Henry's picture on our website and called to find out more about him. They came in later and adopted Henry. Guess what? Henry has become a house dog. This picture of Henry the Husky is yours to look at as a reminder to vote yes on S.B. 132.

LORAYN WALSER (Founder, Dog Town Canine Rescue):

I am the founder of Dog Town Canine Rescue. There have been some really good points made in testimony today. I will not repeat any of the key issues from my testimony but I will read to you from its contents ([Exhibit F](#)). It is difficult to rehabilitate a dog that has been chained. There are many unhealthy issues with these dogs as well. Some of these pet owners show a real lack of concern for their animals. I support the bill. I feel the spirit of S.B. 132 is to help dogs so they do not spend their entire lives on a chain or in a pen.

BEVERLEE MCGRATH (Humane Society of the United States):

We are the largest animal protection group in the Nation. We have 11 million members. We have been working hard to prohibit the constant chaining of dogs. I will not repeat the previous testimony because you have this

information. Chaining is a major problem throughout the nation. There is no question this constant tethering leads to aggressive behavior. It is not just an animal issue. Many have been attacked, even children, by aggressive dogs that are chained or have become unchained. We urge you to support S.B. 132.

SENATOR COPENING:

Do you believe that a limited amount of tethering and penning is alright for a 10- to 12-hour time?

MS. MCGRATH:

We would still support the bill with this language.

CHAIR PARKS:

Are there other states that have passed similar laws; if so, how many?

MS. GOODMAN:

Yes. There are 7 states and over 114 communities which have passed similar laws.

RICK MARTIN (Recovery and Mitigation Manager, Division of Emergency Management, Department of Public Safety):

The testimony is compelling on S.B. 132, section 1. We would also recommend addressing section 2 of the bill. The Division of Emergency Management, Department of Public Safety is in favor of this section of the bill. It is important to include service animals with their owners to be evacuated, transported and sheltered. The Division received a federal grant from the U.S. Department of Homeland Security for planning initiatives for the state and its counties. It provides sheltering and mass care facility needs throughout the state. This is for special-needs populations as well as their animals. We support the bill.

SENATOR AMODEI:

Will the Division have plans for non-service animals in a catastrophic or accidental event? Hurricane Katrina was devastating for animals.

MR. MARTIN:

Yes, some of these issues are being addressed. We have a task force in place to address these issues. We have a drafted plan.

SENATOR COPENING:

You do have a plan. Is it ready for distribution? You have received a grant.

MR. MARTIN:

It is being circulated in some areas already.

SENATOR COPENING:

Do you have a timeline to unveil this plan?

MR. MARTIN:

Most of the plans have been developed and, in draft form, are now in the hands of local governments. We are waiting for the county commissioners' input and approval in order to finalize the plan.

DON MORADIAN (Bonanza Kennel Club):

We have not been consulted about this bill. We would be a valuable source of guidance, with additional information as outlined in prepared testimony from which I will read ([Exhibit G](#)). There are ways to safely tether an animal, such as a line tether. This is not a black and white issue. One huge factor to a dog's temperament is how the dog is socialized the first 12 weeks of its life. Numerous studies tell us that a dog's behavior is developed the first 12 to 16 weeks of its life. Even the personality of the breed of dog can be a factor on behavior. We do agree with the time limits idea. There are other issues to look at as well. The spirit of the bill is good, but it needs some revision.

SENATOR COPENING:

Explain the line tether. Is it less than 12 feet in length?

MR. MORADIAN:

The line tether is a cable with a roller stretched across the yard area and a chain on the dog that is not longer than the height of the overhead cable. The dog can run back and forth the length of the cable. This is not made clear in the bill.

SENATOR COPENING:

This could be an easy enough fix of the bill draft with a specified length of chain. This would seem to give the animal freedom to move around.

BARRIE SCHUSTER:

There is a dog named Oreo who has been chained for two and a half years. I present his story in my written testimony ([Exhibit H](#)). He has never been off the chain for a walk, to play or to go into the house. In all weather conditions all day and all night, he is out there on the chain. The current laws do not protect this animal. The best assistance Oreo can receive is to equip animal control with authority to enforce the law that this bill provides. I support S.B. 132.

CHRISTINE PUHL:

I have former neighbors whose two black Labrador retrievers were at times running the neighborhood. They would viciously attack other dogs. One night they got loose, and they attacked my dog. What if this had been one of my kids? It was terrifying to think that children could be attacked. I could have called the animal control officers, but I did not because I knew it was not the dog's fault that this happened. This bill, if enacted, will give the victims someone to call for enforcement. My daughter, Haden Puhl, is especially thankful for this bill and requests you save the puppies.

VERONICA SELCO:

I am an animal lover and an advocate for animals. I support S.B. 132 for all the reasons that have been mentioned.

PATTY SMITH:

I live next door to a dog that is tethered 24 hours a day, 7 days a week. This is his life. I tell this story because of my concern for this dog, and I will read it to you ([Exhibit I](#)). It is so sad to watch this taking place right next door. I support S.B. 132.

JOE BOTEILHO (Chief of Code Enforcement, Clark County):

As a policy issue, Clark County has not made a decision on this bill.

CHAIR PARKS:

Do you have an opinion about some of the previous testimony regarding chain length or size of a dog's square foot area? Do similar regulations exist in Clark County?

MR. BOTEILHO:

No, Clark County has no specific guidelines regarding care of pets.

BARBARA KUBICHKA

I am with Save R Nevada Animals. I am a dog breeder. I belong to the Collie Club of America. I work with dog rescue groups. Our group is opposed to S.B. 132 based on its current language. We would like to see the issues better defined. We do agree with supporting our local animal control agencies. I see this as a people problem, not a dog problem. I propose a new idea. We need a public service campaign to educate the public about tethering. Irresponsible pet owners who are uninformed about animal care will hear a positive message that would give them new ideas for care of their animal. This is a good use of public funds.

CHAIR PARKS:

Public service announcements are used in Las Vegas, Nevada, especially in the summer months. Another good idea for a pet owner is to attend dog obedience classes with the dog.

BERTHA STRAUSS:

The animal on the end of a tether can become aggressive, but as well, the dog is unable to protect himself. My testimony is from a recent Internet story from the *Reno Gazette-Journal* ([Exhibit J](#)). A mountain lion attacked a tethered dog. This is a story of a dog that can become a potential victim, a reminder that a dog is at the mercy of any form of attack.

ELIZABETH KINNEY:

I am a multiple dog owner. I have a kennel permit with Washoe County. I breed, raise and show smooth fox terriers. I rescue dogs. I bring them back to health and then find good homes for them. I disagree with the bill in its present form. How do we define tethering? The law should be strong for a dog in a locked car. I travel with dogs to dog shows. I sometimes need to tether temporarily while traveling. I am with the dogs at all times. This would not comply with the bill as it is written at this time. The bill needs to be reworked. It is not adequate for protection for the dogs that are chained, penned or traveling.

DENNIS R. WILSON, D.V.M. (President, Nevada Veterinary Medical Association):

I oppose S.B. 132 as it is written. I have given the reasons for my opposition ([Exhibit K](#)). The Nevada Veterinary Medical Association supports the safe and humane treatment of dogs and cats. However, the stipulations in S.B. 132 are far too limiting and ambiguous. We do not disagree with the intent of the bill. We do not disagree with many of the comments. The bill is unacceptable to the

Nevada Veterinary Medical Association. Safe tethering devices were covered. Our concern is even though there was talk of a safe tethering line, the bill speaks of a 12-foot-long tether, actually the longer tether is more dangerous than the shorter tether. The reason was brought up in earlier testimony that the dog will make an attempt to jump a fence and strangle itself. We often see animals tangled up in their tether. In the bill, tethering definitions need to be cleaned up. The time frame needs to be cleaned up. Outdoor enclosure size descriptions need to be cleaned up. The number of animals per enclosure needs to be cleaned up. The enforcement by local animal control or law enforcement personnel of Nevada Revised Statute (NRS) 574.120: "failure to provide proper air, food, shelter or water to impounded animals unlawful," utilizing the guidelines found in NRS 574.210 to 574.440, care of animals, would be sufficient to preserve safe and humane treatment of dogs and cats kept outdoors [Exhibit K](#). We do support the safe and humane treatment of dogs and cats. We would be more than willing to work in committee as needed to help clean up this issue to make it acceptable to all involved.

SENATOR COPENING:

How long is a safe tether? Is a harness used with a tether much safer?

DR. WILSON:

No, an overhead line tether should be no more than 12 feet. The dog can get tangled up in the line if it is longer. Yes, using a harness is much safer with the line tether. Safe tether issues are what this bill should be addressing.

SENATOR COPENING:

Would a harnessing device be safer?

DR. WILSON:

It is a little safer. Our issue is that the more tether you have, the more likely the dog is to get tangled up in it. A far safer idea for tethering was mentioned by Don Moradian of the Bonanza Kennel Club. This would be the overhead tethering device.

KEITH FORBES, D.V.M. (Veterinary Diagnostician, Division of Animal Industry, State Department of Agriculture):

I am here to voice my concerns with S.B. 132. I am a veterinarian working for the State Department of Agriculture at the Animal Disease Laboratory. I have prepared a statement to address my reasons for concern ([Exhibit L](#)). Many of

these concerns have been considered in previous testimony today. I will give a quick word concerning the revision of NRS chapter 414 regarding disabled individuals and service animals. The division does support this part of the bill. We feel these issues are already addressed in the federal Pets Evacuation and Transportation Standards Act that was passed in October 2006 in which every state is mandated to develop emergency plans to include the needs of individuals with service animals prior to, during and following a major disaster. The NRS 414.095 also addresses this issue. These regulations adequately address this issue. We see no need to include this addition to NRS chapter 414. The American Red Cross, which provides the majority of the sheltering in this state during disasters, allows service animals to be sheltered with their owners. I have spoken with representatives from the public transport bus services in both Reno and Las Vegas and have been told that these entities allow service animals on their buses; so these issues are already being addressed.

In conclusion, the Division of Animal Industry, State Department of Agriculture supports the ethical and humane treatment of animals but feels that the requirements and standards proposed in this bill are ambiguous and too restrictive.

SUSAN SAGE:

I am in favor of S.B. 132. I agree with the proposed time-limit amendment. It is good to see our animals getting the proper attention they deserve.

CHAIR PARKS:

I will close the hearing on S.B. 132 and open the hearing on S.B. 133. We will take comments on the bill itself and later hear potential amendments.

SENATE BILL 133: Prohibits a person from possessing an animal for certain purposes. (BDR 50-26)

Ms. McGRATH:

We are in support of S.B. 133 as written. There are other bills addressing this issue coming before the Legislature this Session that may speak to this issue even better. Training dogs to fight by using small dogs and cats as victims is another concern we have.

MR. BOTEILHO:

We support any amendment that will bring tools to law enforcement to help prosecute and bring to justice anyone who is using animals for fighting or any of these types of activities. We do support S.B. 133.

DR. WILSON:

I am in favor of S.B. 133 as written. Speaking from the point of view of an emergency animal clinician, the most horrible injuries we see are from dog fights. These animals are torn to pieces. We will strongly support anything that can be done to clean up the dog fighting situation and help with enforcement.

BRIAN O'CALLAGHAN (Nevada Sheriffs' and Chiefs' Association):

We support S.B. 133 as written.

MS. KINNEY:

This bill, as written, will not be strong enough punishment for the promoters and people who are producing and profiting from dog fighting. The bill needs to be revised with much stronger language. It does not have the puppy mill amendment with it.

CHAIR PARKS:

The current penalty as we see it is a category C, D and E felony

MS. KUBICHKA:

The intent of the bill is fine. The question we have is how we are going to pay for this enforcement. The bill adds another layer of government to our already expanded bureaucracy. If the bill goes through with a puppy mill amendment, then dog fanciers, dog breeders and dog organizations should definitely be part of the input for the bill.

CHAIR PARKS:

I will open the hearing to proponents of amendments to S.B. 133.

MS. McGRATH:

This amendment is not to be confused with any other bills that are in development. The first amendment I bring is specific to breeding kennels. The puppy mill amendment is part of my testimony ([Exhibit M](#)) The Nevada puppy-mill language as stated in the amendment is targeting the large puppy mills operating in the State. They may have as many as 400 puppies with all different

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breeds without any well-being and care for the breeding stock. These are kennels in horrible condition. This amendment is supported by almost all the Humane Societies, animal control agencies and animal shelters throughout Nevada. Currently, there are no Nevada laws to license, inspect or limit puppy mills. We need to prevent these large puppy mills from coming into Nevada, [Exhibit M](#). The pictures speak to the need for this legislation. I will pass these pictures out for your review. The second amendment prohibits owning primates as pets. It would prohibit bringing primates into contact with the general public. It exempts all licensed organizations under the U.S. Department of Agriculture.

SENATOR COFFIN:

The puppy mills and primate concerns are another issue. This bill is focused on dog fighting.

MR. BOTEILHO:

We do support the language for the puppy-mill amendment. We take animal regulation far as ensuring the animals offered or sold as pets to be properly housed and cared for. Our professional animal standards are extensive. We believe this type of legislation on animal standards is at least a minimum and should be consistent throughout Nevada.

MR. O'CALLAGHAN:

We are in full support of the puppy-mill language to amend S.B. 133.

DR. McMILLAN:

I have a study right now on puppy mills with about 875 dogs in the study. What we see so far is the psychological trauma to dogs in puppy-mills is incredibly extensive. It has to stop. I support the amendment to S.B. 133.

MS. LAYNE:

We are in support of S.B. 133 and the puppy-mill amendment as well.

DR. WILSON:

I am opposed to S.B. 133 as to the puppy-mill amendment. My reasons for opposition are outlined on the first page of my handout ([Exhibit N](#)). The Nevada Veterinary Medical Association supports reasonable and ethical breeding practices. The second page of my handout gives the current regulations for Nevada dog and cat breeders and their intent, NRS 574.400, 574.443, 574.441, 574.442 and 574.520, [Exhibit N](#). This bill will not address the truly

disgusting and unethical issue of unhealthy puppies and kittens being mass-produced by large-scale puppy mills, but rather imposes strict and unnecessary regulations upon responsible dog and cat breeders, boarding kennel owners and dog and cat show enthusiasts.

Ms. KUBICHKA:

Do not put this amendment into S.B. 133. Draft a bill specific to puppy-mill activities. This subject needs a bill of its own. This is far overreaching; it is an "overkill" amendment for what we need to administer. We can handle this problem at the local levels. Why add costs to government? Where are the numbers of puppy mills in Nevada? Compared to other states, we are one of the states with minimal puppy-mill problems.

Ms. KINNEY:

I oppose the amendment. Its focus is on breeders, not puppy mills. Puppy mills are a separate issue from dog fighting. The language is not focused on puppy mills. It is focused on the hobby show breeder. My puppies are sold on a contract. Spay and neuter between 6 months and 9 months of age is part of the agreement.

Ms. NEWMAN:

I think we are going a little off track. The bill is definitely about animal care and welfare. I feel both amendments should be included, the puppy mill and the primate amendments.

CHAIR PARKS:

We are checking on the nonhuman primates amendment in regard to its validity. We will receive an answer soon.

MR. MORADIAN:

The puppy-mill amendment is out of order. We oppose the amendment. I have a packet with my statement to which I will refer as part of my testimony ([Exhibit O](#), original is on file in the Research Library). It details the reasons why we are in opposition to the amendment. A major concern is the fact that there is a perfectly good dog-fighting bill, S.B. 133, but then someone proposes the addition of a puppy-mill amendment. The fact we were not consulted is at issue. We value an open process for drafting legislation. This assures that from the outset all camps are heard from and all data considered. Documentation would exist that demonstrates there is a process in place and input would be possible

from any interested party throughout the entire procedure. But instead of this happening, proponents of special-interest ordinances are being advised on Websites and at legislative workshops to establish coalitions or task forces which are independent of the legislative body of the municipality. Thus, they are not subject to the open meeting laws and sunshine laws which exist. The puppy-mill amendment is really built on false numbers and information that was used as a basis for this amendment. Then this misinformation was circulated to certain individuals as fact. Now, an attempt to place an amendment that is full of errors on a legitimate bill and bring it to the Senate Committee on Natural Resources for validation is being made. This is folly. Do not fall for it. This is why we oppose the puppy-mill amendment.

DAVID FRITSCH (Board of Directors, German Shepherd Dog Club of America):
We support S.B. 133. We are all against dog fighting. The amendment disagreement is in the definition of a puppy mill and the definition of a hobby breeder. That becomes difficult when we begin to describe the context of what we are trying to do rather than give a straightforward statement, saying, here is what we are after. As to the number of breedings a dog may have, some dogs should never be bred. What about the stud dog? With this language, he is eliminated after two breedings. We are not in support of the amendment as written. We would rather deal with separate issues. Moving beyond this, the puppy mill is a separate issue. We are in favor of the bill but not the amendment. We need a better understanding of what is and what is not a puppy mill.

DR. FORBES:

We have concerns with the language of the amendment. We oppose the amendment.

MR. MORADIAN:

I spoke with Pat Wiggins, Animal Regulations and Services Manager for Carson City Animal Services Division. He said they are not aware of a puppy mill problem in Carson City. They take into their shelter about 2,500 animals a year, and one-half are dogs. About 85 to 95 percent of these animals are returned to their owners, or they are adopted out. They rarely get puppies. Dog and cat surrender numbers are down. I asked why backyard and puppy-mill breeders are not a problem here and was told that the public is becoming more aware of the problem.

CHAIR PARKS:

Las Vegas animal surrender numbers are up because of the housing market. People have to move from their homes and then discover they have no space for a dog.

Ms. KINNEY:

Pet store sales for puppies and kittens should be eliminated or outlawed. Most of their animals come from puppy and kitten mills.

Ms. McGRATH:

I understand there is a concern for the amendment. I propose that we have the Humane Society of the United States and Senator Randolph Townsend sit down with the Nevada Veterinary Medical Association and breeders to work out these differences and bring the issue back before the Senate Committee on Natural Resources.

CHAIR PARKS:

I will close the hearing on S.B. 133. This will conclude the hearing for today. The Senate Committee on Natural Resources is adjourned at 6:34 p.m.

RESPECTFULLY SUBMITTED:

Shirley Parks,
Committee Secretary

APPROVED BY:

Senator David R. Parks, Chair

DATE: _____

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