

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

**Seventy-ninth Session  
April 4, 2017**

The Senate Committee on Natural Resources was called to order by Chair Yvanna D. Cancela at 1:15 p.m. on Tuesday, April 4, 2017, in Room 1214 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412E of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada and to Room 107 of the Health Sciences Center, Great Basin College, 1500 College Parkway, Elko, 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 Yvanna D. Cancela, Chair  
Senator Mark A. Manendo, Vice Chair  
Senator Julia Ratti  
Senator James A. Settelmeyer  
Senator Pete Goicoechea

**GUEST LEGISLATORS PRESENT:**

Senator David R. Parks, Senatorial District No. 7

**STAFF MEMBERS PRESENT:**

Alysa Keller, Policy Analyst  
Erin Roohan, Counsel  
Maria Vega, Committee Secretary

**OTHERS PRESENT:**

Disque Deane Jr., CIO, Water Asset Management, LLC  
Lesley Pittman, Nevada Wildlife Alliance  
Trish Swain, TrailSafe Nevada; League of Humane Voters, Nevada Chapter;  
Nevada Wildlife Alliance  
Debbie Tayler, Dog Behavior Solutions  
Pamela Hormiotis, Lake Tahoe Wolf Rescue  
Judy Sturgis  
Heather Carpenter, Western Regional Director, The Humane Society of the  
United States  
Annoula Wylderich  
Elaine Carrick

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Patrick Donnelly, Center for Biological Diversity  
Linda Platshon, TrailSafe Nevada  
Stephanie Myers  
Stacy James  
Barbara Santner  
Connie Howard, Nevada Wildlife Alliance  
Jean Perry-Jones  
Stephanie Lemus  
Karen Layne  
Bill Chamberlain, U.S. Wolf Refuge  
Staci Baker, Nevada Veterinary Medical Association  
Jana Hofeditz  
Steve Burningham  
Stacia Newman, President, Nevada Political Action for Animals  
Alan Bernhard  
Jane Grossman  
Celeste Mills  
Leah Sturgis, Nevada Wildlife Alliance  
Sharon Meewes Trees  
Fauna Tomlinson  
Fred Voltz  
Caron Tayloe  
Bonnie Matton  
Bobbie McCollum  
Mike Smith  
Lance Dietzel  
Sam Sanders  
John Sullivan, Vice President, Nevada Trappers Association  
Daniel Holt  
Jason James  
Rich Sandoz  
Lee Hill  
Tracy Truman  
Mike Reese, President, Southern Nevada Coalition for Wildlife  
Marcial Evertsen  
Joe Bennett  
Jack Sengl  
Dave Stowater, Director, District 7, Nevada Trappers Association  
John Rougeaux

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Randall Stoeberl  
Dave Gowan  
Paul Crawford, M.D.  
Randen Buckles  
Riley Manzonie  
Bill Taylor, Nevada Trappers Association  
Jason Jackson  
Darrell Pursel  
Bob Brunner  
Joel Blakeslee, President, Nevada Trappers Association  
Rachel Andersen  
Paul Dixon, Chairman, Clark County Advisory Board to Manage Wildlife  
Shannon Greene, Nevada Sportsmen Unlimited  
Larry Johnson, President, Coalition for Nevada's Wildlife, Inc.  
Rex Flowers, Director, Coalition for Nevada's Wildlife, Inc.  
Jeremy Drew, Commissioner, Board of Wildlife Commissioners  
Tyler Turnipseed, Chief Game Warden, Department of Wildlife  
Art George  
Diane McAllister  
Mitch Bailey, Nevada Outfitters and Guides Association  
Brent Espil  
Linda Linton  
Walt Gardner, Nevada Outfitters and Guides Association  
Gil Yanuck, President, Friends of Nevada Wildlife  
Mike Cassidy  
Dan DeMers  
Bob Cook, Douglas County Advisory Board to Manage Wildlife  
Tom Smith, Vice President, Coalition for Nevada's Wildlife, Inc.  
Gordon H. DePaoli, Walker River Irrigation District  
Tony Wasley, Director, Nevada Department of Wildlife  
Warren B. Hardy II, The Humane Society of the United States  
Robert Smith, Animal Services Manager, Regional Animal Services, Washoe  
County  
Christine Vaught

CHAIR CANCELA:

We will open the hearing with a presentation from Disque Dean Jr. with Water Asset Management. There are some very important issues before the

Committee today. We are going to be taking testimony on the content of the bills, not on each other.

DISQUE DEANE JR. (CIO, Co-founder, Water Asset Management, LLC):

Water Asset Management operates on one fundamental principal: Water is going to have the same importance in this century as oil did in the last century. Consequently, we spend a lot of time trying to find solutions concerning water issues. Water Asset Management owns property in Nevada, Arizona, California and Colorado. It brings a unique perspective to the challenges facing many communities. I will read from my presentation "Water Abundance for Nevada's Future" ([Exhibit C](#)).

The vision of this company for Nevada is based upon experiences in other areas and the understanding of where things are going in the Western United States. It is about transparent cooperation and working together. Communities need to work together and understand each other's perspectives and challenges. The third page of [Exhibit C](#) explains the importance of communities working to maintain a sustainable water supply. Drought is something we cannot control and has the potential to disable any area.

Our neighboring states, Arizona and California, have spent a lot of money over the years developing infrastructure which enables them to connect their rural communities with their urban areas. By having those infrastructures in place, it allows the farming communities to use their creative abilities to develop programs to benefit those communities and create solutions.

Page 4 of the presentation illustrates the various programs in Arizona involving the Colorado River. The farmers are working on creating solutions to address the needs of the greater state. They have access to the natural river and the Central Arizona Project, which facilitates their ability to start thinking about the types of problems needing to be solved.

Page 5 shows some of the infrastructure that has been developed in California. A group of farmers developed the largest aquifer storage and recovery program where water is stored underground. The farmers developed the concept and provide water from San Francisco to San Diego. Their creative solutions benefitted not just themselves but also their communities. Nevada could benefit from the examples of those farmers.

Water Asset Management owns the Winnemucca Farms in Nevada in partnership with a farmer. It is 15,000 irrigated acres of land and the largest-irrigated property in the State. Our partnership allows us a perspective which leads us to believe Nevada should invest in the infrastructure to build two large aqueducts. As illustrated on page 6 of the presentation, one aqueduct connects the northern part of the State to the western part of the State. The other aqueduct connects the eastern part of the State to the southern part of the State. These two pieces of infrastructure will enable the development of aquifer storage and recovery programs adjacent to each aqueduct.

Nevada has the opportunity to become a leader in this solution by working with rural counties to develop sustainable rotational fallowing programs, including third-party impact fees to supply water for both projects. These programs require cooperation between the rural counties, farmers and ranchers. Problems will be prevented by having sustainable rotational fallowing programs. It is good for the earth, for communities and provides greater economic benefits.

There is the ability to pay for these by using a combination of landing fees revenue, water leasing and user fees. There are challenges to these programs. Future growth pays for them. Now is the time to act, considering current interest rates. The projects should be powered by renewable energy, including large scale and distributed storage. Other places in the world could benefit from the knowledge Nevada will gain from building large aqueducts with aquifer storage and recovery programs and in using renewable power. The problems in the Western United States are not unique. There are similar problems worldwide.

On page 7, I will explain how Nevada's rural communities will benefit from the infrastructure program. Rotational fallowing programs will improve farming economics while enhancing soil productivity and preserving rural lifestyles. Rural support is critical in this program. Rather than having the solutions dictated to them, the rural entities should be leaders to ensure the solutions work for their communities.

Project construction and operations will create many jobs and reduce unemployment. The State and rural communities can develop new jobs in agricultural technologies, aquifer storage and recovery and renewable power generation and storage. More technology is being used in farming as we go from farm to fork. There is more need for technology, and there needs to be a

way to enable farmers to afford the technologies that make sense to them. These rotational fallowing programs are one way to achieve that objective.

How will the urban communities benefit? Page 8 identifies what existing economic models will be protected and how future economic growth will be sustainable. New jobs will be created in high-growth industries, including data storage, alternative energy, water technologies and artificial intelligence and robotics. The agricultural world is changing. Nevada can be a leader in these technologies and activities.

Nevada is the driest state in the Nation. When businesses are looking to relocate and open new offices, water availability is a concern. Page 9 shows how Nevada will benefit from the programs I am suggesting. First is to change the perception of water scarcity here. The programs will improve Nevada's ability to reduce its exposure to Lake Mead's structural deficit. It will put Nevada in a better-negotiating position for the Colorado River. The economic appeal of the State will increase in general, relative to its neighboring states.

Nevada can become a showcase to the world with the benefits of pursuing a proactive and cooperative urban and rural development policy. The problems in Nevada are worldwide problems. The example Nevada can show by implementing these policies will be good for business.

Why it is imperative to act soon is illustrated on page 10. Other states are taking proactive stands on water issues and are interested in the same industries as Nevada. The costs of debt in Nevada are at historical lows. There is high federal willingness to support infrastructure projects. There is also a greater consumer awareness. There is widespread availability of long-term investment capital for infrastructure projects with contracted cash flows. The world understands there are opportunities on infrastructure. Rural counties can use help to ensure their futures.

San Antonio, Texas, decided it needed to worry about its water supply and developed 50,000 acre-feet of new supply. The quote shown on page 11 came from the president and CEO of the San Antonio Water System. He said, "We do not just want an adequate water supply, we want an abundant water supply."

SENATOR MANENDO:

Page 10 of your presentation expresses the federal government's willingness to support infrastructure projects. The Senate Committee on Transportation is trying to pass a bill about rail and State infrastructure banks. It is relevant to what you are talking about because we think there is a willingness at the federal level to do some infrastructure projects, and Nevada needs to be ready so we can move forward. People need to know how important water is to our infrastructure. There are other things taking place in Nevada that are relevant to the water issue.

SENATOR RATTI:

With regard to water infrastructure and moving water, has there been any thought on how this interacts or does not interact with other pressing water issues in our Nation, like aging infrastructures in city environments which are presenting challenges? Are there any solutions that live in your model as well?

MR. DEANE:

Not really; this is about new infrastructure and the costs and challenges associated with it by creating links between urban and rural communities. There are critical infrastructure issues with water supplies and water used in water distribution systems needing solutions. Our company is attempting to address those issues, but today's presentation does not. Today, we want to help Nevada develop the infrastructure it needs to enable its rural communities to work with the urban areas to solve their water problems or the perceptions of water problems.

CHAIR CANCELA:

I will now open the hearing on Senate Bill (S.B.) 364.

**SENATE BILL 364**: Revises provisions governing the trapping or taking of certain animals. (BDR 45-107)

SENATOR DAVID R. PARKS (Senatorial District No. 7):

Senate Bill 364 provides some much-needed common sense and humane revisions to the statutes regarding trapping in our State.

LESLEY PITTMAN (Nevada Wildlife Alliance):

Next to Texas, Nevada has the most lax trapping laws in our Nation. There is virtually no regulation of this commercial activity. Senate Bill 364 seeks to bring

some regulation to the industry by doing four simple things: First, enhance enforcement by requiring each trap have identifying information. This is to allow the Department of Wildlife (NDOW) to identify the owner of the trap in the event there is a legal issue with trap location or an incident needing to be addressed. Second, increase public safety by requiring signage in public areas warning that traps may be in the area. This helps people and domestic animals avoid injury. Third, allow individuals to disturb or release a trap if there is immediate risk of injury or death to a person, animal or for public safety. Law does not allow traps to be disturbed. Fourth, change trap visitation requirements from the current once every 96 hours to the national standard, which is at least once every 24 hours.

Section 1 of S.B. 364 excludes any cage or box trap from the definition of trap to allow trap uses against vertebrate pests. This is to provide an exemption from these rules, especially when cage and box traps are used for animal safety.

Section 2 changes the word "wildlife" to "animal." Animals caught in traps can be any animals, sometimes domestic animals. Section 3 requires State land management agencies to place public signage warning of traps and to work with NDOW to develop standardized language. Section 5 requires each trap to have identifying information of the trapper and requires if an unregistered trap is used on private land, the trap must have identifying information placed on it before it is used on public land. Section 6 allows a person to disturb or remove a trap if there is immediate risk of physical injury or death to a person or animal. Section 7 increases the frequency of trap visitations by trappers via statute rather than through the regulatory process.

The Nevada Wildlife Alliance is proposing an amendment adding language in section 1, subsection 1 "unless the cage or box trap is used for commercial or recreational trapping." It is important to keep the exemption of cage and box traps from required identifiers when being used for scientific research or for animal rescue or animal protection programs.

CHAIR CANCELA:

The Committee does not have a copy of the amendment.

MS. PITTMAN:

The Committee should soon be receiving a copy of Proposed Amendment 3340 ([Exhibit D](#)). Section 5, subsection 1 of the Amendment changes the language to



allow trappers to choose to register their traps with NDOW or affix identifiers on each trap to include the name and address of trap owners for enforcement purposes.

SENATOR RATTI:

The first proposed amendment was specifically excluding box traps and cage traps for three purposes. What are the three purposes?

Ms. PITTMAN:

The identifier exclusions are for box and cage traps for commercial and recreational use, scientific research and animal rescue or protection programs.

SENATOR RATTI:

What was the second proposal in the amendment?

Ms. PITTMAN:

It allows the trappers to choose how to identify their traps either by registering their traps with NDOW or by affixing their own identifiers with their names and addresses.

SENATOR SETTELMAYER:

My question is regarding section 3, subsection 1, paragraph (b) stating, "in a place in which the sign is readily observable by members of the public at the visitor center, kiosk, trailhead or other location." Is "other location" ever intended to be on private property or only on public lands?

Ms. PITTMAN:

Other location refers only to public lands.

SENATOR SETTELMAYER:

The definition of other location is too broad.

Ms. PITTMAN:

We can work on changing the language.

SENATOR SETTELMAYER:

Is the term "trap visitation" on just public lands or also on private property?

Ms. PITTMAN:

Trap visitation applies only to public lands.

TRISH SWAIN (TrailSafe Nevada; League of Humane Voters, Nevada Chapter; Nevada Wildlife Alliance):

I will give an overview of my visual presentation ([Exhibit E](#)). TrailSafe Nevada is a grassroots group of like-minded citizens. People are against trapping for various reasons: traps are indiscriminate and a variety of animals can be caught in them; traps are not required to be registered; traps are hidden and difficult to see; and traps are cruel. The laws in Nevada make it easy for trappers. Public opinion is increasingly opposed to trapping. A statewide opinion poll conducted by TrailSafe regarding the provisions in S.B. 364 were agreed upon by all four Senatorial Districts as demonstrated in the opinion poll ([Exhibit F](#)).

Written testimony from Dr. Cathy Smith ([Exhibit G](#)) presents the facts about diseases in wildlife populations. Commercial trapping is not wildlife management. Wildlife management attempts to balance the needs of wildlife with the needs of the people using the best available science. The Non-Target Summary Data Reported by 20% or Fewer Trappers is illustrated in a table ([Exhibit H](#)). These figures came from the NDOW trapper reports.

More than 100 nations around the world have strict trapping laws. Some are seeking to ban the practice entirely. Eight states in the U.S. have various forms of trapping bans or regulations restricting trapping. There are 110 first-person accounts noted on the TrailSafe Nevada Website about animals of all kinds being trapped. There is great public support for the proposed measures in S.B. 364. The bill is not about ethical regulated hunting. There is a distinction between hunting and trapping.

I will review the types of traps available. Traps are used commercially and recreationally. There is a snare trap, also called a cable restraint. It is a noose and as the animal struggles, it tightens. It is difficult to release an animal without cable cutters. There are a variety of Conibear body traps and foothold traps. These are tricky to open. Cage and box traps which have nonlethal uses, such as animal protection programs, are in a different category of traps, which this bill exempts.

Both federal and State land management agencies will participate in the warning signage necessary to notify the public along trails. The signage includes a

picture of the corresponding trap for adequate warning. Eighty percent of Nevadans have asked for warning signs according to the opinion poll, [Exhibit F](#).

Historically, the laws on registration of traps have been like political footballs being tossed back and forth. Giving trappers an option is a reasonable compromise. Fur sales of an amazing number of species and pelts can be lucrative for a trapper.

There are two stories in my presentation that illustrate the reasons we need the provisions in the bill. Two chukar hunters' dogs got trapped and in both cases the owners had to do what was necessary to release the dogs. In the second instance, a trail rider in southern Nevada whose dog was trapped finally managed to get the dog out of the trap but within minutes another trap hit the dog in the face, causing permanent damage to her eye. The provisions in the bill provide for these situations.

With regard to the objections on the issue of stolen traps, NDOW game wardens issued four citations from 2009 to 2016 for missing traps.

The 24-hour visitation provision was referred to the Board of Wildlife Commissioners that formed the Trapping Regulation Committee to address the requirements. The map in my visual presentation represents some small areas in Washoe County and Clark County designated for shorter trap visitation. This provision is protective of animals. The purpose of a shorter visitation time is to be fair to animals, wild or domestic, who are caught in traps. The animals will have better chances at survival and with possibly less severe injuries. It is a standard in 33 states, 5 of which have large areas of public lands similar to Nevada. The proposed shortened trap visitation areas are shown on the next visual designated by the Trapping Regulation Committee. It stipulates these areas be visited at least once every other calendar day. It is still a long time for an animal to wait for help. Nevada wildlife and outdoor recreationists, law enforcement officers and trappers deserve a clear, uniform, mandated 24-hour visitation statute.

We are convinced by our efforts with the Trapping Regulation Committee that a patchwork of zones with differing trap visit intervals is not feasible. A statutory not a regulatory solution is best to serve Nevada's public.

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SENATOR GOICOECHEA:

Section 5, subsection 3 of [Exhibit D](#) states a registration fee of \$10 for each registrant is payable only once by each person who registers a trap. Is it \$10 per trap or per person?

Ms. SWAIN:

It is \$10 per person. Proposed Amendment 3340 gives trappers a choice. The trapper can get a registration number from NDOW, pay \$10 once in his or her lifetime and place the registration number on as many traps as that person has.

SENATOR GOICOECHEA:

The map in your visual presentation shows 20 miles of checkerboard going across northern Nevada which is private property. Your regulations do not apply to private property. It will be legal to have unposted traps in every other section as indicated on your map.

DEBBIE TAYLER (Dog Behavior Solutions):

Dog Behavior Solutions supports [S.B. 364](#). I was walking in the desert with my dog on a leash and all of a sudden my dog stepped in a trap. I had never seen a trap. It was quite challenging to find a way to release my crying dog from the trap. By the time I was able to release my dog, I was bleeding profusely. This trap was set a half-mile from my house and from a road that equestrians use frequently and allows dogs to run off leashes. It is unfair to myself and my animal that no one is held responsible. From seeing firsthand the trauma experienced by my dog, I fully support posting signs for traps and the 24-hour trap check.

PAMELA HORMIOTIS (Lake Tahoe Wolf Rescue):

Lake Tahoe Wolf Rescue supports [S.B. 364](#). It supports checking traps at a maximum of 24 hours. The pain and torture trapped animals go through should not be allowed. Ranchers and farmers who are looking to protect their livestock should check out the Sonoma County Wildlife Rescue Website. The programs on the Website teach people how to protect their livestock in a very humane, intelligent and cost-effective way. The success rate is high. It is hoped that trapping will be eliminated in the future; there is no need for it.

JUDY STURGIS:

I am a rancher in Carson Valley and have been there since 1950. We have lots of wildlife moving through the ranch because we border Kingsbury Grade.

Two years ago, I received a frantic call from a ranch hand. I could hear screaming from a bush in the canyon. There was a dog caught in a big trap. I had absolutely no idea how to release the dog from the trap. A neighbor showed up and helped release the dog. We had no idea how many other traps could be on our property. I asked one of the ranch hands to keep an eye on the road. We had "No Trespassing" signs on the property.

Several days later, I got a call saying some people were spotted on our property. There were three people with pistols. I asked what were they doing with pistols. They said they were bird hunting. I asked if they were trapping, and they said yes. They left the property but were apprehended later by the game warden. I spend my summers in Alaska where we trap crabs and prawns. We know where the traplines are by the signage.

HEATHER CARPENTER (Western Regional Director, The Humane Society of the United States):

The Humane Society of the United States supports S.B. 364. I will read highlights from my written testimony ([Exhibit I](#)).

ANNOULA WYLDERICH:

I have seen firsthand the destruction and suffering trapping can cause to both targeted wildlife and nontargeted companion animals. Senate Bill 364 exercises common sense, good ethics and consideration for others. Trapping, like any other hunting-related sport, requires good regulations in order to ensure accountability, public safety and minimal suffering for wildlife. I support S.B. 364.

ELAINE CARRICK:

I support S.B. 364. Trapping is an archaic practice from the nineteenth century. This bill brings some common sense to this antiquated practice. The bill requires signs to be posted where traps are set, requires registered or identified traps, allows a person to set his or her pet free if it is caught in a trap and requires traps checks every 24 hours. Trappers may feel inconvenienced having to check their traps every 24 hours instead of every 96 hours. But for the \$42 one-year trapping license, being able to set unlimited traps and reaping the financial benefit, perhaps this inconvenience can be accepted. The shortened time makes a difference in the amount of pain an animal is forced to endure. Many nontargeted animals released within 24 hours have better chances of survival.

PATRICK DONNELLY (Center for Biological Diversity):

The Center for Biological Diversity supports the commonsense regulations for trapping contained in S.B. 364. Nevada State law currently deals with trapping in the most cursory of fashions. It is essentially an unregulated practice and lacks explicit instructions from the Legislature, and NDOW is allowing the status quo to continue. Trapping is problematically unregulated in Nevada, and it is the Legislature's job to provide guidance to NDOW. Set traps present a hazard to safety and human health. Clear signage and trap registration are commonsense regulations. Although the majority of people follow the rules, there are some who operate in bad faith. Trap registration allows law enforcement to prevent the violation of the rules and to ensure traps encountered in the field are legal. Giving the public the legal ability to disable a trap which presents a threat is clearly common sense. The reduction of trap visitation hours will reduce the chance wildlife will be subjected to agonizing and terrible deaths. We are a society of rules and order. It is incumbent upon the Legislature to provide direction to NDOW so trapping can be dealt with in a regulated fashion.

LINDA PLATSHON (TrailSafe Nevada):

I support S.B. 364. I have written testimony ([Exhibit J](#)) detailing my support. I support law reform and feel trapping is inhumane. The public needs to be warned when there are traps in a hiking area. Trap warnings must be posted in all public areas for the benefit of our children, wildlife, pets, trappers and the community.

STEPHANIE MYERS:

My dog and I were mountain biking on Mount Charleston in southern Nevada when she disappeared. My neighbor helped me locate her. She was caught in a leghold trap, terribly injured and needed surgery to remove six broken teeth. If there had been warning signs about a trap, we would never have gone into the area. There was no identification on the trap. There was no help with the cost of the expensive surgery. If my dog had been confined to that trap for four days, she would not have survived. Hunters admitted last week when they testified against the bear-hounding bill, that they do not keep their dogs on leashes outside of the city. No one uses a leash when running free with their dogs on Mount Charleston unless other people are nearby. Leghold trapping should be banned in Nevada. The least we need is legislation governing these for-profit commercial enterprises. The regulations must be enforced robustly. I wholly support S.B. 364.

STACY JAMES:

I support S.B. 364. There are distinct differences between hunting, fishing and trapping. I think the regulation for the 24-hour check is humane and makes sense. If it is an issue for a trapper, perhaps having less traps is the solution. I am a hiker and explorer with two dogs and enjoy exploring our public lands. All public lands need to be kept safe for humans and animals. The bill seeks some regulations for making trapping more humane for animals and humans.

BARBARA SANTNER:

I support S.B. 364 and all of the reforms requiring trap identification and signage. I had a horrible experience while hiking with my dog. I heard my dog screaming in terror and pain. Her front leg had been caught in a trap. I was unable to release the trap and contacted a neighbor to help dig the stake out of the ground. I lifted the dog with the trap still attached and took her to the after-hours veterinarian. She now has permanent damage to her leg. If there had been signs, I would have been aware to be cautious of traps. It was a baited trap set for coyotes. I have lived in this area for 22 years, and it is frequently used by hikers, small children and dogs. My dog would not have lived after 24 hours. I agree with the 24-hour monitoring of traps.

CONNIE HOWARD (Nevada Wildlife Alliance):

My husband and I have dogs and enjoy hiking in Nevada's hills. I have come to fear hiking in this area with my dogs. There is a myth that trapping is needed to manage our predators. Trapping is not management, it is random and indiscriminate. No one can predict what animal will walk into a trapline. The removal of predators, bobcats, coyotes and foxes is scientifically known to be extremely detrimental to ecosystem health. Studies have shown that many predators are important species to their native ecosystem.

In 2012, Oregon State University published a review paper that examined 42 different studies conducted over the past 50 years. They found that the loss of major predators in forest ecosystems has allowed game animal populations to greatly increase, crippling the growth of young trees and reducing biodiversity. It contributes to deforestation and results in less carbon sequestration and the potential concern for climate change.

I want to be able to hike in the beautiful Nevada hills with my dogs without being worried that they are going to be caught in a trap.

JEAN PERRY-JONES:

I support S.B. 364. The 24-hour trap visitation was agreed upon by three-fourths of Nevadans. Four-fifths of Nevadans believe there should be trap warning signs, and more than two-thirds of Nevadans agree with being able to disable traps and identify traps. As a former probation officer, I have seen cruelty passed generationally in abused and neglected families, including abuse of animals. We need to end the cycles of violence.

The 24-hour visitation provision is important. Dead animals deteriorate and are preyed upon by other animals. This reduces the commercial value of the pelt. This should encourage trappers to visit traps regularly. Identifying traps is about accountability and fiscal responsibility.

STEPHANIE LEMUS:

I support S.B. 364. Trapping in general is an inhumane practice, and leaving a living being in a trap for several days is barbaric. Having hunters check their traps every 24 hours will limit the pain and suffering of these animals. I came today to represent many of my college peers, family and friends but mainly for those that do not have a voice. Passing S.B. 364 will be a huge step toward a more compassionate future.

KAREN LAYNE:

I support S.B. 364 and agree with the supporting testimony. I was involved with the efforts of the Board of Wildlife Commissioners and the Trapping Regulation Committee on other legislation. We looked at visitation times for congested areas. As a member of that Committee, I attended over 40 hours of meetings. The only thing that came out of those meetings was the every-other-day trapping visitation. Senator Bill 364 deals with nontargeted animals and the commercial enterprise of trapping.

BILL CHAMBERLAIN (U.S. Wolf Refuge):

I have been dealing with the trapping issue for over 30 years. You have heard every justification for this bill. I support S.B. 364. Other regulations the Committee should consider are the sale of traps in Nevada and if a trap is to be set on private property, the property owner needs to be aware of the trap and give written permission.



STACI BAKER (Nevada Veterinary Medical Association):

The Nevada Veterinary Medical Association supports S.B. 364. These traps are barbaric and cause intense suffering to companion animals. The Nevada Veterinary Medical Association opposes any form of trapping. Social cruelties inflicted upon animals directly parallel social shortcomings. Regulation of traps and protection of our wildlife by NDOW are not being done. A vast majority of voters oppose trapping on any level. We have to protect wildlife because it enhances our State's revenue. Nevada generates a lot of money from outdoor adventure activities. I have seen firsthand at least 500 dogs and 150 cats caught in these traps. Many of these animals do not survive.

SENATOR MANENDO:

What is the average veterinarian bill for one of these animals that has been caught in a trap?

Ms. BAKER:

If it is horribly mutilated, the average veterinarian bill is anywhere from \$2,500 to \$7,500.

JANA HOFEDITZ:

I support S.B. 364. I have heard many horror stories about domestic animals being caught in traps in Palomino Valley where I reside. One trapper can do huge damage to our wildlife. Bobcats and mountain lions have disappeared from our area.

STEVE BURNINGHAM:

I support S.B. 364. Dogs on public lands do not have to be on a leash. I am as passionate about running with my dogs through public lands, desert and forest as the trappers are in maintaining their hobby. Identifying traps is the first step in responsible trapping. It will help identify and remove the irresponsible trappers. I became involved with the trapping issue when my dog stepped in a trap which was set very close to the road and close to a very popular camping area. That veterinary bill was \$1,200. This is unacceptable. Trappers are not hunters. Most hunters love the experience in the wild and value and take pride in a clean, clear kill.

STACIA NEWMAN (President, Nevada Political Action for Animals):

Nevada Political Action for Animals supports S.B. 364 and the proposed amendment. All industries have professional sets of standards and codes of

ethics. Fur trapping is no different from any other industry. They all have a set of standards they must follow. If there is a hazard or danger created by an industry, the public must be warned. Nevada Political Action for Animals favors having signage warning of traps. This bill further enhances the opportunities for Nevada's tourism and housing industry by protecting the public.

ALAN BERNHARD:

I support S.B. 364. Trapping needs to have regulations and this is a fair bill.

JANE GROSSMAN:

I support S.B. 364. I agree with all of the supporting testimony. I prefer trapping be banned, and the bill offers reasonable expectations.

CELESTE MILLS:

I support S.B. 364. I had an experience on private property. In my neighbor's side yard where they have a solar array, I found my cat in a leghold trap. I released her and then found my dog in a Conibear trap which snapped his neck. It seemed the authorities I called did not know the laws.

CHAIR CANCELA:

Just a reminder, S.B. 364 deals only with public lands.

LEAH STURGIS (Nevada Wildlife Alliance):

I support S.B. 364. My dog was caught in a trap, and that traumatic event has changed my life.

SHARON MEEWES TREES:

I am concerned with the trapping issue and support S.B. 364 and the proposed amendment, especially the requirement to post signs indicating trapping areas. The fluid loss to a trapped animal for even just 12 hours causes recovery to be difficult. Many of the traps are rusty and can cause infection.

FAUNA TOMLINSON:

I support S.B. 364. This bill is commonsense reform. Over 80 percent of Nevadans are asking for this legislation. Much of the trapping is irresponsible. Trappers have so many traps, they may not be able to check them all in the 24-hour time frame. Hiking in the Nevada wildlands is like going through a booby trap; you never know when you will come across a trap. Make Nevada a safe place to go hiking.

FRED VOLTZ:

I support S.B. 364. Opponents of the 24-hour trap provision indicate the bill does not provide allowances for circumstances out of their control. They list illness, vehicle problems, weather, getting stuck in mud or snow, family emergencies and threat of increased interactions on the urban interface unless status quo is maintained. They claim the provision discriminates against working people. These rationalizations are like a student telling his teacher the dog ate his homework.

CARON TAYLOE:

We are here today because of the failure of the Board of Wildlife Commissioners to enact reasonable trapping reform that TrailSafe and the League of Humane Voters has been trying to have enacted for almost ten years. Wildlife belongs to all Nevadans, not just to trappers. I am concerned about some of the nontargeted species that are caught in traps including pond turtles, golden eagles, hawks, owls and rabbits.

BONNIE MATTON:

I live in the country near Dayton. One afternoon, one of my dogs went missing. I was unable to find him. He was missing for three days. One day I looked out the window and saw our dog on the patio. He was exhausted and limping badly. There was a line across his foot that had started to swell. It was obvious the trapper had opened the trap and set him free. We were very lucky.

BOBBIE McCOLLUM:

I support S.B. 364 for all the reasons in testimony. It is irresponsible to set a trap, walk away and not check it for four days. The sole purpose of the current 96-hour visitation is strictly for convenience without regard for the animal.

CHAIR CANCELA:

I have letters of support from Mary McCoy ([Exhibit K](#)), Mary and Maro Wiebolt ([Exhibit L](#)), Pamela Jo of Lake Tahoe Wolf Rescue ([Exhibit M](#)) and Jana Wright ([Exhibit N](#)). I have written testimony from Margaret Flint of the Canine Rehabilitation Center and Sanctuary ([Exhibit O](#)) and from Janette Dean ([Exhibit P](#)).

MIKE SMITH:

I oppose S.B. 364. My experience as a trapper has always been through the harvest of predators, namely coyotes, foxes, bobcats or badgers. Trapping is

beneficial and can provide a desired balance of species including sage grouse, chukar and other small game. We are well-versed in the challenges Nevada and other states are facing with sage grouse under the Endangered Species Act. It is imperative that trapping be utilized as a tool without additional mandates. I have observed coyote decimating the sage grouse population and bobcats decimating the chukar population. The chukar and sage grouse hens are vulnerable to the predatory species.

As many as 20.7 billion mammals including mice and rabbits are killed by bobcats annually. Despite hunting and trapping, bobcats remain the most common wildcat in the U.S. A 2010 study by researchers at Cornell University and the University of Montana found reports of bobcats in 48 of the 49 states of the continental U.S. Overall populations are estimated to be 2.3 million to 3.7 million. Our small game sage hen population could soon be listed as endangered.

Senate Bill 364 will adversely affect the mining and ranching communities of eastern Nevada. Placing a 24-hour trap visitation regulation is ludicrous in this vast territory. We could not comply with this regulation.

LANCE DIETZEL:

The 24-hour visitation as presented in S.B. 364 would affect me personally and many others in rural Nevada. This trapping season, I traveled 135 miles roundtrip on every check date. Seventy of those miles are on remote dirt roads. I rarely see any other people. The traplines take place where there is little or no human activity. A trapper is who I am. Please vote against S.B. 364.

SAM SANDERS:

I am a wildlife biologist. The tools I use are traps and snares. There are many situations where these work better than cage traps. I set out 30 snares over a month's time which is 1,000 trap days. I trapped coyotes who were depredating livestock. I only caught coyotes in my traps, no other animals. The proposed bill will be in conflict with *Nevada Revised Statutes* (NRS) 501.105. Setting the trap visitation time to 24 hours will create a conflict with other recreationists because traps will be set closer to towns. Individuals will be less selective with what they are trapping.

JOHN SULLIVAN (Vice President, Nevada Trappers Association):

The Sportsmen's Alliance is a large national organization that has labeled this bill the "trapper harassment bill." There is a provision in S.B. 364 to allow for the disturbance and removal of traps. Another is the requirement to register traps but removes registration confidentiality. It will allow trapper information to become public information. Why would someone want to be allowed to disturb and steal another person's property? A person who sees a trap should be advised to avoid it.

Senate Bill 364 requires NDOW to purchase and post signs wherever trapping may occur. Is the State liable if something happens to the signage? The worst part of S.B. 364 is changing trap visitation from the present 96 hours to 24 hours. This change will have the undesirable consequence of moving all trapping activity from the remote and unpopulated areas of the State, where most trapping takes place, to more populated areas near towns and cities. It is impossible to access the vast remote areas where most trapping is done in a shorter time period. For these reasons, the Nevada Trappers Association opposes S.B. 364.

DANIEL HOLT:

I oppose the provision in S.B. 364 eliminating the confidentiality of trapper registration. There are violent extremists in the antitrapping movement. There is plenty of land in Nevada where we can all enjoy our outdoor activities. The 24-hour visitation is a problem for trapping in remote areas.

JASON JAMES:

I oppose S.B. 364 and agree with the opposing testimony. This bill and the proposed amendment discriminate against the recreational and commercial trapper. Special interests are allowed to use cage traps yet are not responsible for them. Under Nevada law, anyone who sets a cage trap must have a trapping license. Therefore, that person should fall under the same rules and regulations as the rest of the trappers.

SENATOR MANDEDO:

If we took out the proposed amendment, would you support the bill?

MR. JAMES:

No, I would not.

RICH SANDOZ:

I oppose S.B. 364. In Nevada, trapping is cultural and passed on through generations. As a trapper, I am discouraged by this proposed legislation. Previously, the Board of Wildlife Commissioners voted to enact the \$3 predator control fee. The county wildlife advisory boards vetoed against the recommendation.

LEE HILL:

I oppose S.B. 364. If you are hiking with your dog in the wild, you are responsible for that animal. I have had dogs in traps; I took them out before they were hurt so not every dog is hurt when caught in a trap. People are responsible for their pets.

TRACY TRUMAN:

I oppose S.B. 364. I will read from my written testimony ([Exhibit Q](#)).

MIKE REESE (President, Southern Nevada Coalition for Wildlife):

The Southern Nevada Coalition for Wildlife opposes S.B. 364. I have written testimony ([Exhibit R](#)). Senate Bill No. 213 of the 77th Session enacted a two-day trap visitation in some areas of Clark County. The provision in S.B. 364 for a 24-hour trap visitation indicates the previous provision is not good enough. I want to see where the data says that we need to change the visitation from 48 hours to 24 hours. The statewide visitation provision is 96 hours. Where is the 24-hour magical number coming from? There have been side effects from the enactment of S.B. No. 213 of the 77th Session. Our subdivisions are now overrun with predators. Schools have been put on lockdown, hundreds of pets have been taken out of backyards, and many pets have been killed while pet owners walk their pets on leashes. Guest speakers from NDOW attend many homeowners' association meetings addressing the increase of predators in neighborhoods which has been occurring since 2011. I do not want to see the continued escalation of predator populations in neighborhoods. The Legislative Website indicates that 80 percent of Nevadans are opposed to this bill.

MARCIAL EVERTSEN:

I am a hunter of big game animals, varmints, coyotes, mountain lions and bobcats. I use hounds to do so. I have had hounds caught in traps. I am responsible for myself and my animals. There should not be laws which provide litigation should something happen against the trapper. There are many risks in outdoor recreation. There are wild animals, vehicles, mine shafts, dangerous

vegetation and rattlesnakes. There are already many rules being enforced, including urban closures and trespassing. Everyone favors equal recreating but not for hunters or trappers. We are a minority and should still have reasonable opportunities to recreate as we wish according to existing law. I oppose S.B. 364.

JOE BENNETT:

I am a wildlife biologist, and I oppose S.B. 364. I trap in remote areas of Nevada. I have never caught a domestic animal in any of my traps. If you pass a 24-hour trap check, I doubt I will trap. If I do trap, it will be closer to town and I am sure I will inadvertently catch some pets. I challenge the poll that says 77 percent of the people are in favor of this bill. Montana just had a similar bill that was defeated in favor of trappers. I think Nevada and Montana have very close demographics.

JACK SENGL:

I oppose S.B. 364. I do not trap, but I am here to support the trappers.

DAVE STOWATER, (Director, District 7, Nevada Trappers Association):

I oppose S.B. 364. I have had over 200 traps stolen and only one returned. Realistically, when you see deer, elk, coyote and all kinds of wildlife or a cat or dog, you might want to thank a trapper for saving them.

JOHN ROUGEAUX:

The public has already been made aware of trapping season. There are no signs posted when it is fishing or hunting season. Is NDOW going to pay for the signs? Where will the funds be taken from? I come from a state that limits the amount of species a person can trap. I have trapped and released many bobcats, unharmed. Lack of knowledge on how to release any animal from a trap is no excuse for restricting peoples' activities.

RANDALL STOEBERL:

I will demonstrate several traps. I have a coyote trap and a bobcat trap. Coyotes and dogs have extremely tough pads. The traps are very sensitive. I will demonstrate my hands being trapped in two of these traps. Traps are not designed to maim animals but to hold them. I oppose S.B. 364.

DAVE GOWAN:

I oppose S.B. 364. There are regulations outlined by NDOW which protect the capture of nontargeted species. It is directed toward trap placement and exposed bait, which is not allowed. I am a professional huntsman, and my dogs have been trapped many times. I release the dogs without harm. Trappers are not upset when I release my dogs out of their traps. They understand that I had to do what I had to do. I train my dogs in trap aversion.

SENATOR RATTI:

I am confused on how the signage would work. Are State land use agencies responsible for the signage? What State agencies would the signage provision apply to? Does it apply to the U.S. Forest Service or the Bureau of Land Management where most of these interactions are taking place? How do we know where traps are located and are signs placed everywhere? Is it necessary to put trap signs everywhere or just in areas most likely to have traps? These are questions I hope can be answered eventually.

PAUL CRAWFORD, M.D.:

I am a concerned medical doctor and oppose S.B. 364. I have detailed testimony on rabies and an article reference ([Exhibit S](#)). Like any well-intentioned legislation, there are second- and third-order effects. One of the second order of effects from this legislation is likely to be an increase in animal diseases, specifically rabies. I have conducted research over the last several weeks looking at cases of rabies reported in Nevada and neighboring states. My research reveals that in states that border Nevada and have restrictive trapping laws, like California and Arizona, there were 109 cases of rabies in wild animals in 2016. In Utah, Idaho, Oregon and Nevada that have more liberal trapping laws and allow extended check times and foothold traps, there were zero cases of rabies in wildlife in 2016. If we are to allow the number of predators to expand in Nevada by reducing trapping, I fully expect that we will probably return to the days when there were rabies epidemics in Nevada, with packs of rabid coyotes and foxes wandering the deserts and suburbs. Any restrictions on trapping will reduce the harvest and expand wildlife disease which will expand to humans.

RANDEN BUCKLES:

I oppose S.B. 364. Coyotes and bobcats often come into our neighborhoods to steal our dogs and cats. The trap check time and the ban on trapping around the Las Vegas Valley have done nothing but increase predator visits to our



neighborhoods. Individuals have stories of their pets being caught in traps. My story is having my cherished pets be taken by bobcats and coyotes never to be seen again.

RILEY MANZONI:

I oppose S.B. 364. I am reminded of an incident a couple months ago. There were two coyotes in my neighbor's yard attacking her dog. I saw the coyotes running through my yard and across the neighborhood. Other neighbors had complained of lost pets from coyotes. We contacted a professional trapper to rid the area of coyotes. It is ironic that the people who are called upon to help get rid of these predators are now under fire for saving our pets. The 24-hour visitation in my mind is the end of trapping. It is not an option for trappers to check their traps daily. I would suggest allowing trappers to keep the 96-hour trap check if the traps are at least 5 miles from towns. In my 29 years of running hounds in Nevada, I have only experienced 2 instances when my own dogs were caught in traps. I keep tracking devices on my dogs and am able to release them without harm. There are videos on the Internet where dog owners can watch to learn the easy procedure to remove an animal from a trap. A responsible dog owner will do this.

BILL TAYLOR (Nevada Trappers Association):

The Nevada Trappers Association in White Pine and Eureka Counties opposes S.B. 364. We are wary of the testimony about an opinion poll claiming 77 percent of Nevadans want the 24-hour trap check provision. Most of the members of the Association have never heard of this poll. My guess is the percentage of people polled are in Clark or Washoe Counties. I did not hear testimony about a human being hurt by a trap. Most of the hunters in White Pine and Eureka Counties are for predator control, which helps game species.

JASON JACKSON:

I oppose S.B. 364. There are enough restrictions in trapping, hunting and fishing. Trapping is beneficial to the environment and conservation, and it is not harmful. We would not have the success that we have today in the State if it had not been for successful predator control. The 24-hour check is going to create more issues closer to communities. We would appreciate the Committee taking into consideration the rural and remoteness of Elko and its surrounding areas.

CHAIR CANCELA:

In the Elko room where the public is gathered, is there anyone in support of the bill? Seeing no one in support, we see a visual of the room which includes many in opposition to the bill.

DARRELL PURSEL:

I oppose S.B. 364. I am a Mason Valley rancher and sit on the Predatory Animal and Rodent Control Committee of the State Department of Agriculture. The 24-hour trap check would eliminate trapping. This will have a detrimental effect on all wildlife in the State. The 24-hour visitation does not make common sense.

BOB BRUNNER:

I am a biologist with a bachelor of science degree from the University of Nevada, Reno, in wildlife management and continuing studies at the University of Alaska Fairbanks. I have the hunting guide which shows the unit areas. This is only one of two books which holds the regulations for trapping. This map shows hunt units in the more remote areas of the State which the Department of Agriculture uses to manage, monitor and report on wildlife. The bobcat harvest data from 2013 to 2014 shows every management unit has trapping in it. It is evenly dispersed across the State. There are no concentrated areas or areas that are not trapped. A 24-hour trap check will drive trapping closer to towns. There will be uneven management of predators with too high of a harvest near the cities, and we will have reduced trapping in the remote areas which are difficult and time-consuming to reach.

JOEL BLAKESLEE (President, Nevada Trappers Association):

I am a member of the Coalition for Nevada's Wildlife and the Southern Nevada Coalition for Wildlife. The subject of trap visitation has been an issue for decades. In 1981, 1985, 1989, 1991 and 1993, there were bills which recommended no change in the trap visitation provision. Senate Bill No. 226 of the 76th Session and S.B. No. 213 of the 77th Session passed into law. Both of the bills dealt with similar issues to those being discussed today.

When S.B. No. 213 of the 77th Session passed, the Board of Wildlife Commissioners received a description from the regulation stating,

The regulations must require the person to visit a trap, snare or similar device at least once each 96 hours. In adopting the

regulations, the Commission shall consider requiring a trap, snare or similar device placed in close proximity to a populated or heavily used area by persons to be visited more frequently... .

Two years were spent on this regulation. The Wildlife Commissioners placed the regulation on their agendas four times, formed the Trapping Regulation Committee and hosted five meetings in Elko, Tonopah, Reno and Las Vegas. All wildlife advisory boards from each county and the general public participated in the meetings. The various county advisory boards had over 60 meetings on this issue. Almost every county in the State voted against Commission General Regulation 450, Trap Visitation, LCB File No. R087-14, shortening the trap check. There were over 100 attendees in Las Vegas and 30 to 40 attendees in both Reno meetings. In Tonopah, there were 51 attendees. Elko had over 70 attendees. There was overwhelming opposition to changing the trap visitation provision.

In response to S.B. No. 213 of the 77th Session, an area around Las Vegas was made an every-other-day trap check area. The point is, we have spent decades on this issue. Those who do not like trapping insist on bringing the issue back. The components are the same. Is there science to support changing something that has worked well for so long?

RACHEL ANDERSEN:

I am a member of the Southern Nevada Coalition for Wildlife. I oppose S.B. 364. I grew up hunting, fishing and trapping. This is my life and part of my family recreation. I have a special needs son who can set and release a trap. It is common sense that we should not have to check our traps every 24 hours or put our private information out there for anyone to see.

PAUL DIXON (Chairman, Clark County Advisory Board to Manage Wildlife):

I represent the Clark County Advisory Board to Manage Wildlife to the Board of Wildlife Commissioners. These issues have been discussed by many of the people in opposition of this bill since 2011. In every one of our County Advisory Board meetings, we have had a trapping issue on the agenda. The attendance at our meetings went from 10 to 11 people to 50 to 80 people with much testimony on trapping.

There was a comment made about privacy if people registered traps. In my eight years as Chairman in Clark County, only one time did I have to have a

police escort in and out of my County Advisory Board meeting due to a defined death threat against the Board because of the trapping issue. A trapper's personal information should remain anonymous. There are people who are so opposed to hunting, fishing or trapping that they would do harm to humans. There have been thousands of hours over the years spent on this topic. Science suggests what is in place works best and is most humane for wildlife and protecting and preserving our assets for all of Nevada to enjoy.

SHANNON GREENE (Nevada Sportsmen Unlimited):

I understand the passion in testimony when a person's dog is trapped and the feeling of helplessness in trying to release a terrified animal. As a trapper, there are canine trap avoidance and rattlesnake avoidance classes offered by the Trappers Association.

The TrailSafe polling results, as stated from previous testimony, claimed 68 percent of the general public is in favor of identification on traps, 77 percent favors reduced trap check times and 80 percent is in favor of flagging. David McNinch, a Commissioner from the Board of Wildlife Commissioners, advised the attendees at one of the Board meetings that he received a phone call from the polling company. He said the questions were formatted in such a way that they could easily be skewed toward a favorable result against trapping.

LARRY JOHNSON (President, Coalition for Nevada's Wildlife, Inc.):

The Coalition for Nevada's Wildlife opposes S.B. 364. As a resident of a rural area, I have lost pets and had pets attacked by coyotes. As a chukar hunter, my bird dog's GPS runs over 50 miles per day and in a season covers over 500 miles. In over 40 years, I have had only two incidents where my dogs were caught in traps in the many thousands of miles of public land. One time was in a trap owned by Joel Blakeslee. It is a traumatic experience, but we have thrashed this issue to death for decades. In the past six years, thousands of hours have monopolized our Wildlife Commissioners and taken us away from more important issues in wildlife management. The present regulations are a result of those many hours.

SENATOR MANENDO:

How did you know it was Joel's trap?

MR. JOHNSON:

I called him and asked him. I knew he had traps in the area.

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SENATOR MANENDO:  
Could it have been anyone's trap?

MR. JOHNSON:  
Yes.

REX FLOWERS (Director, Coalition for Nevada's Wildlife, Inc.):  
I oppose S.B. 364. Traps are personal property. Regulation prohibits anyone from removing or disturbing a trap. Public safety can be interpreted differently. More unlawfulness can be created by taking the power away from law enforcement.

CHAIR CANCELA:  
I have written testimony in opposition to S.B. 364 from Don Noorda ([Exhibit T](#)).

JEREMY DREW (Commissioner, Board of Wildlife Commissioners):  
The Board of Wildlife Commissioners is neutral on S.B. 364. The Board has not had the opportunity to review the legislation. Since 2011, the Commissioners have made every effort to implement direction provided by this Body in regard to trapping regulations and have gone beyond specific direction in several instances. While we seek common ground on these issues, our efforts have resulted with both sides being disappointed. This has resulted in a series of regulations being deferred by the Legislative Commission and one lawsuit. You have heard the arguments that have been presented to the Board.

SENATOR GOICOECHEA:  
Do you think we have given the issues enough time?

MR. DREW:  
Do you mean has the Board given enough time in consideration?

SENATOR GOICOECHEA:  
A lot of the issues which have occurred prior to the Board bringing regulations in play include the 24-hour trap check in some zones. Perhaps more time is necessary to heal and allow the regulations to work.

MR. DREW:  
This is my personal opinion. Have we allowed enough time for those regulations to run its course? I cannot answer that directly. It has not been very long, only

a couple of trapping seasons. Many of the issues that have been discussed today have been resolved. I have personal relationships with the people who have had their animals trapped and spent time in the field with those individuals to identify where those issues happened, and we have taken measures to try to address them. The Board has made every effort to address the specific issues that have been brought up today.

SENATOR SETTELMAYER:

Since the 24-hour trap limitation in urban areas has been implemented, can you get me the data where incidents or problems have increased or decreased?

MR. DREW:

I will try to find out. I cannot recall any incidents coming before our Board since it was enacted.

CHAIR CANCELA:

We will close the hearing on S.B. 364 and open the hearing on S.B. 365.

**SENATE BILL 365**: Makes various changes relating to trapping. (BDR 45-108)

SENATOR DAVID R. PARKS (Senatorial District No. 7):

I am asking the Committee for your consideration on S.B. 365. My colleagues will present the bill.

MS. L. STURGIS:

The Nevada Wildlife Alliance brings forth a proposed amendment ([Exhibit U](#)). We struck all of the language from the original proposed amendment, and the new amendment proposes NDOW to adjust trapping license fees to recover the costs of the program.

The Alliance is fighting for the future of wildlife. After my dog was trapped on our property and I saw a coyote dragging a trap by one of its legs the same day, I was stunned to discover that trappers are still permitted to trap for furs on public lands. Most Nevadans are not aware of this. This has moved me to be involved in advocacy work for the Wildlife Alliance. What is happening on our public lands is a travesty. Our trails are littered with traps driven by the commercial fur industry. Trapping is a commercial enterprise and hunting is not. The bill seeks for the trapping program to pay for itself.

MR. DONNELLY:

I will read from the visual presentation. The North American Model (NAM) of Wildlife Conservation is a set of principles that has guided wildlife management and conservation decisions in the United States since the nineteenth century. The Model has its origin in nineteenth century conservation movements and the near extinction of several species of wildlife including the American bison along with the rise of sportsmen in the middle class. One of the principal tenets of the NAM is that wildlife is held in public trust. It is a resource to be managed for all citizens. There are fewer than 1,000 licensed trappers among the nearly 2.9 million citizens of Nevada. That represents less than 0.03 of 1 percent of the State engaged in trapping. Another tenet of the NAM is that the sale of wildlife is prohibited to ensure the sustainability of wildlife populations. Trapping in Nevada is essentially an unregulated commercial market that privatizes wildlife and leads to declines in predator populations.

Unfortunately, NDOW does not have data about our predators. At best, there is a guesstimate for how many bobcats there are in the State. We do know that the number of bobcats being trapped is falling, and that could potentially be due to overkill.

Science is the proper tool for wildlife policy. This is another tenet of the NAM that rules and regulations need to be science-based. We know that half of the female bobcats will give birth to two to three kittens per year, meaning that the number of kittens and females in a healthy population should be equal. Recent analysis of bobcat tooth data shows that kittens represent only 53 percent of Nevada bobcats, a sign of the declining population. It is the responsibility of the Legislature to regulate trapping. Another tenet of the NAM is wildlife is to be regulated by law. Wildlife is allocated by law as opposed to market principles, land ownership or other status. This is the democratic management of wildlife. It is incumbent upon the Legislature to manage trapping. Why are a few trappers allowed to personally enrich themselves at such a cost to the public trust?

Ms. L. STURGIS:

I will continue to read from the visual presentation. The answer to that question is to enrich a foreign fur trade. Most furs are sold to Russia and China. They do not stay in the United States. How many of Nevada's furs are sold? We do not know the answer because it is so unregulated and we have little information. There are no limits, and NDOW does not monitor populations of fur bearers. It

cannot be argued that trapping serves a scientifically based management purpose.

Nevada has three times the economic activity from wildlife-watching versus the commission of licensees. Six-hundred thousand people participate in Nevada every year to see wildlife. This returns money to the General Fund through sales taxes, and Nevada benefits by \$682 million. Trapping generates little economic value. There is neither a sales tax nor a severance tax on trapping. It does not create revenue for NDOW. Trapping losses go beyond simple costs. Consider the loss of watchable wildlife and associated State and public income. There is also the disruption of ecosystems and loss of environmental health.

Approximately 20 percent of licensed trappers report what they capture. Fifty percent reported catches of intended targets. This shows how many trappers catch unintended targets. Thirty percent did not file at all. The numbers available are grossly underestimated.

Trapping is indiscriminate. Approximately, 26 domestic dogs are caught in traps each year.

MR. VOLTZ:

I will continue reading from the visual presentation. The numbers of domestic animals caught in traps are incomplete when referring to the numbers trapped, released unharmed, released injured and dead. The self-reporting nature is the reason NDOW does not have accurate numbers. The status of these animals after being trapped is unknown because of the incomplete reporting. The casualties of eagles, hawks and owls is unacceptable. Game species prized by hunters are also caught and injured by traps. Twenty-three mountain lions are trapped on average annually even though it is illegal in Nevada. Animals endure extreme pain when trapped, especially if they are forced to chew on their own legs to release themselves from a trap. This picture shows a lion's paw which was devastated by the trap injury. The lion shows two classic signs of a trap encounter, injured paw and broken tooth from biting the trap.

Senate Bill 365 requires trappers to pay their share. A \$42 annual fee is simply not enough for what is lost from public property being held in public trust for all of us. Department of Wildlife data shows it has licensed an annual average of approximately 1,078 trappers over the last 10 years. Yet, these trappers pay only a \$42 annual fee if they are State residents. Out-of-state trappers pay



\$192 in fees with no limit on how many animals they can catch. This generates a mere \$56,000 in total revenue per year. When we look at that in relation to NDOW's annual enforcement budget, which is roughly \$7 million, if law enforcement spends 10 percent of its time on trapping, which seems reasonable based on actual cases we have monitored, the cost of trapping enforcement should be around \$700,000. We have filed a Freedom of Information Act request with NDOW to gather its cost information on trapping. The Department claims it could not establish the costs. There are just 11 field game wardens on duty at any given time for our 110,000-square-mile State. It is difficult if not impossible to catch someone committing a crime.

Six permitted trappers of reptiles and lizards remove 17,000 of those animals every year from the State. They pay only \$250 each for the permit, and that does not include any of the unlicensed people. That is a huge resource for which the State is receiving no compensation.

The next visual is an example of what an animal looks like when stuck in a trap and unable to release itself, exposed to the elements and not able to protect itself against its natural predators. The trapper responsible broke multiple laws, yet did not have his license revoked.

A higher fee proposed in S.B. 365 will create limits. There are no limits to the number of traps that a trapper may set. Trappers put out as many as 300 traps. This bill attempts to address some of the concerns of previous discussions on this point because private property is respected. There is no effect on the ability to trap on private land.

Pioneers looked at nature as hostile; it was man versus beast. Nature was looked at as a wild force to be battled and conquered. All predators were considered to be bad. They harmed game herds and ranching operations. Predators serve a very important purpose in this State and maintain a natural balance. The fact remains that NDOW agrees that unlimited trapping of bobcats and coyotes does little to improve the number of elk and deer herds. As the value of living wildlife has become better understood, Nevadans have rejected the culture and traditional arguments for trapping. Americans reject many antiquated cultural and traditional practices that have become outdated. Science has now revealed that everything in nature is interdependent. Sustainability is due to cooperation. Ecosystems are related and interdependent on one another from small insects to large predators.

Senate Bill 365 and S.B. 364 seek to modernize our outdated laws, improve public safety and make sure Nevada's valuable public resources are not being exploited for the commercial profit of a few trappers who currently enjoy unlimited killing of public resources. The Nevada Wildlife Alliance collected 2,500 postcards against trapping at four public events. State revenues from wildlife-watching dwarf revenues from wildlife consumption. Prohibition of trapping on public lands has been achieved in Arizona, Colorado, Massachusetts, Washington, Rhode Island and New Jersey. Hawaii has never allowed commercial or recreational trapping. We encourage you to support these measures to improve public safety and protect our State's public lands and wildlife management.

CHAIR CANCELA:

This proposed amendment is challenging because there is no way to distinguish how much time is spent on trapping regulations versus time spent on other game regulations. This makes the proposed amendment very difficult to implement. I would like to get some clarification as to how the logistics of this could actually work.

TYLER TURNIPSEED (Chief Game Warden, Department of Wildlife):

The Department of Wildlife uses a biweekly activities report system. It does not differentiate between patrolling when a trapper is encountered versus a hunter or fisherman. The amount of time spent patrolling a hunt area or a given region is tracked. A user group is not identified. The number of consumptive users versus nonconsumptive users is tracked. The consumptive users are broken down into hunters, fishermen and trappers. The Department could give an estimate of the number of trappers we contact in a year and then the number of trapping violations addressed in a year but not the total amount of time spent patrolling in trapping season.

SENATOR GOICOECHEA:

Are you going to break the costs of fishing, hunting and trapping down by season? I have no idea how you can itemize the hours spent on each season. It will cost more than what they generate for NDOW to figure out how much to charge.

CHAIR CANCELA:

The proponents of the bill have stripped out the bulk of the bill and put forward the proposed amendment. People who will be testifying, please speak to the proposed amendment not to the original version of S.B. 365.

ART GEORGE:

I am with First Nations, the Washoe Tribe. We have been managers of this land for thousands of years. For the past 180 years, the traumatic experiences incurred by the Washoe Tribe have changed that. I support S.B. 365 and S.B. 364. They provide a path for management. You have only been managing my land for a short period of time. We have been doing it for thousands of years, and we have been able to live in balance and harmony with the environment. There should be a real balance between man and nature. The First Nation's people are available to counsel any agency in wildlife management. We would like to see better strategies so there is a better balance in the way the land is managed. Even though we are excluded from the management, there is a document filed in the Legislative Counsel Bureau Library called "Indigenous Identity Theft." For 180 years we did not have a voice. I am here today to tell you as a member of an indigenous people, I like that you are creating a management system.

MS. CARRICK:

I support S.B. 365. A trapping license can be bought for \$42 per year that allows trappers to set as many traps as they want and to kill an unlimited number of animals throughout the year. Our public lands are being used for personal financial gain by killing animals for their pelts, which are then sold for profit. Trapping is not for management, public safety or population control. It is indiscriminate and only for personal profit. Scientists today are expressing concern for the long-term health of our wildlife due to habitat loss from development and climate change. Trapping for profit puts an additional stress on our wildlife and is unnecessary. Wildlife is a natural resource for everyone to enjoy. Trapping has been in the shadows for many years. Most people are shocked to learn that trapping is allowed on our public lands. Nevada's wildlife belongs to all Nevadans through the public trust doctrine, and the killing for profit of the public's wildlife on public land is not acceptable.

CHAIR CANCELA:

The original version of the bill speaks to public lands; the amendment does not, it speaks to only the regulation of licenses and the money spent to maintain trapping and increasing licensing funds to maintain trapping enforcement.

DIANE MCALLISTER:

I am a wildlife nature photographer. I go into the middle of nowhere to take beautiful pictures and have shared my photographs at the Smithsonian several times. I cannot find bobcats. I have gone all over the State, and from my personal experience, the numbers are down. The last bobcat family I found was July 1, 2010.

Ms. HOFEDITZ:

I support S.B. 365.

Ms. TAYLOE:

I am amazed that NDOW, which has access to science and data, cannot calculate the costs to monitor and prosecute trapping. I would demand much more from our State agencies.

Ms. SWAIN:

I support S.B. 365. There is no limit on the number of traps, animals taken and no restrictions on the species taken. I leave it to the scientists to calculate the cost to our State from this unlimited nature of the laws governing trapping.

Ms. TOMLINSON:

I have heard from trappers, fishermen and hunters that they pay for all the costs of the trapping programs. It now appears to be false. I find it hard to believe that NDOW cannot account for what is spent on the trapping program. I think the trappers should pay for their program.

Ms. HOWARD:

The larger issue toward trapping is what do we want to do with our wildlife, whether it is a target or nontarget species. In Nevada there is a lack of data. It is unconscionable that we are killing tens of thousands of animals every year without knowing what we are doing. Trapping is not something we should do from a conservation perspective. The fee of \$42 is unreasonable. Each pelt should be registered, and each trapper should pay a specific fee on each pelt.

SENATOR GOICOECHEA:

Commercial trapping only happens during fur season, which is in the winter. Traps that are set in the summer are probably for predator control. The pelt or fur is not worth anything. If you are going to sell bobcat fur, it has to be tagged. I understand that it is only a \$5 tag per fur, but there is a fee. I think that we are coming at this from a lot of different directions. People do not understand what commercial trapping is versus trapping for predator control. They are two different things.

Ms. HOWARD:

I do not believe in predator control. We need to recover the costs more adequately.

SENATOR SETTELMAYER:

Having seen an animal die after its face had been chewed off by a coyote, I disagree.

Ms. GROSSMAN:

I support S.B. 365. The trapping fees are too low.

Ms. BAKER:

The Nevada Veterinary Medical Association supports S.B. 365.

CHAIR CANCELA:

I have written testimony in support of S.B. 365 from Margaret Flint [Exhibit O](#), and Janette Dean [Exhibit P](#). I have letters of support from Camilla H. Fox, Project Coyote ([Exhibit V](#)); Lynn Cullens, Mountain Lion Foundation ([Exhibit W](#)); and Patrick Donnelly, Center for Biological Diversity ([Exhibit X](#)).

MITCH BAILEY (Nevada Outfitters and Guides Association):

I oppose S.B. 365. I trap and run a commercial guide service. This year I ran a trap line near Palomino Valley, which is very rugged country. I checked my traps every four days and never caught a dog. I pulled my trap line while out of town. When I returned, some domestic coyotes were terrorizing my chickens and my dogs, which are fenced in. I set three traps on my property. I harvested six very large domestic coyotes and both of my neighbor's 100-pound dogs, which I released. Those dogs were caught again, even though my neighbor knew that the dogs had been caught in my traps previously. They still let them wander loose. I check my traps daily.

MR. BRUNNER:

The data on bobcats is extensive. Every animal legally taken is checked by NDOW. In the 1920s and 1930s, every county in the State of Nevada was almost bankrupted by a rabies epidemic. They had to pay for government trappers, poisoning and eradication. Currently, there are 952 volunteers to help monitor an unchecked population of rabies and predators. In wildlife management, if we can prevent the extreme peaks, we can prevent the extreme crashes and continue to have a more stable population of wildlife. The State does not have the money to pay 952 people to be out in the field to collect these animals. The Humane Society understands that they need to control excess dogs and cats. The State cannot function the way it is if trapping is stopped, which keeps wildlife in balance.

MR. PURSEL:

Many of my animals have been killed by coyotes. Raccoons have also been a problem in my neighborhood. I solved the problem by buying a trapping license and eliminating the raccoons. I did not benefit financially by obtaining the license. The irrigation district needs to be able to trap on public lands for beaver, which is a public safety issue. I oppose S.B. 365.

BRENT ESPIL:

I am a third-generation rancher and livestock producer in northern Washoe County. There has not been mention of predators on livestock. We run cattle and sheep on public lands. Trapping is one of the best predator controls we have for coyotes, which are devastating for my family's livelihood. I urge you to oppose S.B. 365.

MR. BLAKESLEE:

Trappers pay for the trapping program with license fees. Trapping fees are more than hunting fees. Trappers pay a \$5 fee for every animal trapped. The Nevada Trappers Association has funded several studies and given NDOW \$10,000 for a bobcat bulletin. The U.S. has the best data on bobcats in the world. The studies eliminated the spotted cats trade worldwide in the 1970s. The federal government required limits on cats or population estimates. There was an act of Congress not requiring population estimates but allowing wildlife management using trend data, and that is what is being used today.

LINDA LINTON:

I oppose S.B. 365. I have been hunting in Nevada for over 40 years. The Bureau of Land Management requested that we trap for beaver. A lot of money and time has been spent on trapping and on numerous studies related to the subject. I am an attorney and many people do not like my profession, but I am allowed to practice within the boundaries of the law. The trappers who practice ethically should be allowed to continue practicing their profession.

WALT GARDNER (Nevada Outfitters and Guides Association):

Some say that trapping is not necessary. In the Diamond Mountains, the deer herds were in a three-year decline. There were 17 fawns being produced on average per 100 adult deer. It takes 33 fawns per 100 adults to maintain population. The Department of Wildlife implemented a rigorous predator management plan. Today, 38 fawns are being born per 100 adults. Trapping is necessary in some instances. Trapping should be encouraged to minimize the costs to NDOW. Trappers will do the work with no cost to the State. I urge you to oppose S.B. 364 and S.B. 365.

MR. JOHNSON:

One of the principles of NAM is our lands be managed for sustainable populations for recreation and use by the public. A second principle is that sportsmen's fees go to make all of this happen. Many of the stories we have heard today involve activities that are already illegal, whether it is trapping on private property without permission or putting out baited traps. Most of the stories transpired in the years predating the most recent regulations put in after the exhaustive public meetings and input. Bighorn sheep programs were not required to pay for themselves when initiated. Many dollars and man-hours went into making the population of Bighorn sheep flourish. I oppose S.B. 365.

GIL YANUCK (President, Friends of Nevada Wildlife):

One important group of individuals who are involved with S.B. 364 and S.B. 365 are the trappers and their families. These are people who grew up trapping. Their families depend on trapping. The return from the sale of animal pelts stays in Nevada to support these families and their local communities.

MR. FLOWERS:

I oppose S.B. 365. How can one single group be asked to completely pay for its own program? There are a multitude of programs within NDOW having to do with nongame species and habitat. None of those programs pay for themselves.

MIKE CASSIDAY:

I am opposed to S.B. 365.

DAN DEMERS:

I have been past president of the California Trappers Association. I would like to warn you not to do what California has done. It has not benefited our wildlife at all. We have lost most of our pheasant population in the valley where I live near Susanville. Raccoons, skunks, foxes and coyotes run rampant. Our deer herds average less than 20 fawns per year. Commercialized wildlife is done in many places, like fishing in Alaska. It is a scientific regime, not an emotional one.

BOB COOK (Douglas County Advisory Board to Manage Wildlife):

I have been a member of the Douglas County Wildlife Advisory Board for the last 16 years. I am not a trapper, but I am a hunter. Sportsmen support wildlife in the State of Nevada, and mankind has been trapping since the caveman. Trapping is a God-given right. I oppose S.B. 364 and S.B. 365.

TOM SMITH (Vice President, Coalition for Nevada's Wildlife, Inc.):

Senate Bill 365 and S.B. 364 are designed to eliminate trapping. The results of passing this legislation will put hardworking trappers out of work. These trappers support their families. They are taxpayers. They are real Americans with real American values. They want to pass this legacy on to their children.

Trapping helps nonpredator species in the wild survive. When antelope were almost exterminated in the State, the Sheldon Wildlife Refuge was established. We then exported antelope from the Sheldon Wildlife Refuge to other states that had shortages. This is not the case today. Trapping on the Sheldon and now fawn recruitment rates are down to below 20 percent. Trappers provide a wonderful service to our State. I urge you to vote against S.B. 364 and S.B. 365.

MS. TRUMAN:

I oppose S.B. 365.

MR. REESE:

I oppose S.B. 365.

MR. DIETZEL:

I oppose S.B. 365.



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MR. GOWAN:  
I oppose S.B. 365.

MR. CRAWFORD:  
I oppose S.B. 365.

MR. TAYLOR:  
The Nevada Trappers Association opposes S.B. 365.

MS. ANDERSEN:  
I oppose S.B. 365.

CHAIR CANCELA:  
I have a letter in opposition to S.B. 365 from Don Noorda, [Exhibit T](#).

GORDON H. DEPAOLI (Walker River Irrigation District):  
If S.B. 365 as introduced is not valid, I will not take up your time. We had a concern over a potential conflict between the bill as introduced and NRS 503.470, which deals with the ability to remove beavers where they are causing difficulties on rivers and ditches.

CHAIR CANCELA:  
The bill as introduced is not moving forward. It will move forward in its amended version according to the proponents. Should that change, we will make sure to address your concerns.

SENATOR GOICOECHEA:  
A trapping license is required to trap beavers on public lands. Are they going to be included in the associated costs of trapping? How we are going to offset this?

MR. DEPAOLI:  
It is not clear whether the predation permits NDOW issues to the Walker River Irrigation District for beaver control would be subject to the proposed fee. We do not want to see that happen.

SENATOR SETTELMAYER:

Federal watermasters trap beavers when they are interfering with the Alpine Decree. In your opinion, can the State of Nevada tell the federal watermaster what to do? Does that exist on your water system as well?

MR. DEPAOLI:

The watermaster has left it to the Walker River Irrigation District to manage this issue.

MR. DREW:

The Board of Wildlife Commissioners is neutral on S.B. 365 as amended. We have not had an opportunity to look at the amendment. The Commissioners specifically ask NDOW as to the biological ramifications, recommendations, regulations and seasons on what we need to consider when setting regulations. If a trapper does not submit a year-end report or submits false data on this report, his or her license is revoked. This is per *Nevada Administrative Code* 503.160. It has been insinuated that trappers falsify or do not submit their year-end reports, but we have a specific regulation that speaks to that.

I have a position statement about trapping from The Wildlife Society, a professional society for wildlife biologists. They fancy themselves the leaders in wildlife science, management and conservation. The Wildlife Society's policy statement regarding trapping is to: Support the use of regulated trapping for sustained harvest of some species of furbearers as an effective method of managing or studying furbearers; Recognize the economic and recreational benefits of trapping; Recognize that regulated trapping is an important component of the lifestyle of many people ... ; Recognize that regulated trapping is a safe, efficient, and practical means of capturing individual animals without impairing the survival of furbearer populations or damaging the environment.

TONY WASLEY, (Director, Department of Wildlife):

The Department of Wildlife is neutral on S.B. 365. I need to defend some of the data and the Department around this issue. Second, I would like to address the feasibility of the amendment. The NDOW population data comes from monitoring data, not census data. There are 895 unique species in the State. It would not be feasible to conduct a census for each and every species that exist. The species for which we have the best data are those species that are harvested. This is often the only data but the best data. For example, harvest

demographics are used to assess the population of bobcats. Kitten production is strongly correlated with precipitation, which varies. The season length is adjusted in response to those harvest characteristics, which consequently regulates the take.

As far as determining the cost for trapping and addressing the feasibility of the amendment, there is a notion that it is a cop-out by the Department, and it could figure the costs if it wanted to. We have 31 field wardens who are simply trying to enforce too many regulations simultaneously around the State. As Chief Warden Turnipseed alluded to, when a warden leaves the office or his or her residence, he or she may drive 300 miles through remote terrain. Wardens are not only checking trappers, they are checking anyone they encounter, including falconers, anglers or bird watchers. To be able to differentiate how much time is spent on trying to enforce those regulations that pertain to trapping is not feasible or a cop-out. The Department would have great difficulty, if it were at all possible, providing those numbers. I would also like to add that 100 percent of the costs for those patrols in those positions are provided by sportsmen revenue. These are activities that cannot be paid for by federal excise taxes.

When we look at the Department's statutory responsibility to take care of 895 species for the citizens of the State, the cost recovery model presents a challenging precedent. Ninety-five percent of the budget is derived from fewer than 2 percent of our citizens and 8 percent of the species. Consequently, 92 percent of the species for which the Department has a statutory responsibility to manage could be argued as not paying for themselves. It is a dangerous precedent to suggest we should spend time and energy on only those species that take care of themselves.

SENATOR GOICOECHEA:

My concern is if we try and go down this avenue. If I hire a trapper, this person must have a trapping license. If I am charged for every animal taken, even though not for seeking furs but for predator control, how would I track this and pay NDOW? How would it work?

MR. WASLEY:

The bill as drafted provides a very broad definition. There would be concerns with irrigation districts, livestock protection and other related professional

services. Language to exempt some of professional services could be a consideration.

SENATOR PARKS:

I would like to review the amendments that were suggested and provide further input to the Committee.

CHAIR CANCELA:

We will close the hearing on S.B. 365 and open the hearing on S.B. 371.

**SENATE BILL 371**: Revises provisions governing the care of an animal which has been impounded or treated cruelly. (BDR 50-153)

SENATOR PETE GOICOECHEA (Senatorial District No. 19):

Senate Bill 371 was requested by Nye County. The issue Nye County is facing concerns when someone is incarcerated, what does the County do with the person's animal or animals. When a person is incarcerated for any length of time, law requires the County to maintain the pets or livestock and the related costs. When the individual is released, the County holds a large animal maintenance bill. It has been difficult to recover these costs.

The Washoe County Regional Animal Services has proposed an amendment (Exhibit Y) for which I am in agreement. The 15-day provision in section 2, regarding the length of time an impounded animal is held by the county before it can either be given to a family member or be adopted is proposed to be changed to 7 calendar days by the amendment. The amendment also states the owner must agree to allow the adoption.

Under existing law, the pet or animal must be maintained because it is considered private property. Senate Bill 371 will allow the county after seven days to try and find someone to keep and maintain the animal, preferably a family member or friend. If that is not available, the animal can go to anyone who can show that he or she can provide good care for the pet or animal.

CHAIR CANCELA:

Would it only apply if a person who is arrested has no one else in the home to care for the animal? Would someone in the home—a spouse, brother or sister who lived with the incarcerated person—be able to keep the animal in his or her care?

SENATOR GOICOECHEA:

Yes, in most cases, the animal would not be impounded if there was someone in possession of the animal. The issue refers primarily to a single person or circumstance when animals are uncared for. Nye County claims it has had costs of up to \$300,000 in one year maintaining pets.

SENATOR MANENDO:

How do they know if the animal will get adequate care?

SENATOR GOICOECHEA:

The proposed amendment was brought forth by Washoe County, and they would do a site inspection.

SENATOR MANENDO:

I do not know if the resources are there for animal control to do this. I know there might be a situation where the person is arrested because he or she was not caring for the animal and then it goes to another family member who does not care either. Maybe allowing an animal rescue agency to find a good home for the animal right away could solve some of the issues.

SENATOR GOICOECHEA:

That would be fine. The pet or the animal is considered personal property. There has to be a time frame to place the animal with a friend or relative. The purpose of the bill is to avoid long-term costs and get the incarcerated individual to agree to the adoption.

SENATOR MANENDO:

I just want to make sure that it is not someone who has been arrested for some type of animal abuse. The same situation can occur again with this person.

SENATOR GOICOECHEA:

If the person is arrested for animal abuse, the individual would not get the animal back.

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

The Humane Society of the United States wants to make a recommendation. Senate Bill 371 is a good bill. The state of Idaho has model legislation on this issue. There are cases when individuals are arrested for animal abuse. Sometimes, it is related to cock or dog fighting. There could be as many as

200 to 300 animals involved. The Society will propose to add additional language which will allow for forfeiture under those circumstances and allow animals to go directly to a facility or organization that can see to animal relocation. I spoke to the sponsor about a proposed amendment, which is being drafted.

ROBERT SMITH (Animal Services Manager, Regional Animal Services, Washoe County):

The Washoe County Regional Animal Services supports S.B. 371. It deals with this issue daily. Individuals are arrested, and the animal has to be held because it is considered private property. Animal Services works diligently to try to find family or friends with whom the arrestees would agree to place their animals. Many times, there is no one to take the animal, and Animal Services has the ultimate decision on what to do with the animal. Animal costs are expensive in its shelter. It is approximately \$168 per day to house an animal. That covers everything from electricity and water to dog food. The proposed amendment, [Exhibit Y](#), allows the County Animal Service to get the animal to a rescue service if that is the last option. It partners with the Nevada Humane Society in Washoe County and other small rescue groups.

MS. TAYLOE:

I support S.B. 371 and agree with the testimony of the Humane Society of the United States.

MR. VOLTZ:

I support S.B. 371 and the proposed amendment.

CHAIR CANCELA:

I have written testimony in support of S.B. 371 from Margaret Flint, [Exhibit O](#).

CHRISTINE VAUGHT:

I do not disagree with the intent of S.B. 371, but I have concerns with the 15-day limitation being removed from the bill. The limitation is a protection against anyone targeting a person because they have been charged with abuse.

I will describe two cases from articles relative to this issue ([Exhibit Z](#)). There is a case in Indianapolis where a person who had been in business for 30 years, had a boarding and training facility and bred German shepherds. He had 30 years of animal control inspections and excellence. A new animal control officer did not

agree with animal breeding. The breeder was targeted, his dogs were confiscated, his business was ruined, and he was charged \$6,120 per month. He was told if payment could not be made, he would have to forfeit the animals. With no evidence, he was accused of abusing the animals. The charges were eventually dismissed when it was discovered the prosecutor withdrew from the case and was ultimately fired because he admitted doctoring public records against this man. This two-week limitation gives protection to individuals who could have their animals used as ransom.

A case in New York involved a small farmer who was to pay \$7,500 a month to a rescue for 3 horses, but he was found not guilty.

SENATOR SETTELMAYER:

What if the bill was amended to say if the person was found not guilty, the person would be refunded any monies that were charged?

Ms. VAUGHT:

In the Indianapolis case, yes. In the New York case, no.

Ms. LINTON:

Perhaps in the proposed amendment, the words could say "found lawfully guilty" instead of "lawfully arrested."

CHAIR CANCELA:

I have a letter in opposition from Jennifer Clark of the American Kennel Club ([Exhibit AA](#)).

SENATOR GOICOECHEA:

I will need to consult with legal counsel on why the sentence, "The lien does not extend to the cost of care and shelter for more than 2 weeks," was deleted in section 1, subsection 3.

ERIN ROOHAN (Legal Counsel):

I think by removing the language, if the county intended to use a lien rather than adopting the animal, it could also take that route.

SENATOR GOICOECHEA:

I guess the concern is the fact that we deleted a limited lien, and the lien shall not extend beyond two weeks. I am curious why we deleted that language. It

seemed like that was a good piece of legislation and protection for everyone. Perhaps we could place the language back in the proposed amendment.

Ms. ROOHAN:

I think the limited lien was removed because the lien extends to only two weeks. We removed the limited language because it is longer than two weeks now that you can have a lien. Is it the intent to get rid of the whole lien provision?

SENATOR GOICOCHEA:

No, I think it is fine. It is just that there is a limited lien on the animal. Is that still appropriate to have a limited lien on the animal? That was existing law before I brought forth this bill. I would still like to see that maintained.

Ms. ROOHAN:

I think the word "limited" is in reference to the time period. The reason the language was removed is because of the two-week time limit being removed. Now there is no longer a limit on the amount of time the lien can extend.

SENATOR GOICOCHEA:

Can we change the language to say that lien does not extend beyond two weeks, which puts limited back into the proposed amendment?

Ms. ROOHAN:

Yes, if that is the Committee's intent.

SENATOR GOICOCHEA:

I think this would clean up the bill and avoid exposure on both sides. We will submit the bill to the Committee with the proposed amendment.

CHAIR CANCELA:

I will close the hearing on S.B. 371.



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CHAIR CANCELA:

Seeing no further business, the meeting is adjourned at 5:29 p.m.

RESPECTFULLY SUBMITTED:

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Maria Vega,  
Committee Secretary

APPROVED BY:

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Senator Yvanna D. Cancela, Chair

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

<b>EXHIBIT SUMMARY</b>				
<b>Bill</b>	<b>Exhibit / # of pages</b>		<b>Witness / Entity</b>	<b>Description</b>
	A	1		Agenda
	B	13		Attendance Roster
	C	11	Disque Deane Jr. / Water Asset Management	Presentation
S.B. 364	D	6	Senator David R. Parks	Proposed Amendment 3340
S.B. 364	E	5	Trish Swain / TrailSafe Nevada	Presentation Overview
S.B. 364	F	3	Trish Swain / TrailSafe Nevada	Opinion Poll
S.B. 364	G	2	Cathy Smith	Written Testimony
S.B. 364	H	2	Trish Swain / TrailSafe Nevada	Non-Target Totals
S.B. 364	I	3	Heather Carpenter / The Humane Society of the United States	Written Testimony
S.B. 364	J	1	Linda Platshon	Written Testimony
S.B. 364	K	1	Mary McCoy	Letter
S.B. 364	L	1	Mary and Maro Wiebolt	Letter
S.B. 364	M	1	Pamela Jo / Lake Tahoe Wolf Rescue	Letter
S.B. 364	N	1	Jana Wright	Letter
S.B. 364 S.B. 365 S.B. 371	O	2	Margaret Flint / Canine Rehabilitation Center & Sanctuary	Written Testimony
S.B. 364 S.B. 365	P	1	Janette Dean	Written Testimony
S.B. 364 S.B. 365	Q	2	Tracy Truman	Written Testimony
S.B. 364 S.B. 365	R	2	Mike Reese / Southern Nevada Coalition for Wildlife	Written Testimony

S.B. 364 S.B. 365	S	7	Paul Crawford	Written Testimony and article reference
S.B. 364 S.B. 365	T	2	Don Noorda	Written Testimony
S.B. 365	U	1	Leah Sturgis / Nevada Wildlife Alliance	Proposed Amendment
S.B. 365	V	1	Camilla H. Fox / Project Coyote	Letter
S.B. 365	W	1	Lynn Cullens / Mountain Lion Foundation	Letter
S.B. 365	X	1	Patrick Donnelly / Center for Biological Diversity	Letter
S.B. 371	Y	1	Robert Smith / Washoe County Regional Animal Services	Proposed Amendment
S.B. 371	Z	11	Christine Vaught	Articles
S.B. 371	AA	1	Jennifer Clark / American Kennel Club	Letter