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HOUSE BILL 2452

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State of Washington                      60th Legislature                      2008 Regular Session

By Representatives Appleton, Campbell, Rolfes, Seaquist, Barlow, McCoy, Upthegrove, Hunt, Chase, Lantz, McIntire, Haigh, and Nelson

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1            AN ACT Relating to wildlife rehabilitation; amending RCW 77.12.467,  
2 77.12.469, and 90.56.110; adding a new section to chapter 77.12 RCW;  
3 and creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5            NEW SECTION.    **Sec. 1.** The legislature finds that:

6            (1) Wildlife rehabilitators provide the only hospital services in  
7 Washington for injured, orphaned, and sick wild animals;

8            (2) Wildlife rehabilitators are in a unique position to notice and  
9 identify emerging diseases in wildlife populations, and to share that  
10 information with the department of fish and wildlife;

11            (3) Healthy wildlife populations are important to the quality of  
12 life of the citizens of Washington. By saving the lives of thousands  
13 of injured, orphaned, and sick wild animals each year, wildlife  
14 rehabilitators directly improve the quality of life for Washington  
15 citizens;

16            (4) Wildlife rehabilitators often work closely with local law  
17 enforcement, animal control officers, department of fish and wildlife  
18 enforcement officers, and wildlife biologists at the state and federal

1 levels to aid in the safe capture, disease testing, medical treatment,  
2 rehabilitation, and release of wild animals;

3 (5) Wildlife rehabilitators improve the quality of life of  
4 Washington citizens and assist in the protection of Washington's  
5 environment by providing live-animal education programs to many  
6 thousands of people annually; and

7 (6) Wildlife rehabilitators improve the quality of life of  
8 Washington citizens by providing humane conflict resolution advice when  
9 a person encounters a conflict with a wild animal at the person's home  
10 or business.

11 NEW SECTION. **Sec. 2.** A new section is added to chapter 77.12 RCW  
12 to read as follows:

13 (1)(a) The director shall establish and maintain a wildlife  
14 rehabilitation advisory committee to be composed of department  
15 employees with expertise in wildlife rehabilitation and the  
16 department's role in the licensing and regulation of wildlife  
17 rehabilitation facilities and private individuals engaged in the  
18 rehabilitation of wildlife.

19 (b) Unless deemed impractical by the director, at least five  
20 private wildlife rehabilitation professionals must be represented on  
21 the wildlife rehabilitation advisory committee, with no more than two  
22 employed by a single wildlife rehabilitation facility. Of the private  
23 wildlife rehabilitation professionals, if possible, no fewer than two  
24 must be members of a statewide organization representing the interests  
25 of wildlife rehabilitation facilities.

26 (2) The purposes of the wildlife rehabilitation advisory committee  
27 is to:

28 (a) Facilitate communication and partnership between the department  
29 and wildlife rehabilitation facilities;

30 (b) Improve the exchange of information, research, data, and  
31 science between the department and wildlife rehabilitation facilities;

32 (c) Aid the department in the testing and tracking of wildlife  
33 diseases;

34 (d) Provide advice and information to the department in the  
35 implementation of its wildlife rehabilitation program established in  
36 RCW 77.12.467;

1 (e) Provide advice and information to the department regarding  
2 wildlife rehabilitation licensing and license renewal policies;

3 (f) Provide advice and information to the department regarding  
4 rules for the rehabilitation of wildlife affected by oil spills under  
5 RCW 90.56.110;

6 (g) Aid the director in the identification of potential public  
7 investments in wildlife rehabilitation resources that would benefit the  
8 department in the execution of its duties under this title; and

9 (h) Provide any other advice and information to the department on  
10 any matters deemed useful by the director.

11 (3) The director or the director's designee shall convene the  
12 wildlife rehabilitation advisory committee as often as deemed necessary  
13 by the director or by a majority of the members of the wildlife  
14 rehabilitation advisory committee.

15 (4) Each nondepartmental member of the wildlife rehabilitation  
16 advisory committee shall serve without compensation but may be  
17 reimbursed for travel expenses as authorized in RCW 43.03.050 and  
18 43.03.060.

19 **Sec. 3.** RCW 77.12.467 and 2007 c 246 s 4 are each amended to read  
20 as follows:

21 (1) The director shall establish a wildlife rehabilitation program  
22 to help support the critical role licensed wildlife rehabilitators play  
23 in protecting the public by capturing, testing for disease, and caring  
24 for sick, injured, and orphaned wildlife in Washington (~~state~~). The  
25 director shall contract for wildlife rehabilitation services with up to  
26 four people in each of the department's six administrative regions.  
27 Applicants may submit only one request every two years and must reside  
28 in the administrative region for which they have applied. The  
29 contracts must be for a term of two years.

30 (2) In order to receive funding, the wildlife rehabilitator must:  
31 (a) Be properly licensed in wildlife rehabilitation under state and  
32 federal law; and (b) furnish information concerning his or her  
33 identity, including fingerprints for submission to the Washington state  
34 patrol to include a national criminal background check. The applicant  
35 must pay for the cost of the criminal background check. If the  
36 background check reveals that the applicant has been convicted of a

1 felony or gross misdemeanor, the applicant is ineligible to receive  
2 funding.

3 (3) The department must require that contractors submit detailed  
4 reports accounting for all expenditures of state funds. The reports  
5 must be submitted to the department on a quarterly basis. The  
6 department may require the contractor to submit to an inspection of the  
7 rehabilitation facility to ensure compliance with department rules  
8 governing wildlife rehabilitation.

9 (4) Expenditures that are permitted under this program as they  
10 specifically relate to wildlife rehabilitation include:

11 (a) Reimbursement for diagnostic and lab support services;

12 (b) Purchase and maintenance of proper restraints and equipment  
13 used in the capture, transportation, temporary housing, and release of  
14 wildlife;

15 (c) Reimbursement of contracted veterinary services;

16 (d) Reimbursement of the cost of food, medication, and other  
17 consumables; and

18 (e) Reimbursement of the cost of continuing education.

19 (5) The department shall give priority to applications submitted  
20 that provide for the rehabilitation of endangered or threatened  
21 species.

22 (6) Funds may not be used to rehabilitate either nonnative species  
23 or nuisance animals, or both, including, but not limited to the  
24 following: Eastern gray squirrels (*Sciurus carolinensis*); opossum  
25 (*Didelphis virginiana*); raccoons (*Procyon lotor*); striped skunk  
26 (*Mephitis mephitis*); spotted skunk (*Spilogale putorius*); Eastern  
27 cottontail rabbit (*Sylvilagus floridanus*); domestic rabbit (*Oryctolagus*  
28 *cuniculus*); European starling (*Sturnus vulgaris*); and house sparrow  
29 (*Passer domesticus*).

30 ((+4)) (7) The department shall, in implementing this section,  
31 consider all recommendations that may be forwarded by the wildlife  
32 rehabilitation advisory committee created in section 2 of this act and  
33 may adopt any rules as are necessary to carry out this section.

34 **Sec. 4.** RCW 77.12.469 and 2007 c 246 s 5 are each amended to read  
35 as follows:

36 (1) The department must develop a process for renewing wildlife  
37 rehabilitation licenses. All wildlife rehabilitation licenses issued

1 by the department prior to January 1, 2006, must be renewed by January  
2 1, 2010. The department may adopt rules as necessary to implement this  
3 section.

4 (2) The department shall, in implementing this section, consider  
5 all recommendations that may be forwarded by the wildlife  
6 rehabilitation advisory committee created in section 2 of this act.

7 **Sec. 5.** RCW 90.56.110 and 1994 c 264 s 95 are each amended to read  
8 as follows:

9 (1) The department of fish and wildlife may adopt rules including,  
10 but not limited to, the following:

11 ~~((+1))~~ (a) Procedures and methods of handling and caring for  
12 waterfowl or other wildlife affected by spills of oil and other  
13 hazardous materials;

14 ~~((+2))~~ (b) The certification of persons trained in the removal of  
15 pollutants from waterfowl or other wildlife;

16 ~~((+3))~~ (c) Development of procedures with respect to removal of  
17 oil and other hazardous substances from waterfowl or other wildlife;

18 ~~((+4))~~ (d) The establishment of training exercises, courses, and  
19 other training procedures as necessary;

20 ~~((+5))~~ (e) Such other rules as may be reasonably necessary to  
21 carry out the intent of RCW 90.56.100.

22 (2) The department shall, in implementing this section, consider  
23 all recommendations that may be forwarded by the wildlife  
24 rehabilitation advisory committee created in section 2 of this act.

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