

SENATE, No. 1864

STATE OF NEW JERSEY
215th LEGISLATURE

INTRODUCED MAY 3, 2012

Sponsored by:

Senator JEFF VAN DREW

District 1 (Atlantic, Cape May and Cumberland)

Senator JENNIFER BECK

District 11 (Monmouth)

Co-Sponsored by:

Senators Bateman, Singer and Whelan

SYNOPSIS

The “Wildlife Rehabilitation Act”; establishes Wildlife Rehabilitation Board and continuing education requirements and permit program for wildlife rehabilitators.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/4/2012)

1 AN ACT concerning wildlife rehabilitation and supplementing Title
2 23 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. This act shall be known and may be cited as the “Wildlife
8 Rehabilitation Act.”

9

10 2. The Legislature finds and declares that:

11 a. In the past decade, the number of wildlife encounters has
12 increased while the number of volunteer wildlife rehabilitators in
13 the State has decreased drastically, and seven counties in the State
14 have no wildlife rehabilitators;

15 b. The wildlife rehabilitator permitting process was established
16 by the Division of Fish and Wildlife, in the Department of
17 Environmental Protection, in order to support and keep track of
18 individuals rehabilitating wildlife;

19 c. Volunteer wildlife rehabilitators demonstrate an interest in
20 helping orphaned or injured wildlife and are an asset to
21 communities all over the State, providing an outlet for the public by
22 responding to calls for help from veterinarians, police departments
23 and State Police, fire departments, the United States Coast Guard,
24 animal control officers, and private individuals, and rehabilitating
25 thousands of animals each year; and

26 d. It is in the best interest of the State to increase the number of
27 wildlife rehabilitators and wildlife rehabilitation facilities located
28 throughout the State by: creating an environment that encourages
29 volunteers; eliminating any apparent and real conflicts with the
30 Division of Fish and Wildlife; working with animal rescue groups,
31 veterinarians, animal shelters, animal control officers, and others to
32 establish fair and reasonable training and licensing requirements
33 and educational programs; and supporting wildlife rehabilitation
34 goals that protect the health and wellbeing of citizens and wildlife
35 in this State.

36

37 3. As used in this act:

38 “Applicant” means a person who has applied to the board to
39 become a permitted wildlife rehabilitator.

40 “Board” means the Wildlife Rehabilitation Board established
41 pursuant to section 4 of this act.

42 “Department” means the Department of Environmental
43 Protection.

44 “Permittee” or “permitted wildlife rehabilitator” means a wildlife
45 rehabilitator issued a permit pursuant to section 5 of this act.

46 “Refusal of entry” means preventing an inspector from entering a
47 facility or premises, preventing an inspector from inspecting an
48 animal, hiding an animal from an inspector, or an act or omission

1 that prevents an inspector from gaining entry to a facility or
2 premises.

3 “Wildlife rehabilitation” means the process of caring for an
4 injured, orphaned, or sick wild animal, including providing food,
5 housing, and medical care to the animal, and returning the animal to
6 the wild after treatment.

7 “Wildlife rehabilitator” means a person trained, and permitted, to
8 perform wildlife rehabilitation on specific animals.

9
10 4. a. There is hereby established the Wildlife Rehabilitation
11 Board in, but not of, the Department of Environmental Protection.
12 The board shall be distinct and separate from the Division of Fish
13 and Wildlife in the department. The board shall establish
14 permitting requirements for wildlife rehabilitators and shall oversee
15 the permitting, educational training, and programming for wildlife
16 rehabilitators. The board shall have full power and responsibility for
17 providing professional oversight, permitting of wildlife
18 rehabilitators, and developing the Wildlife Rehabilitator Apprentice
19 Program and continuing education programs pursuant to sections 8
20 and 9 of this act.

21 b. The board shall consist of 12 members to be selected and
22 qualified as follows:

23 (1) the Commissioner of Environmental Protection, or the
24 commissioner’s designee who shall not be in the Division of Fish
25 and Wildlife, who shall serve ex officio;

26 (2) three members, with experience rehabilitating injured
27 wildlife, who shall be recommended by the New Jersey Veterinary
28 Medical Association and appointed by the Governor;

29 (3) one member who shall be recommended by the Animal
30 Rehabilitators Alliance of New Jersey and appointed by the
31 Governor;

32 (4) one member who shall be recommended by the Coalition to
33 Prevent the Destruction of Canada Geese and appointed by the
34 Governor;

35 (5) one member who shall be recommended by the New Jersey
36 Society for the Prevention of Cruelty to Animals and appointed by
37 the Governor;

38 (6) one member who shall be recommended by the Associated
39 Humane Societies of New Jersey and appointed by the Governor;

40 (7) one member who shall be a wildlife rehabilitator in New
41 Jersey and appointed by the Governor;

42 (8) one member, with experience rehabilitating injured wildlife,
43 who shall be recommended by the New Jersey Veterinary
44 Technicians and Assistants and appointed by the Governor; and

45 (9) two members of the public who shall be residents of the
46 State and appointed by the Governor.

47 c. Of the 11 members first appointed, three shall be appointed
48 to a term of one year, four shall be appointed to a term of two years,

1 and four shall be appointed to a term of three years. Thereafter, all
2 appointments shall be for a term of three years, and a member shall
3 not be appointed to serve more than two consecutive three-year
4 terms.

5 d. Each appointed member shall serve for the term of the
6 appointment and until a successor shall have been appointed and
7 qualified. Any vacancy shall be filled in the same manner as the
8 original appointment for the unexpired term only.

9 e. No member may be appointed if found in violation of any
10 laws, rules, or regulations concerning wildlife rehabilitation or
11 animal cruelty. A member found in violation of any laws, rules, or
12 regulations concerning wildlife rehabilitation or animal cruelty shall
13 be immediately removed from the board and the vacancy shall be
14 filled in the manner prescribed pursuant to subsection d. of this
15 section.

16 f. The appointed members shall serve without compensation,
17 but may be reimbursed for necessary expenses incurred in the
18 performance of their duties within the limits of funding made
19 available to the board.

20 g. The board shall organize as soon as possible after the
21 appointment of its members, and shall select a chairperson from
22 among its members and a secretary who need not be a member of
23 the board.

24 h. A majority of the entire board shall constitute a quorum for
25 the transaction of business. Action may be taken and motions and
26 resolutions adopted by the board at any meeting thereof by the
27 affirmative vote of a majority of the full membership of the board.

28 i. The board shall be entitled to the assistance and service of
29 the employees of the Department of Environmental Protection, and
30 any State, county or municipal department, board, bureau,
31 commission or agency, or a public institution of higher education in
32 the State, as it may require and as may be available to it for its
33 purposes.

34

35 5. The Wildlife Rehabilitation Board, in consultation with the
36 New Jersey Veterinary Medical Association, shall establish a
37 wildlife rehabilitation permit, and shall develop the process and
38 educational requirements necessary for an applicant to become a
39 permitted wildlife rehabilitator.

40 a. Prior to applying to the board for a wildlife rehabilitation
41 permit, an applicant shall first receive a federal rehabilitation permit
42 from the United States Fish and Wildlife Service in the United
43 States Department of the Interior or the National Marine Fisheries
44 Service in the National Oceanic and Atmospheric Administration, if
45 appropriate or applicable.

46 b. The board shall establish permits for:

47 (1) mammals:

48 (a) class 1 – rabbit, opossum, squirrel, and chipmunk;

- 1 (b) class 2 – raccoon, skunk, porcupine, beaver, mink, otter, and
2 muskrat, in addition to class 1;
- 3 (c) class 3 – fox, coyote, and bat, in addition to classes 1 and 2;
- 4 (d) class 4 – deer and fawn, in addition to classes 1, 2, and 3;
- 5 (e) class 5 – bear and bobcat, in addition to classes 1, 2, 3, and
6 4;
- 7 (f) special permits for one type of animal other than class 1 or
8 class 2:
- 9 (i) class 6a – fox only;
- 10 (ii) class 6b – coyote only;
- 11 (iii) class 6c – bat only;
- 12 (iv) class 6d – deer and fawn only; and
- 13 (v) class 7 – bear only; and
- 14 (g) marine mammals:
- 15 (i) class 8a – whales, dolphins, porpoises, seals, and sea lions;
16 and
- 17 (ii) class 8b – walruses, polar bears, sea otters, dugongs, and
18 manatees;
- 19 (2) birds:
- 20 (a) class 1 – passerines and waterfowl;
- 21 (b) class 2 – heron-like birds and seabirds, in addition to class 1;
22 and
- 23 (c) class 3 – raptors, in addition to classes 1 and 2; and
- 24 (3) reptiles and amphibians.
- 25 Any permit for marine mammals shall be subject to all federal
26 laws, rules, and regulations and shall be consistent with the
27 requirements for a federal permit for marine mammals. The board
28 shall provide assistance, as requested or as may be necessary, for
29 marine mammal permit holders and, at the board’s discretion,
30 provide information concerning veterinary or other services to help
31 marine mammal permit holders to be successful in rehabilitating
32 injured wildlife.
- 33 c. Prior to the board issuing a wildlife rehabilitation permit to
34 an applicant, the board shall verify that the wildlife rehabilitation
35 facility and premises have been inspected as required pursuant to
36 section 11 of this act.
- 37 d. Prior to the board issuing a wildlife rehabilitation permit, an
38 applicant shall complete the Wildlife Rehabilitator Apprentice
39 Program established pursuant to section 8 of this act.
- 40 e. A wildlife rehabilitator licensed by the Department of
41 Environmental Protection on or before the date of enactment of this
42 act shall remain permitted as a wildlife rehabilitator for one year
43 after the organization of the board. Thereafter, a wildlife
44 rehabilitator licensed by the Department of Environmental
45 Protection on or before the date of enactment of this act may remain
46 permitted as a wildlife rehabilitator at the discretion of the board
47 and after completion of an inspection pursuant section 11 of this
48 act.

1 f. A wildlife rehabilitation permit issued pursuant to this act
2 shall be valid for two years. The board shall automatically renew a
3 wildlife rehabilitation permit every two years upon (1) fulfillment
4 by the permittee of continuing education requirements and upon
5 submission to the board of the certificate of completion issued
6 pursuant to subsection d. of section 9 of this act, and (2) verification
7 by the board that a wildlife rehabilitator has not been found in
8 violation of any law, rule, or regulation concerning wildlife
9 rehabilitation or animal cruelty.

10 g. A wildlife rehabilitation permit may remain valid if a
11 permittee is not actively rehabilitating and the permittee requested,
12 in writing to the board, that the permit be placed under inactive
13 status. A permittee may remain under inactive permit status only if
14 continuing education requirements are fulfilled pursuant to section
15 9 of this act. If continuing education credits are not maintained,
16 retraining shall be required prior to changing an inactive permit
17 status to active, as determined by the board.

18

19 6. a. The Wildlife Rehabilitation Board shall post information
20 about wildlife rehabilitation on an Internet website, and shall
21 maintain a toll-free phone number for the public to contact to obtain
22 information concerning wildlife rehabilitation. The Internet
23 website, maintained by the board, shall include a list of permitted
24 wildlife rehabilitators, and the list shall be updated on a monthly
25 basis. The board shall provide to any applicant information
26 concerning the requirements to become, and actively remain, a
27 permitted wildlife rehabilitator.

28 b. An applicant may call or make an electronic submission to
29 the board expressing interest in becoming a wildlife rehabilitator.

30 (1) The board shall provide information to an applicant that
31 includes contact information for wildlife rehabilitators located in
32 the area of the applicant.

33 (2) An applicant shall consult with a wildlife rehabilitator
34 located in their area and volunteer with the wildlife rehabilitator for
35 at least 15 hours.

36 (3) Upon completion of the volunteer time, the wildlife
37 rehabilitator shall, within 10 days, notify the Wildlife Rehabilitation
38 Board, in writing, verifying the volunteer work by the applicant.

39 (4) Upon completion of the volunteer time, the board shall
40 notify the applicant that the board has received verification of the
41 applicant's volunteer time. If the applicant is still interested in
42 becoming a wildlife rehabilitator, the board shall email, or mail
43 upon request, an official application to become a permitted wildlife
44 rehabilitator.

45 c. The board may create a standard information form, to be
46 used and submitted by a wildlife rehabilitator, in order for the board
47 to review and verify that an applicant has fulfilled the volunteer
48 time required pursuant to subsection b. of this section.

1 7. a. An applicant shall, after completing the requirements set
2 forth in section 6 of this act, submit an official application to the
3 Wildlife Rehabilitation Board to receive a wildlife rehabilitation
4 permit. The board shall, within 30 days after receipt of an
5 application, review the application and determine if the applicant is
6 qualified to become a wildlife rehabilitator.

7 b. Upon determination by the board that an applicant is
8 qualified to become a permittee, the applicant shall fulfill the
9 apprentice program requirements established pursuant to section 8
10 of this act.

11 c. The board shall be authorized to deny, suspend, or revoke a
12 wildlife rehabilitation permit.

13 (1) Upon determination by the board that an applicant is not
14 qualified or is ineligible to become a permittee, the board shall
15 provide to the applicant a written statement setting forth the reasons
16 for the denial of the permit.

17 (2) Upon determination by the board that a permit shall be
18 suspended or revoked, the board shall provide to the permittee a
19 written statement setting forth the reasons for the suspension or
20 revocation of the permit.

21 (3) Upon determination by the board that an applicant shall be
22 denied a permit pursuant to this section or that a permit shall be
23 suspended or revoked pursuant to this subsection, an applicant or
24 permittee may, within 30 days after the date of issuance of the
25 denial or revocation notice, request a hearing for a review of the
26 determination. The board shall grant a hearing to the applicant or
27 permittee within 30 days after receipt of the notice.

28 d. A permittee wishing to reinstate or retain a permit prior to
29 suspension or revocation shall allow inspection personnel of the
30 Wildlife Rehabilitation Board to inspect, at a reasonable time, the
31 rehabilitation facility and the animal or animals to determine
32 compliance with permit and inspection requirements, as set forth by
33 the board.

34

35 8. The Wildlife Rehabilitation Board, in consultation with the
36 New Jersey Veterinary Medical Association, shall establish a
37 Wildlife Rehabilitator Apprentice Program.

38 a. An applicant shall fulfill specific criteria, prior to
39 completion of the apprentice program, including working at:

40 (1) a veterinary facility at least once a week, for no less than six
41 months and up to one year; and

42 (2) a wildlife rehabilitation facility at least once a week, for no
43 less than six months and up to one year.

44 The term of apprenticeship at the veterinary facility and wildlife
45 rehabilitation facility shall be determined by a veterinarian or
46 rehabilitator, as applicable, in consultation with the applicant and
47 based on the applicant's individual progress at the respective
48 facility.

1 b. An applicant shall satisfactorily complete a course on the
2 biology or anatomy of animals or wildlife science, or a substantially
3 similar course provided by a veterinarian, by a college, or online
4 through the National Wildlife Rehabilitators Association or the
5 International Wildlife Rehabilitation Council, and as approved by
6 the board. A biology or anatomy of animals or wildlife science
7 course, or a substantially similar course, may be counted towards
8 the continuing education requirements, as set forth in section 9 of
9 this act.

10

11 9. The Wildlife Rehabilitation Board, in consultation with the
12 New Jersey Veterinary Medical Association, shall establish
13 continuing education requirements for a permitted wildlife
14 rehabilitator. A permittee shall fulfill specific criteria, as set forth
15 by the board, prior to renewal of a wildlife rehabilitation permit
16 pursuant to subsection f. of section 5 of this act.

17 a. The board shall approve educational courses to fulfill the
18 continuing education requirements, such as veterinarian classes or
19 college courses, as well as courses specific to the class of mammals,
20 birds, or reptiles for which a permit may be issued.

21 b. The continuing education requirement shall provide for a
22 permittee to complete at least 12 hours of instruction in each two-
23 year permit cycle.

24 c. The board may determine if a yearly schedule for attaining
25 credits shall be required of a permittee.

26 d. Upon fulfillment of the continuing education requirements, a
27 permittee shall provide verification to the board that the permittee
28 has completed the education coursework. If a certificate of
29 completion is issued by a college or other education provider, that
30 certificate shall be considered proper documentation for the
31 purposes of renewing a permit issued pursuant to subsection f. of
32 section 5 of this act.

33

34 10. The Wildlife Rehabilitation Board shall establish
35 requirements for the possession of permanently injured wildlife and
36 endangered or threatened permanently injured wildlife species, and
37 shall additionally authorize a retired permit.

38 a. A wildlife rehabilitator applying for a permit to possess
39 permanently injured wildlife or endangered or threatened
40 permanently injured wildlife shall meet all criteria for a federal
41 permit therefor from the United States Fish and Wildlife Service in
42 the United States Department of the Interior or the National Marine
43 Fisheries Service in the National Oceanic and Atmospheric
44 Administration, if appropriate or applicable. The Wildlife
45 Rehabilitation Board shall receive a copy of the federal permit to
46 review prior to issuing a State permit for the possession of
47 permanently injured wildlife or endangered or threatened
48 permanently injured wildlife species.

1 b. A wildlife rehabilitator applying for a permit to possess
2 permanently injured wildlife or endangered or threatened
3 permanently injured wildlife shall submit, to the Wildlife
4 Rehabilitation Board, a written description of the housing and
5 caging facilities intended for the species in question. The
6 submission shall include a summary of a continuous feed source
7 available for the specific diet of the animal. An inspector,
8 authorized by the board pursuant to section 11 of this act, shall
9 inspect the facility and premises to determine if they are suitable for
10 the intended species.

11 A wildlife rehabilitator shall demonstrate to the satisfaction of
12 the board that the security of the housing, caging and other
13 containment area of the facility, as applicable, protects the animal
14 and the public.

15 (1) Facilities shall be constructed to prevent (a) the possible
16 escape of the animal, and (b) public access to the animal, except
17 those animals that are used for educational purposes.

18 (2) Veterinarian service shall be ready and available to an
19 animal at all times.

20 c. The board shall issue a special permit for the possession of
21 specific individual species classified as endangered or threatened
22 wildlife to a wildlife rehabilitator who fulfills the following criteria:

23 (1) submission to the board of a detailed written proposal for (a)
24 education, and (b) provision of a natural environment to injured
25 wildlife to live out their lives comfortably and safely. The
26 submission shall be completed by the wildlife rehabilitator, and
27 shall include an explanation on the use of the species in question
28 and demonstrate that the health of the animal will not be
29 jeopardized;

30 (2) submission to the board of written records detailing the
31 wildlife rehabilitator's relevant education, past and current research,
32 publications, funding, equipment and any other information,
33 including a personal demonstration as may be required by the
34 board, which demonstrates to the satisfaction of the board that the
35 wildlife rehabilitator has the knowledge and expertise in handling
36 and caring for that specific species, and that it is reasonably
37 probable that the wildlife rehabilitator will accept guidance from
38 the board to improve upon that expertise;

39 (3) upon determination by the board that the wildlife
40 rehabilitator has failed to comply with the conditions set forth in
41 paragraphs (1) and (2) of this subsection, the board shall suspend or
42 revoke the special permit and place the animals possessed pursuant
43 to the special permit under immediate constructive seizure, pending
44 permanent removal of the animals from possession of the wildlife
45 rehabilitator by the board and at the wildlife rehabilitator's own
46 expense;

47 (4) submission to the board reporting on the disposition of the
48 animal that is the subject of the special permit, no later than the

1 15th day following the end of a six-month period for the first year
2 and biannually thereafter; and

3 (5) the wildlife rehabilitator shall acknowledge, in writing,
4 releasing the board, any sponsoring organization, or any
5 professional monitoring the wildlife rehabilitator's work, from
6 liability for any damages arising from the suspension or revocation
7 of a special permit issued by the board. Upon the suspension,
8 revocation, or expiration of a special permit, the wildlife
9 rehabilitator shall be solely responsible for all costs of maintaining
10 and relocating, at the discretion of the board, all the animals
11 possessed under the special permit.

12

13 11. a. The Wildlife Rehabilitation Board shall develop
14 inspection requirements for each class of permits prescribed in
15 subsection b. of section 5 of this act, and shall use the National
16 Wildlife Rehabilitators Association guidelines as the basis for the
17 requirements for inspection. The requirements shall include
18 inspection of the space, and cage if applicable, for an animal, and
19 the capacity of the facility and premises for multiple animals.

20 b. The board shall approve and authorize persons to conduct
21 inspections of wildlife rehabilitation facilities and premises.
22 Inspectors shall serve at the discretion of the board for a three-year
23 term and no inspector may serve for two sequential terms.

24 c. Each wildlife rehabilitation facility and premises shall be
25 inspected on an annual basis.

26 d. At the time of an inspection, the inspector shall provide a
27 copy of the inspection documentation to the wildlife rehabilitator.
28 The inspection documentation shall include space for the inspector
29 to remark on any deficiencies found and what corrective actions are
30 required. The inspector shall submit the inspection documentation
31 to the board within three days after the inspection.

32 e. Upon failure to satisfactorily fulfill inspection requirements,
33 and within 15 days after inspection, a wildlife rehabilitator may
34 submit a letter to the board indicating the wildlife rehabilitator's
35 response to any inspection violation, an explanation of the
36 conditions in the inspection documentation, and the intended
37 corrective action to be taken by the rehabilitator.

38 f. (1) All reasonable corrective action shall be completed by a
39 wildlife rehabilitator within 30 days after the board's receipt of a
40 letter, pursuant to subsection e. of this section.

41 (2) The board shall agree to any significant work necessary to
42 meet inspection requirements, and documentation, including a
43 contractor quote for cost and timeframe of completion if applicable,
44 shall be submitted to the board by the wildlife rehabilitator.

45 g. A wildlife rehabilitator shall notify the board after
46 completion of any corrective action. Within 30 days after
47 notification, a wildlife rehabilitation facility and premises shall be

1 re-inspected by an approved inspector to ensure completion of
2 corrective action of the original violations only.

3 h. When an inspector attempts an inspection of a wildlife
4 rehabilitation facility and its premises, and no person is present to
5 grant access, the inspector may post an order on an entrance to the
6 facility demanding access to the facility within three days. Failure
7 to permit an inspection within three days, as indicated in the posted
8 order, shall constitute a refusal of entry for purposes of this section,
9 unless there are no animals at the facility, or the wildlife
10 rehabilitator and the inspector who posted the order agree within the
11 three days indicated in the posted order to permit an inspection at a
12 time agreed to by both parties. It shall be an affirmative defense to
13 this subsection that there were no animals at the facility at the time
14 the order was posted.

15

16 12. a. A wildlife rehabilitator may release an animal within 10
17 miles of where the animal was found, and may release an animal at
18 a State park or forest, with the approval of the Division of Parks and
19 Forestry in the Department of Environmental Protection, if the
20 animal was originally found near or in the park, forest, or wildlife
21 management area.

22 b. A wildlife rehabilitator may recommend placement of a non-
23 releasable animal to a zoo and, upon approval by the board in
24 consultation with the zoo, may place the animal at the zoo.

25

26 13. Notwithstanding any provisions of law to the contrary, an
27 individual, including a person licensed to practice any method of
28 treatment of animal ailments, disease, pain, injury, deformity,
29 mental or physical condition, or licensed to render services ancillary
30 thereto, or any person who is a volunteer member of an animal
31 rescue organization or shelter, who in good faith renders emergency
32 care at the scene of a natural accident or emergency to the animal or
33 animals thereof, or while transporting the animal or animals thereof
34 to a veterinary hospital or other facility where treatment or care is
35 to be rendered, shall not be liable for any civil damages as a result
36 of any acts or omissions by such person in rendering the emergency
37 care, so long as a person contacts a wildlife rehabilitator or
38 veterinarian as soon as possible and the animal is transported within
39 48 hours to a wildlife rehabilitator or veterinarian.

40

41 14. This act shall take effect on the 180th day after the date of
42 enactment, but the Commissioner of Environmental Protection may
43 take such anticipatory administrative action in advance thereof as shall
44 be necessary for the implementation of this act.

STATEMENT

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This bill, which would be known as the “Wildlife Rehabilitation Act,” would establish the Wildlife Rehabilitation Board (“board”), and the board would develop the permitting process and educational requirements for wildlife rehabilitators in the State.

The bill would establish the Wildlife Rehabilitation Board in, but not of, the Department of Environmental Protection (DEP) but would require the board to be distinct and separate from the Division of Fish and Wildlife in the department. The board would establish permitting requirements for wildlife rehabilitator professionals and would also oversee the permitting, educational training, and programming for wildlife rehabilitator professionals. The 12 members of the board include: the Commissioner of the DEP, or the commissioner’s designee who would not be in the Division of Fish and Wildlife, and who would serve ex officio; three members recommended by the New Jersey Veterinary Medical Association (NJVMA); one member recommended by the Animal Rehabilitators Alliance of New Jersey; one member recommended by the Coalition to Prevent the Destruction of Canada Geese; one member recommended by the New Jersey Society for the Prevention of Cruelty to Animals; one member recommended by the Associated Humane Societies of New Jersey; one member who is a permitted wildlife rehabilitator in New Jersey; one member recommended by the New Jersey Veterinary Technicians and Assistants; and two members of the public who are residents of the State and appointed by the Governor.

Prior to becoming a permitted wildlife rehabilitator, an applicant would first be required to obtain a federal rehabilitation permit from the United States Fish and Wildlife Service or the National Marine Fisheries Service, if appropriate or applicable, and upon receipt of this permit, the applicant would be able to apply for a wildlife rehabilitation permit from the board. The board would establish permits for classes of mammals, including marine mammals, birds, and reptiles and amphibians and would verify, prior to the issuance of a wildlife rehabilitation permit, that the wildlife rehabilitation facility and premises have been inspected.

A wildlife rehabilitation permit would remain valid for two years. Wildlife rehabilitators with current licenses from the Division of Fish and Wildlife on or before the date of enactment of this bill into law would remain permitted for one year after the organization of the board, and thereafter may retain their permit for wildlife rehabilitation at the discretion of the board. The board would automatically renew a wildlife rehabilitation permit every two years upon: (1) fulfillment by the permittee of continuing education requirements and upon submission to the board of the certificate of completion, and (2) verification by the board that a wildlife rehabilitator has not been found in violation of any law,

1 rule, or regulation concerning wildlife rehabilitation or animal
2 cruelty.

3 Under the bill, the board would post information about wildlife
4 rehabilitation on an Internet website, and would maintain a toll-free
5 phone number for the public to contact. An applicant would be
6 required to consult with a wildlife rehabilitator located in their area
7 and volunteer with the wildlife rehabilitator for at least 15 hours.
8 An applicant would receive notice from the board upon completion
9 of volunteer time, and if the applicant is still interested in becoming
10 a wildlife rehabilitator, the board would email, or mail upon
11 request, an official application to become a permitted wildlife
12 rehabilitator. An applicant would also need to complete an
13 apprentice program prior to becoming a permitted wildlife
14 rehabilitator.

15 The board would be authorized to deny, suspend, or revoke a
16 wildlife rehabilitation permit. Upon submission of an official
17 application, the board would, within 30 days of receipt, review the
18 application and determine if the applicant is qualified to be a
19 permitted wildlife rehabilitator. If a permit is denied, suspended, or
20 revoked, the board would provide to the applicant or permittee a
21 written statement setting forth the reasons for the denial,
22 suspension, or revocation of the permit. An applicant or permittee
23 may, within 30 days after the date of issuance of the denial or
24 revocation notice, request a hearing for a review of the
25 determination, which the board must grant within 30 days. A
26 permittee wishing to reinstate or retain a permit after suspension or
27 revocation would be required to allow the board's inspection
28 personnel to inspect, at a reasonable time, the facility of the animal
29 or animals to determine compliance with permit and inspection
30 requirements.

31 Under the bill, the board, in consultation with the NJVMA,
32 would establish a Wildlife Rehabilitation Apprentice Program, and
33 an applicant would be required to work at least once a week, for no
34 less than six months and up to one year, at both a veterinary facility
35 and a wildlife rehabilitation facility. The board would also
36 establish continuing education requirements for a permitted wildlife
37 rehabilitator, which would include completing at least 12 hours of
38 instruction in each two-year permit cycle.

39 Additionally, the board would establish requirements for the
40 possession of permanently injured wildlife and endangered or
41 threatened permanently injured wildlife species, and would
42 additionally authorize a retired permit. A wildlife rehabilitator
43 must first meet all criteria for a federal permit from the United
44 States Fish and Wildlife Service or the National Marine Fisheries
45 Service, if appropriate or applicable, and would submit information
46 to the board and allow the facility and premises to be inspected,
47 demonstrating to the satisfaction of the board that the security of the
48 housing, caging and other containment area of the facility, as

1 applicable, protects the animal and the public. The board would
2 issue a special permit for possession of specific individual animals
3 classified as endangered or threatened wildlife to a wildlife
4 rehabilitator who submits certain information to the board.

5 The board would also develop inspection requirements for each
6 class of permits, based on the National Wildlife Rehabilitators
7 Association guidelines for inspection, and would authorize persons
8 to conduct inspections of wildlife rehabilitation facilities and
9 premises.

10 Section 13 of the bill is a “good Samaritan” clause that provides
11 immunity from civil liability for a person providing emergency care
12 to an animal or animals at the scene of a natural accident or
13 emergency, so long as the person contacts a wildlife rehabilitator or
14 veterinarian as soon as possible and the animal is transported within
15 48 hours to a wildlife rehabilitator or veterinarian.

16 Currently, the Division of Fish and Wildlife oversees wildlife
17 rehabilitation and a person may apply to the division to become a
18 licensed wildlife rehabilitator. A licensed wildlife rehabilitator is
19 required to complete a one-year minimum apprenticeship,
20 questionnaire, and inspection, submit reports, and acquire various
21 permits. It is also recommended that a licensed wildlife rehabilitator
22 participate in continuous education.