

January 17, 2007  
Policy, Regulation, and Trade Committee Meeting  
UNCG Eberhart Building Conference Room

Grover C. Barfield, Colin Plumb, Daron Barnes, David G. Cooper, Phil Bradley, Keith Farmer, David LaPlante, John Groves, Rhonda Washington, Ann Somers, Dave Davenport, Tanith Tyrr

1:00pm

Dave: We have hashed out the venomous rules and all we have left to talk about is penalties. We'll table that until Daron gets here. The penalty has to be greater than the license. The other thing we need to discuss is to flush out details on husbandry standards. We already have caging standards in the venomous license, but we need to discuss this for animal welfare. The third and last thing we need to discuss is exemption language that the study bill committee has requested. Let's review what we came up with;

License fee \$100; grandfathering would last for one year; if you decide not to be licensed you have 60 days to place your animals before confiscation; possible reasons for denial: wildlife violations and animal cruelty violations; possible reasons for revocation: public brandishment/endangerment, keeping snakes at a level beyond your license class, and using venomous in the commission of a crime. We will discuss penalties when Daron gets here.

There was discussion to include venomoid snakes in the licensing requirements because there are reports of envenomation and it is a cruel procedure.

John: There is already a law on the books on transport of venomous snakes (NCGS 14.416 – 14.422).

Discussion about locking cages versus shipping containers screwed shut. Law does not specify locks. It only specifies secure cages (NCGS 14.417).

Dave: Well, since there is already a law on transport, we don't need to deal with that.

Tanith: We could state that it will refer to that law in the regs.

Dave: So (writing), any transport of venomous will comply with current laws...

Tanith: including current regulations such as IOTA.

Discussion about general reference to current law.

Dave: The only other thing we need to discuss before the exemption language is the penalties. And, I think that would be at the discretion of the NCWRC.

Dave: There is a clear need to separate the herps from the mammals. It is also clear that we have no hope if NCWRC feels like they are opening Pandora's Box to regulating exotics. It much easier if we work with them and they realize that more won't be dumped on them. Some of us on the committee want the USDA to regulate the mammals and the state regulates herps. From an NCPARC perspective, regardless of the study bill, is to come up with a system that works and then take it to the non-game advisory board and see how they and commissioners feel about this. Then we take it to Daron's office and present it. The last resort is pushing it from top down.

Some discussion of changing the structure of the licensing. Was tabled until next time.

Dave: Now that Daron is here, we should discuss penalties.

Discussion about the separation of herps from mammals in SB1032 and the focus of NCPARC and developing recommendations that will regulate the keeping of dangerous herps that might fall into the realm of SB1032.

Dave: Refresh my memory on the last meeting. We were discussing penalties and wanted to request that the penalty be more than the license. Is that right?

Daron: Yeah, that sounds right. But, it is not necessary to discuss that because it will be hammered out later by the NCWRC.

Dave: So, we don't have to put anything about. One of the things we discussed was caging and equipment; however, the study bill committee asked the mammal folks to come up with more in regards to husbandry. Minimal statements are needed.

Tanith passed out some information on husbandry from ZOA, NCAZS, and Florida and there were discussions of natural behaviors and animal choices.

Daron gave summary of alligator regulations. Addresses three things: 1) Enclosure large enough to be fully extended in all directions. 2) Water pool must allow animal to be completely submerged and 3) Accessibility to the public.

Tanith: If you can get me a copy of those, then I will add them.

Daron: And then if you have multiple animals, you accommodate the largest animal. And as far as water, it has to be big enough for all inhabitants to completely submerge.

Some discussion about allowing some leeway and not making requirements too specific. 50' X 8' for a 9' alligator?

Discussion of general reptile requirements enclosure sizes. Keith had some concern that they are too small. Some discussion over minimum requirements and ideal conditions. General agreement that requirements should be easy. Suggestions ranged from a minimum square footage per foot of snake to increasing the minimum width percentage

(20%) and just a judgment call. Daron stressed that numbers are needed and explained why these numbers were determined such as available cage sizes. Finally, it was suggested to adopt the enclosure size requirements as written and revisited at a later time.

Colin asked whether NCWRC already had statutory authority. Daron explained that no state agency has overall authority of regulating exotic species, but there are bits and pieces based upon diseases or invasive species, etc. One step will be for the legislators to give statutory authority to a state agency. Now when we do rules, we do annual review where we can change them, but it is avoided.

Keith: What about cervids?

Daron: That is similar to what I was talking about an agency having jurisdiction to regulate a sliver of exotic species. But, with all these issues coming up the legislature is going to have to grant authority somewhere. But, there is no talk of where it is going to go.

Keith: So, no agency is fighting over it?

Dave: Oh no, they have all made it very clear that they don't want to be involved.

Colin: There is a lot to be said about making the laws understandable and enforceable by all wildlife or animal control officers, etc.

Ann: So are we now deciding on whether to accept these standards (handout)?

Dave: Not yet. I need to add two things. My recommendations are to add Part B after requirements for reptiles "plus support of NCPARC's licensing recommendations." And, where it says, "All of the above requirements for reptiles" under Crocodylians, it should say, "All of the above requirements for reptiles from Part A Section 1", right?

Tanith: Yes. A point I wanted to bring up was the ability of some one to access and move the cage. We operate on the locked room protocol.

Dave: These were not set up to affect institutions.

Discussion about research and zoological institutions and requiring locked rooms vs. locked cages.

Dave: Initially, what we agreed on was, "All cages must be securely locked. It is not required but strongly recommended that in addition to locked cages, venomous reptiles be kept in a sealed, locked room." Is there a reason to revisit this?

Tanith: Well I can't agree with this if it is going to affect our institution.

Dave: This will not affect institutions as long as we state that. Is this right, Daron? I assumed this does not apply to institutions.

Daron: You will need to explicitly state their exemption or else they will be included under these regulations.

Grover: In Gaston County rules and regulations, Chapter 3, they have stated, “provisions of this section shall not apply to lawfully operated pet shops, zoological gardens, scientific research laboratories, circuses, veterinarians harboring such animals for the purposes of providing professional medical treatment or wildlife rehabilitators with the proper permits provided that animals are maintained in a secure enclosure so constructed and maintained as to prevent escape.”

Tanith: If we add that wording, I will go along with it.

Dave: We can't add that because we would be regulating pet shops.

Keith: Take out the pet shops and I will go along with it.

Dave: We'll have to adopt something like that, but no circuses or pet shops.

Colin: Where do you draw the line?

Dave: We are going to have to table that to get what we need to get done.

There was a vote to table it.

Dave: For the rest of the hour, we need to come up with exemption language that would exempt those inherently dangerous reptiles from the Study Bill ban. The Study Bill, by default, is heading for a ban. We spent the last three meetings defining inherently dangerous animals. No discussion has taken place in regards to what to do with them. What we are hoping is that reptiles will be removed from the bill. What we need is a sentence that exempts reptiles. Dr. Jones has been pushing for accreditation.

Discussion about definition of reptiles by current laws.

Discussion about Study Bill Committee procedures, sentiment, and upcoming meeting on January 23.

Discussion about accreditation NCARK and NCPARC.

Discussion about Veterinarian inspection.

**It was decided by vote, “All identified inherently dangerous reptiles will be regulated as per NCPARC permitting and licensing proposals. This exemption is valid only for animals that fall under the Class Reptilia provision of this article”**

Next Meeting: February 8, 2007; 1pm-4pm at Eberhart Conference Room.