

# ARKANSAS REGISTER

## Proposed Rule Cover Sheet



Secretary of State  
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Name of Department Legal Division

Agency or Division Name Arkansas Game & Fish Commission

Other Subdivision or Department, If Applicable \_\_\_\_\_

Previous Agency Name, If Applicable \_\_\_\_\_

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Name of Rule Fl.10 Conservation Education Permit Requirements

Newspaper Name Arkansas Democrat Gazette

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Location and Time of Public Meeting AGFC Auditorium, 2 Natural Resources Drive, Little Rock AR 72205,  
at 10:00 a.m.

## **F1.10 Conservation Education Permit Requirements**

- A. Permit Requirements: A Conservation Education Permit may be issued to applicants complying with the following requirements:
1. The applicant must be at least 18 years old and shall not have been convicted of, or entered a plea of guilty or nolo contendere for, violating any federal, state or municipal law governing captive wildlife, illegal appropriation or commercialization of wildlife, or cruelty to animals within 5 years of the application date.
  2. The applicant shall provide to the Commission, in writing, proof from the appropriate county or municipal jurisdiction, stating that the applicant's possession of wildlife is in compliance with all local ordinances.
  3. The applicant shall complete and submit a written application form provided by the Commission.
  4. The applicant shall possess a minimum of 20 hours conservation education experience involving the use of live animals and provide letters of support from at least 2 non-familial individuals familiar with the applicant's experience.
  5. The applicant shall provide proof of possessing a valid U.S. Department of Agriculture Wildlife Exhibition Permit for all mammal species.
  6. Special conditions may be applied to the Conservation Education Permit as deemed necessary by Commission staff.
- B. The requested permit shall be denied if:
1. The applicant fails to meet any of the issuance criteria set forth in this Addendum chapter;
  2. The applicant fails to disclose material information required, or makes false statements as to any material fact in connection with the application, or supplies false information or makes a false statement on the application;
  3. The Commission finds, through further inquiry or investigation, the issuance of the permit may pose a significant risk to human health and safety, native fish and wildlife health or populations, or agriculture, or the proposed species cannot be safely confined in a humane manner;
  4. The applicant fails to provide a report for a previously issued permit; or
  5. The Commission finds, through further inquiry or investigation, that the applicant's proposed conservation education activities do not possess sufficient educational rigor.
- C. Caging and Facility Requirements: All Conservation Education Permittees shall provide secure housing of all wildlife removed from the wild as defined herein:
1. All wildlife possessed in captivity shall be maintained in enclosures, pens, or cages that are sufficiently strong to prevent escape of the wildlife and that will protect the wildlife from injury.
  2. All native medically significant venomous reptiles must be kept in accordance with Addendum **F1.08(C)** and (F), except as otherwise approved in the applicant's permit conditions.

3. It is unlawful for anyone to keep animals under inhumane or unhealthy conditions.
  4. Males and females of the same species must be kept in separate enclosures.
- D. Reporting: Holders of the Conservation Education Permit shall submit legible, complete annual reports on forms provided by the Commission that shall detail provision of at least 20 hours of conservation education to the public using animals kept under this permit for each annual report.
- E. Transport Requirements:
1. All wildlife possessed in captivity shall be transported in ventilated containers or cages that are sufficiently strong to prevent escape of the wildlife and that will protect the wildlife from injury.
  2. Native, medically significant venomous reptiles shall be transported in accordance with Addendum F1.08(F)(1).
- F. Renewal, Transfer, Suspension, and Revocation:
1. Permits may be revoked or suspended for failure to comply with the terms of the permit or with the terms of this Addendum Chapter.
  2. Persons in violation of the terms of this permit, violation of the Commission Addendum, or upon conviction of , or entered a plea of guilty or nolo contendere for, violating any federal, state or municipal law governing captive wildlife, illegal appropriation or commercialization of wildlife, or cruelty to animals of associated regulations of the U.S. Fish and Wildlife Service, shall be notified in writing of such violations and shall have 20 days to respond.
  3. If, at the end of 20 days, just cause has not been given, the Commission may revoke any existing permit and refuse to issue any future permit. Permit suspension, revocation or refusal shall be in addition to any criminal charges that may be filed.
  4. Upon revocation, permit holder must legally remove all captive wildlife within the time designated in the revocation, not to exceed 60 days, and failure to do so shall result in the Commission taking action, per Commission policy, at the permit holder's expense.