

2024 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 6

BY REPRESENTATIVES VENTRELLA AND GEYMAN

A CONCURRENT RESOLUTION

To amend the Department of Wildlife and Fisheries rules LAC 76:V.131(B), (E)(4), and (6) and to enact LAC 76:V.131(D)(3) which provide relative to the Wildlife Rehabilitation Program, to provide for requirements for a Wildlife Rehabilitation Program permit, to provide general rules for the Wildlife Rehabilitation program, to provide for requests for extension, and to direct the office of the state register to print the amendments in the Louisiana Administrative Code.

WHEREAS, the current permit process for the Wildlife Rehabilitation Permit Program is overly burdensome, making it too difficult to become a permitted rehabilitator; and

WHEREAS, there is a shortage of licensed rehabilitators in the state of Louisiana, burdening current rehabilitators past capacity; and

WHEREAS, the Department of Wildlife and Fisheries Wildlife Rehabilitation Permit Program regulates the rehabilitation of injured or orphaned wildlife in Louisiana; and

WHEREAS, you must have a wildlife rehabilitation permit to rehabilitate wildlife in Louisiana; and

WHEREAS, to obtain a permit you must have knowledge of wildlife behavior, habitat, diet and other species specific needs; and

WHEREAS, completion of the Wildlife Rehabilitation Permit Basic Skills Course is required for individuals to receive a wildlife rehabilitation permit; and

WHEREAS, the Wildlife Rehabilitation Permit Basic Skills Course is only offered annually; and

WHEREAS, offering the course online will make it more readily available to the general public who may wish to obtain a wildlife rehabilitation permit.

THEREFORE, BE IT RESOLVED by the Legislature of Louisiana that LAC 76:V.131(B), (E)(4), and (6) are hereby amended and LAC 76:V.131(D)(3) is hereby enacted to read as follows:

§131. Wildlife Rehabilitation Program

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B. Definitions

Rabies Vector Species (RVS) - mammalian species defined by Louisiana Department of Wildlife and Fisheries (LDWF) as potential carriers of the rabies virus including, but not limited to the following:

- a. raccoons;
- b. foxes;
- c. coyotes;
- d. skunks; and
- e. bats.

Subpermittee - person authorized to conduct rehabilitation activities under the supervisory responsibility of a wildlife rehabilitator.

Supervisory Responsibility - to direct actions and accept responsibility for the actions of a named individual engaged in wildlife rehabilitation activities.

Wildlife Rehabilitation - activity that provides housing, treatment and temporary care of injured and/or orphaned indigenous animals with the goal of subsequent release of those healthy animals to appropriate habitats in the wild.

Wildlife Rehabilitator - a person who is permitted by the LDWF to engage in the practice of wildlife rehabilitation.

Wildlife Rescuer - a person who is allowed to possess certain wildlife in accordance with the exemption requirements of Paragraph (D)(3) of this Section.

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D. Exemptions

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3. Wildlife Rescuer

a. Individuals may possess in captivity certain sick, injured, or orphaned wildlife while providing care for such wildlife for a period of up to ninety days as provided for in this Paragraph:

i. Wildlife included under this Paragraph shall be limited to the following species: squirrel, opossum, rabbit, or chipmunk, with such possession limited to one animal or litter of animals per individual.

ii. A raccoon or skunk that is sick, injured, or orphaned may also be possessed pursuant to the provisions of this Paragraph upon notification to the Department of Wildlife and Fisheries of possession of the wildlife and upon receipt of information regarding rabies vector species and a list of available wildlife rehabilitators.

iii. Individuals in possession of any of these animals shall be held strictly liable for any damages for injuries to persons or property caused by the animal.

b. To continue to possess the wildlife beyond ninety day from finding the sick, injured, or orphaned wildlife all of the following shall occur:

i. The individual has satisfied wildlife rescuer training requirements. The curriculum shall be offered online and shall cover at a minimum safety considerations, wildlife husbandry requirements, transfer of diseases, and that a person possessing an animal pursuant to this Paragraph is held strictly liable for any damage or injury the animal causes.

ii. The individual applied for a Special Purpose and Possession permit.

iii. A Louisiana licensed veterinarian has determined that the animal is medically non-releasable or exhibits signs of adjusted life in captivity.

c. i. If the conditions of Subparagraph b of this Paragraph have been met, the Department of Wildlife and Fisheries shall issue a Special Purpose and Possession permit and the individual shall be able to continue to possess the animal for the duration of its natural life.

ii. Any animal possessed pursuant to the provisions of this Paragraph shall be spayed or neutered. Rabies vector species shall also be microchipped by a Louisiana licensed veterinarian.

d. A Louisiana licensed veterinarian shall not be liable to any person for any injury, illness, death, loss, civil penalty, or damage as a result of any act or omission in determining that the animal is medically non-releasable or exhibits signs of adjusted life in captivity as required by the provisions of this Paragraph. However, this limitation of liability shall not be applicable if the damage, injury, or loss was caused by the gross negligence or willful or wanton misconduct of the licensed Louisiana veterinarian.

e. It shall be unlawful for an individual exempted under the provisions of this Paragraph to use the wildlife in any manner for the purposes of exploitation, including for any promotional or commercial purpose, or for the purposes of pet trade. Any such act shall be grounds for seizure of the wildlife by the department and revocation of any issued permit.

E. Permit Requirements

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4. Prior to licensure or renewal, all applicants must show proof of completion of a LDWF-approved wildlife rehabilitation course and must be currently certified under the approved organization's guidelines. There shall be at least one approved course readily available online, which may require successful completion of an interactive test. The department shall post approved courses on its website by January 1, 2025. Failure to provide proof of successful completion of the course and subsequent continuing education requirements will result in non-licensure or revocation of the WRP.

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~~6. All facilities where animals will be housed or maintained will be inspected by LDWF prior to receiving a WRP.~~ All applicants shall have a suitable habitat for any animals housed and shall report the specifications of the habitat to the

department. Permitted facilities may be subject to inspection by LDWF upon twenty-four hour notice to the WRP applicant.

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BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the office of the state register.

BE IT FURTHER RESOLVED that the office of the state register is hereby directed to have the amendments to LAC 76:V.131(B), (E)(4), and (6) and the enactment of LAC 76:V.131(D)(3) printed and incorporated into the Louisiana Administrative Code.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE