

NOTICE OF INTENT

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

Possession of Potentially Dangerous Wild Quadrupeds, Big Exotic Cats, and Non-Human Primates

The Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission does hereby advertise their intent to amend the rules and regulations governing the possession of potentially dangerous quadrupeds, big exotic cats, and non-human primates.

Title 76

WILDLIFE AND FISHERIES

PART V. WILD QUADRUPEDS AND WILD BIRDS

Chapter 1. Wild Quadrupeds

§115. Possession of Potentially Dangerous Wild Quadrupeds, Big Exotic Cats, and Non-Human Primates

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H. Big Exotic Cats. An individual person who ~~legally possesses~~ has continually possessed in Louisiana an ~~one or more~~ exotic cats listed in Subparagraph C.1.h. above on August 15, 2006 (the effective date of Act 715 of the Regular Session of 2006) and who obtained the exotic cat by lawful means ~~can prove legal ownership is authorized to keep these may continue to possess the~~ exotic cats under the following conditions.

1. No more than one ~~Only those~~ exotic cats ~~legally possessed on August 15, 2006~~ meeting this rule will be permitted. Additional exotic cats cannot be acquired by any means whatsoever, including breeding.

2. A permit will only be issued to the individual who owns the exotic cat or to an individual who is a designee of the owner, where the owner is not an individual. If the permittee is a designee, the individual must agree to comply with all requirements of the permit and these rules.

32. The individuals listed in this Subsection must annually apply for and receive a permit from the department. The permit application shall be on a form provided by the department and require:

- a. the name, address, telephone number, driver's license number, and date of birth of applicant;
- b. a description of each the exotic cat applicant possesses, including the scientific name, sex, age, color, weight, and any distinguishing marks;
- c. one or more photographs of each the exotic cat and its permanent enclosure;
- d. the physical location where each the exotic cat is to be kept;
- e. proof of legal ownership of the exotic cat on August 15, 2006. Proof of legal ownership includes original purchase documents, veterinary records, or other documentation, acceptable to the department, demonstrating ownership;
- f. the microchip number of each the exotic cat;
- g. a health certificate signed by a licensed veterinarian within one year prior to the date of the application. The certificate shall include the name, address, and license number of the examining veterinarian;
- h. a written plan for the quick and safe recapture or destruction in the event of the escape of the of an escaped exotic cat listed in the permit. This plan must also be filed with the local sheriff's department, and police department if applicable;
- i. statement that permittee has legal authority to possess weapons and/or other equipment necessary to carry out the plan provided in Subparagraph H.2.h;

j. signed agreement, on a form provided by the department, indemnifying and holding harmless the state, department, and other applicable public agencies and employees, including agents, contractors, and the general public from any claims for damages resulting from the permitted exotic cat(s);

k. signed agreement that the permittee will be responsible for any and all costs associated with the escape, capture, and disposition of ~~a the~~ permitted exotic cat;

l. proof of liability insurance from an A-rated or higher insurance company in the amount of \$100,000 ~~for each exotic cat, up to a maximum of \$1,000,000~~, valid and effective continuously for the entire permit term. The policy shall specifically include a provision requiring notice from the carrier to the secretary of the department a minimum of 30 days prior to cancellation of the policy.

~~3. The Ppermitted exotic cats must be prevented from breeding by separate housing or sterilization. Sterilization records must be kept on the premises and available for inspection by the department.~~

4. Permittee or designee must live on the premises ~~or permittee and designees must provide continuous on-site monitoring of the exotic cat~~. Designee(s) must have the ability to carry out all requirements of the permittee.

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6. A weapon capable of destroying the animal(s), and a long range delivery method for chemical immobilization shall be kept on the premises at all times. Additionally, the applicant shall provide a signed statement from a licensed veterinarian identifying a designated veterinarian who will be on-call and available at all times to deliver chemical immobilization in the event of an escape.

7. Clearly legible signs, approved by the department, shall be posted and displayed at each possible entrance onto the premises where the permitted exotic cat is located. The signs shall clearly state "Danger, Wild Animal On Premises" with letters of a size and font easily readable from ~~thirty~~ (30) feet away.

8. ~~Each-The~~ permitted exotic cat must be implanted with a microchip by or under the supervision of a licensed veterinarian.

9. ~~Each-The~~ permitted exotic cat must remain in its enclosure on the property listed in the permit at all times and cannot be removed from the enclosure for any reason. However, the exotic cat may be removed for proper medical care for medical emergencies or medical procedures, but only under the direction of a licensed veterinarian.

10. Permittee must notify the department, the local sheriff's department, and police department if applicable, immediately upon discovery that the permitted exotic cat is no longer in its enclosure.

11. Permittee must notify the department prior to any disposition of ~~a the~~ permitted exotic cat, including transportation out-of-state. The department reserves the right to supervise and accompany any such disposition.

12. ~~P~~The permitted exotic cat must be kept in a sanitary and safe condition and may not be kept in a manner that results in the maltreatment or neglect of the exotic cat. This includes, but is not limited to:

a. drinking water must be provided in clean containers, pools must be cleaned as needed to ensure good water quality, enclosures must have adequate surface water drainage, and hard floor surfaces must be regularly scrubbed and disinfected;

b. food must be unspoiled and not contaminated, and be of a type and quantity sufficient to meet the nutritional requirements of the permitted exotic cat;

c. fecal and food waste must be removed from enclosures daily and disposed of in a manner that prevents noxious odors and insect and other pests;

d. sufficient shaded areas must be available ~~for each exotic cat that is maintained in an enclosure, regardless of group rank or status.~~

13. In addition to complying with this regulation, permittee must comply with any and all applicable federal, other state, or local law, rule, regulation, ordinance, permit, or other permission. Failure to comply with any such law, rule, regulation, ordinance, permit, or other permission ~~may~~ constitutes a violation of this regulation.

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AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(31), R.S. 56:115, R.S. 56:171, and R.S. 56:1904F.
HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 21:1356 (December 1995), amended LR 32:647 (April 2006), LR 33:1153 (June 2007), amended by House Concurrent Resolution 6 of the 2012 Regular Legislative Session, LR 38:1459 (June 2012).

Family Impact Statement

In accordance with Act No. 1183 of 1999, the Department of Wildlife and Fisheries/Wildlife and Fisheries Commission hereby issues its Family Impact Statement in connection with the preceding Notice of Intent. This Notice of Intent will have no impact on the six criteria set out at R.S. 49:972(B).

Poverty Impact Statement

The proposed Rule should not have any known or foreseeable impact on any child, individual or family as defined by R.S. 49:973(B).

Provider Impact Statement

The proposed rule change is not anticipated to have any known impact on providers of services funded by the state as described in HCR 170 of the 2014 Regular Legislative Session.

Public Comments

Interested persons may submit written comments relative to the proposed amendments until 4:30 p.m., September 30, 2014 to Melissa Collins, Wildlife Permits Coordinator, P.O. Box 98000, Baton Rouge, LA 70898, or via email to mcollins@wlf.la.gov