

2024 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 6

BY REPRESENTATIVES VENTRELLA AND GEYMANN

WILDLIFE & FISHERIES: Provides relative to Wildlife Rehabilitation Program rules

1 A CONCURRENT RESOLUTION

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

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

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

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

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

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

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

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

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

5        WHEREAS, requiring verification of access to veterinary services can be overly  
6 burdensome on a person interested in the rehabilitation of wildlife; and

7        WHEREAS, allowing for inspections of housing facilities can be overly intrusive on  
8 a person interested in the rehabilitation of wildlife; and

9        WHEREAS, the Department of Wildlife and Fisheries is a self-funded department  
10 and the requirement of a fee for licensure offsets the cost for the rehabilitation program.

11        THEREFORE, BE IT RESOLVED by the Legislature of Louisiana that LAC  
12 76:V.131(E)(4)and (6) are hereby amended and LAC 76:V.131(D)(3) is hereby enacted to  
13 read as follows:

14        §131. Wildlife Rehabilitation Program

15                                \*       \*       \*

16                D. Exemptions

17                                \*       \*       \*

18                3. Individuals may possess in captivity any sick, injured, or orphaned  
19 wildlife if they have satisfied the course requirements of this Section and a licensed  
20 veterinarian has determined that the animal is medically non-releasable or exhibits  
21 signs of adjusted life in captivity and poses minimum zoonotic potential. Wildlife  
22 included under this exemption shall be limited to the following species: (1) squirrel,  
23 (2) skunk, (3) opossum, (4) raccoon, (5) rabbit, or (6) chipmunk, with such  
24 possession limited to one animal per individual. Individuals in possession of one of  
25 these animals shall be held strictly liable for any damages for injuries to persons or  
26 property caused by the animal. The required inspection by the department shall not  
27 apply if the wildlife is possessed under this Section.

28                E. Permit Requirements

29                                \*       \*       \*

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

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

9                                           \*       \*       \*

10           6. ~~All facilities where animals will be housed or maintained will be inspected~~  
11 ~~by LDWF prior to receiving a WRP.~~ All applicants shall have a suitable habitat for  
12 any animals housed and shall report the specifications of the habitat to the  
13 department. Permitted facilities may be subject to inspection by LDWF upon twenty-  
14 four hour notice to the WRP applicant. The department may only inspect an  
15 applicant one time per lifetime of a permit except when there is probable cause of a  
16 violation of wildlife or criminal law.

17                                           \*       \*       \*

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

20           BE IT FURTHER RESOLVED that the office of the state register is hereby directed  
21 to have the amendments to LAC 76:V.131(E)(4) and (6) and the enactment of LAC  
22 76:V.131(D)(3) printed and incorporated into the Louisiana Administrative Code.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HCR 6 Reengrossed                                           2024 Regular Session                                           Ventrella

Present law (LAC 76:V.131) provides for the Wildlife Rehabilitation Program permitting and operations. Present law (LAC 76:V.131(E)(4)) provides for permit requirements for the Wildlife Rehabilitation Program, and requires completion of a course certified by the La. Dept. of Wildlife and Fisheries (LDWF). Proposed law requires that department approved courses be readily available online, with completion subject to an interactive test.

Present law (LAC 76:V.131(E)(6)) allows for inspection of an applicant's animal housing facilities by the LDWF. Proposed law provides that an applicant must have a suitable housing for the animal and must report the habitat specifications to the department, and that permitted facilities may be subject to inspection by the LDWF upon twenty-four hours notice to the WRP applicant. Proposed law provides that the department may only inspect an applicant once per lifetime of the permit except where there is probable cause of a violation of wildlife or criminal law.

Proposed law provides that individuals may possess in captivity any sick, injured, or orphaned wildlife if they have satisfied the course requirements of present law and a licensed veterinarian has determined that the animal is medically non-releasable or exhibits signs of adjusted life in captivity and poses minimum zoonotic potential. Specifies that wildlife included under this exemption will be limited to the following species: (1) squirrel, (2) skunk, (3) opossum, (4) raccoon, (5) rabbit, or (6) chipmunk, with such possession limited to one animal per individual. Proposed law provides that individuals in possession of one of these animals will be held strictly liable for any damages for injuries to persons or property caused by the animal.

(Amends LAC 76:V.131(E)(4) and (6); Adds LAC 76:V.131(D)(3))

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Natural Resources and Environment to the original bill:

1. Establish an exemption to the Wildlife Rehabilitation Program Permit, in which an individual may possess in captivity sick, injured, or orphaned wildlife if they have satisfied the course requirements of the program and have a licensed veterinarian certify that the animal is medically non-releasable. Further specifies that these animals are limited to squirrel, skunk, opossum, raccoon, rabbit, or chipmunk, with possession limited to one animal per individual. Individuals will also be strictly liable for any damages to persons or property caused by the animal.
2. Require at least one department approved course readily available online, which may require completion of an interactive test. Further require the department post approved courses on its website by January 1, 2025. Additionally provide that any wildlife rehabilitation courses developed or administered by the LDWF are subject to a fee of \$50.
3. Restore provisions related to submission of a Statement of Veterinary Support.
4. Provide that permitted facilities may be subject to inspection by the LDWF upon sufficient notice to the WRP applicant.
5. Restore provisions related to submission of a written request for extension of possession of an animal after 120 days.
6. Make technical changes.

#### The House Floor Amendments to the engrossed bill:

1. Specify that the required inspection by the department does not apply if wildlife is possessed under the Section of proposed law.
2. Remove a fee requirement for any wildlife rehabilitation course developed or administered by the Louisiana Department of Wildlife and Fisheries.

3. Clarify that permitted facilities may be subject to inspection by the LDWF upon twenty-four hours of notice to the WRP applicant, instead of upon sufficient notice.
4. Specify that the department may only inspect a WRP applicant once per the lifetime of a permit, except where there is probable cause of a violation of wildlife or criminal law.