

GREEN SHEET REDIGEST

HCR 6

2024 Regular Session

Ventrella

WILDLIFE & FISHERIES: Provides relative to Wildlife Rehabilitation Program rules.

DIGEST

Present law (LAC 76:V.131) provides for the Wildlife Rehabilitation Program permitting and operations. Further provides definitions.

Proposed law retains present law and defines "Wildlife Rescuer" as a person who is allowed to possess certain wildlife in accordance with certain exemption requirements.

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 a Wildlife Rescuer may possess in captivity any sick, injured, or orphaned wildlife while providing care for up to 90 days under the following conditions:

- (1) For squirrel, opossum, rabbit or chipmunk, limit of one animal or litter per individual.
- (2) Single raccoon or skunk, upon notification of LDWF and receipt of information on rabies vectors and a list of rehabilitators.
- (3) Possessors held strictly liable for damages to persons or property.

Proposed law provides that a Wildlife Rescuer may possess sick, injured, or orphaned wildlife beyond 90 days under the following conditions:

- (1) Individual satisfies LDWF training requirements, which shall be offered online and provide information on safety, husbandry, and diseases.
- (2) Individual applies for a Special Purpose and Possession permit.
- (3) Louisiana licensed veterinarian determines the animal is non-releasable or is adjusted to captivity.

Proposed law requires LDWF to issue the permit where all requirements are met, and individual shall be allowed to possess the animal for the remainder of its life. Further requires that the animal shall be spayed or neutered, and rabies vector species shall be microchipped.

Proposed law provides that a Louisiana licensed veterinarian is not liable for injury, illness, death, loss, civil penalty, or damage in determining the animal is non-releasable or is adjusted to captivity, except in cases of gross negligence or willful misconduct.

Proposed law prohibits use of any animal possessed under proposed law for exploitation, including promotion, commerce, or pet trade. Further provides that any such use shall be grounds for seizure of the animal and revocation of the permit.

(Amends LAC 76:V.131(B), (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.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Natural Resources to the reengrossed bill

1. Make technical changes.
2. Define "Wildlife Rescuer" as a person who is allowed to possess certain wildlife in accordance with certain exemption requirements.
3. Provide requirements for a Wildlife Rescuer to possess certain wildlife while providing care for up to 90 days.

4. Remove the limitation that LDWF may only inspect an applicant once per permit lifetime except with probable cause of a violation.
5. Require LDWF to issue a Special Purpose and Possession permit in certain circumstances.
6. Add a limitation of liability for veterinarians in determining an animal is non-releasable or adjusted to captivity.
7. Prohibit exploitation of wildlife.