

**Department of Environmental Protection
Bureau of Natural Resources
Wildlife Division**

Proposal to Promulgate Regulations Pursuant to Connecticut General Statute Section 26-55

The Regulations of Connecticut State Agencies are amended by adding section 26-55-6 as follows:

Section 1. (NEW) Sec. 26-55-6. Importation, Possession or Liberation of Wild Birds, Mammals, Reptiles, Amphibians and Invertebrates

(a) **Definitions.** As used in section 26-55-6 of the Regulations of Connecticut State Agencies:

- (1) “Aquarium” means a facility accredited by the Association of Zoos and Aquariums, or the Alliance of Marine Mammal Parks and Aquariums;
- (2) “Category One Wild Animal” means any wild animal, any gametes, and any hybrid thereof, as follows:
 - (A) That is, notwithstanding changes in taxonomic nomenclature:
 - (i) All members within the family Felidae (including, but not limited to, lion, leopard, cheetah, jaguar, ocelot, jaguarundi cat, puma, lynx and bobcat) except Bengal cat pursuant to CGS section 26-40a;
 - (ii) All members within the family Canidae (including, but not limited to, wolf and coyote);
 - (iii) All members within the family Ursidae (including, but not limited to, black bear, grizzly bear and brown bear); and
 - (iv) All members in the family Hominidae (including, but not limited to, gorilla, chimpanzee and orangutan) except those imported or possessed before October 1, 2009 and that weigh less than 35 pounds at maturity.
- (3) “Category Two Wild Animal” means any wild animal, any gametes, and any hybrid thereof, as follows:
 - (A) That is not a Category One Wild Animal; and
 - (B) That is, notwithstanding changes in taxonomic nomenclature:
 - (v) A species referenced as injurious wildlife in 50 CFR 16.11-16.15;
 - (vi) All members within the family Elephantidae (including, but not limited to, African elephant);
 - (vii) All members within the order Primate (including, but not limited to, capuchin, macaque, lemur and marmoset) except those imported or

DRAFT

- possessed before October 1, 2009 and that weigh less than 35 pounds at maturity;
- (viii) Wolverine (*Gulo gulo*);
 - (ix) All members within the family Hyaenidae (including brown hyaena, spotted hyaena, striped hyaena and aardwolf);
 - (x) All members within the genus Dendrolagus (including tree kangaroos);
 - (xi) All members within the genus Dorcopsis (including dorcopsis and New Guinea forest wallabies);
 - (xii) All members in the genus Dorcopsulus (including lesser forest wallaby);
 - (xiii) All members in the genus Lagorchestes (including hare-wallabies)
 - (xiv) All members within the subgenus Osphranter (including red kangaroo);
 - (xv) All members within the subgenus Macropus (including gray kangaroo)
 - (xvi) All members within the genus Onychogalea (including nail-tailed wallabies);
 - (xvii) All members within the genus Petrogale (including rock wallabies);
 - (xviii) Within the genus Setonix (quokka);
 - (xix) All members within the genus Thylogale (including pademelons);
 - (xx) Within the genus Wallabia (swamp wallaby);
 - (xxi) All members within the family Viveridae (including, but not limited to, civets, genets, binturong, linsangs);
 - (xxii) All members within the family Herpestidae (including mongooses, meerkats);
 - (xxiii) All members within the family Dasypodidae (including armadillos);
 - (xxiv) All members within the family Mephitidae (including, but not limited to, striped skunk);
 - (xxv) All members within the family Procyonidae: (including, but not limited to, common raccoon);
 - (xxvi) All members within the suborder Suiformes (including, but not limited to, wild boar, warthog, hippopotamuses, and peccaries);
 - (xxvii) All members within the order Chiroptera (bats);
 - (xxviii) All members within the family Rhinocerotidae (rhinoceros);
 - (xxix) All members within the genus Cynomys (including, but not limited to, black-tailed prairie dog), except those imported and possessed before June 11, 2003;
 - (xxx) All members within the order Rodentia, except for guinea pig (*Cavia porcellus*), gerbil (*Meriones unguiculatus*), chinchilla (*Chinchilla lanigera*), rat (*Rattus norvegicus*), mice (*mus musculus*), hamster (*Mesocricetus auratus*), and dwarf hamster (genera *Phodopus* and *Cricetulus*);
 - (xxxi) Mute swan (*Cygnus olor*), except a captive-reared mute swan that shall be pinioned to prevent escape into the wild;
 - (xxxii) Muscovy duck (*Cairina moschata*);
 - (xxxiii) Wild turkey (*Meleagris gallopavo*);
 - (xxxiv) Monk parakeet (*Myiopsitta monachus*);

DRAFT

- (xxxv) All members within the order Crocodylia (including, but not limited to, alligator, crocodile and caiman);
- (xxxvi) All members within the family Elapidae (including, but not limited to, cobra, coral snake, mamba, sea snake and sea krait);
- (xxxvii) All members within the family Viperidae (including, but not limited to, copperhead, rattlesnake, cottonmouth, adder, viper, pit viper and night adder);
- (xxxviii) Northern African python (*Python sebae*), Southern African python (*Python natalensis*), reticulated python (*Python reticulatus*) and amethystine python (*Morelia amethystina*);
- (xxxix) Green or common anaconda (*Eunectes murinus*), yellow anaconda (*Eunectes notaeus*) and Bolivian anaconda (*Eunectes beniensis*);
- (xl) All members within the genera Boiga, Thelothornis, Enhydryis, Dispholidus, Clelia, Rhabdophis, Hydrodynastes, Philodryas and Malpolon (including, but not limited to, mangrove snake, false cobra, cat-eyed snake, false water snake, African boomslang, vine snake, twig snake and bird snake);
- (xli) All members within the family Helodermatidae (including Gila monster and beaded lizard);
- (xlii) Nile monitor (*Varanus niloticus*), water monitor (*Varanus salvator*), black-throated monitor (*Varanus a. ionidesi*), white-throated monitor (*Varanus a. albigularis*) and crocodile monitor (*Varanus salvadorii*); and
- (xliii) Komodo dragon (*Varanus komodoensis*).

(4) “Category Three Wild Animal” means any wild animal, any gametes, and any hybrid thereof, as follows:

(A) That is not a Category One or Category Two Wild Animal; and

(B) That is, notwithstanding any changes to taxonomic nomenclature:

- (i) All members within the family Cervidae (including, but not limited to the, white-tailed deer, elk, red deer and sika);
- (ii) American beaver (*Castor canadensis*);
- (iii) Southern red-backed vole (*Clethrionomys gapperi*);
- (iv) All members within the genus Glaucomys (including northern flying squirrel and southern flying squirrel);
- (v) All members within the family Mustelidae (including, but not limited to, short-tailed weasel, long-tailed weasel, mink, fisher, otter and marten);
- (vi) Nutria (*Myocastor coypus*);
- (vii) All members within the family Cricetidae (including muskrat and round-tailed muskrat);
- (viii) Harbor seal (*Phoca vitulina*);
- (ix) Within the order Anseriformes (including American black duck, lesser scaup, greater scaup, canvasback, long-tailed duck, hooded merganser,

- white-winged scoter, black scoter, surf scoter and common merganser);
- (x) Ruffed grouse (*Bonasa umbellus*);
 - (xi) Within the order Apodiformes (including chimney swift and ruby-throated hummingbird);
 - (xii) Within the order Charadriiformes (including spotted sandpiper; sanderling, semipalmated sandpiper, willet, American woodcock, ruddy turnstone and black skimmer);
 - (xiii) Within the order Ciconiiformes (including great blue heron, green heron and black-crowned night-heron);
 - (xiv) Belted kingfisher (*Ceryle alcyon*);
 - (xv) Within the order Cuculiformes (including yellow-billed cuckoo and black-billed cuckoo);
 - (xvi) All members within the order Falconiformes (including Cooper's hawk, northern goshawk, red-shouldered hawk, broad-winged hawk, osprey and rough-legged hawk);
 - (xvii) Red-throated loon (*Gavia stellata*);
 - (xviii) Within the order Gruiformes (including Virginia rail, clapper rail and sora);
 - (xix) Within the family Icteridae (including Baltimore oriole and orchard oriole);
 - (xx) Brown creeper (*Certhia Americana*);
 - (xxi) Purple finch (*Carpodacus purpureus*);
 - (xxii) Rose-breasted grosbeak (*Pheucticus ludovicianus*);
 - (xxiii) Gray catbird (*Dumetella carolinensis*);
 - (xxiv) Red-breasted nuthatch (*Sitta Canadensis*);
 - (xxv) Within the family Hirundinidae (including cliff swallow, bank swallow and northern rough-winged swallow);
 - (xxvi) Scarlet tanager (*Piranga olivacea*);
 - (xxvii) Within the family Turdidae (including veery, hermit thrush, gray-cheeked thrush, Swainson's thrush and wood thrush);
 - (xxviii) Blue-gray gnatcatcher (*Poliophtila caerulea*);
 - (xxix) Golden-crowned kinglet (*Regulus satrapa*);
 - (xxx) Within the family Parulidae (including Louisiana waterthrush and northern waterthrush);
 - (xxxi) Within the family Emberizidae (including, dark-eyed junco, eastern towhee, field sparrow and indigo bunting);
 - (xxxii) Within the family Tyrannidae (including olive-sided flycatcher, eastern wood-pewee, least flycatcher, willow flycatcher, acadian flycatcher, great crested flycatcher and eastern kingbird);
 - (xxxiii) Within the family Vireonidae (including yellow-throated vireo, warbling vireo, white-eyed vireo and blue-headed vireo);
 - (xxxiv) Within the family Parulidae (including black-throated blue warbler, bay-breasted warbler, cerulean warbler, yellow-rumped warbler, prairie warbler, blackburnian warbler, magnolia warbler, chestnut-sided warbler, Cape May warbler, black-throated green warbler,

- (xxxv) worm-eating warbler, black-and-white warbler, ovenbird, American redstart, blue-winged warbler, Canada warbler and hooded warbler); Within the family Troglodytidae (including marsh wren and winter wren);
- (xxxvi) Great cormorant (*Phalacrocorax carbo*);
- (xxxvii) Within the order Piciformes (including northern flicker and pileated woodpecker);
- (xxxviii) Within the order Podicipediformes (including horned grebe and red-necked grebe);
- (xxxix) Within the order Strigiformes (including great horned owl, snowy owl, eastern screech owl and barred owl);
- (xl) Spotted turtle (*Clemmys guttata*);
- (xli) Eastern racer (*Coluber constrictor*);
- (xlii) Diamond-backed terrapin (*Malaclemys terrapin*);
- (xliii) Smooth green snake (*Opheodrys vernalis*);
- (xliv) Fowler’s Toad (*Bufo fowleri*);
- (xlv) Northern dusky salamander (*Desmognathus fuscus*);
- (xlvi) Gray treefrog (*Hyla versicolor*);
- (xlvii) Eastern newt (*Notophthalmus viridescens*); or
- (xlviii) Wood frog (*Rana sylvatica*).

- (5) “Category Four Wild Animal” means any wild animal, and gametes thereof listed as endangered, threatened, or of special concern pursuant to CGS section 26-306;
- (6) “Circus” means an organization that holds a Class C Exhibitors License pursuant to the Animal Welfare Act, and includes a traveling company of performers that includes animals trained to perform for an audience, or a facility operated in support thereof;
- (7) “Domestic animal” means any animal that has been domesticated by having undergone a process of selective breeding in captivity to a degree which has resulted in genetic changes affecting the temperament, color, conformation, or other attributes of the species to an extent that makes them unique and distinguishable from wild individuals of their species, and raised in a life intimately associated with and advantageous to humans. Wild animals raised in captivity, even over many generations, which have merely become trained but are still wild by nature are not domestic animals;
- (8) “Exhibitor” means a person or organization engaged in the showing, displaying or training of wild animals for the purpose of public viewing, and meets the requirements pursuant to section (f);
- (9) “Exhibitor registered with the United States Department of Agriculture” means an “exhibitor” as defined in this section that holds an exhibitor’s class C license issued by the United States Department of Agriculture, and a copy of the last inspection report signed and dated by the United States Department of Agriculture;
- (10) “Hybrid” means any animal or egg which results from the combining of gametes of a

wild animal with another species;

- (11) “Import” or “importation” means bringing or causing wild animals or eggs of such wild animals to be transported into the state by any means;
- (12) “Laboratory” means “research facility” as defined in this section;
- (13) “Laboratory registered with the United States Department of Agriculture” means “research facility registered with the United States Department of Agriculture” as defined in this section;
- (14) “Marine mammal park” means a facility accredited by the Alliance of Marine Mammal Parks and Aquariums;
- (15) “Municipal park” means a facility publicly owned and operated by a municipality, and is in the practice of displaying wild animals for public viewing;
- (16) “Museum” means an institution devoted to the procurement, care, study, and display of wild animals, exhibited for public viewing, and meets the requirements pursuant to section (e);
- (17) “Nature center” means “museum” as defined in this section;
- (18) “Public nonprofit aquarium” means “aquarium” as defined in this section that is publically held and has been issued a federal Determination Letter of exemption under Section 501(c)(3) or (13) of the Internal Revenue Code;
- (19) “Research facility” means a facility maintained by scientific or educational institution with documented works that relate to branches of systemized knowledge categorized as zoology, botany, ecology, wildlife management, fisheries management, medicine, and veterinary medicine, or such other skills and disciplines which require such use or uses;
- (20) “Research facility registered with the United States Department of Agriculture” means a “research facility” as defined in this section that holds an exhibitor’s class C license issued by the United States Department of Agriculture, and a copy of the last inspection report signed and dated by the United States Department of Agriculture;
- (21) “School” means an institution established pursuant to CGS 10-262f;
- (22) “Veterinarian” means a person licensed to practice veterinary medicine, surgery or dentistry pursuant to the provisions of chapter 384;
- (23) “Wild animal” means any bird, mammal, reptile, amphibian, and invertebrate which is now or historically has been found in the wild, or in the wild state, and is not otherwise a domestic animal; and

DRAFT

(24) “Zoo” means a facility accredited by the Association of Zoos and Aquariums or the Zoological Association of America.

(b) Prohibitions and Exemptions.

- (1) No person shall import or possess any Category One Wild Animal except for municipal parks, zoos, public nonprofit aquaria, nature centers, museums, exhibitors licensed or registered with the United States Department of Agriculture, laboratories registered with the United States Department of Agriculture, or research facilities registered with the United States Department of Agriculture.
- (2) No person shall import or possess any Category Two Wild Animal except for municipal parks, zoos, marine mammal parks, aquaria, circuses, nature centers, museums, exhibitors, laboratories, research facilities, or veterinarians for the purposes of treatment and care.
- (3) No person shall import or export any Category Three Wild Animals except for zoos, aquaria, circuses, laboratories, research facilities, municipal parks, museums, nature centers, exhibitors, or schools, or as provided for pursuant to CGS sections 26-40, 26-54, 26-57 or 26-67e.
- (4) No person shall liberate any wild animal, or gametes thereof, into the wild, except as provided for pursuant to CGS sections 26-40, 26-48, 26-48a, 26-49, 25-51, 26-52, 26-54, 26-60 or 26-67e, or pursuant to subsection (c) of these regulations.

(c) Permits Required. No person shall import, possess, or liberate any Category Four Wild Animal without a permit.

(d) Permit Duration and Revocation.

- (1) The commissioner may, upon receipt of an application the commissioner shall prescribe, issue permits authorizing the liberation of wild animals.
- (2) The commissioner may prescribe the species of wild animal, the number of animals, and the location and time of year such release shall occur.
- (3) The duration of an importation or possession permit shall be for the life of the specific wild animal listed on the permit.
- (4) Importation and possession permits are not transferable.
- (5) The commissioner may at any time revoke, in accordance with the provisions of the Uniform Administrative Procedures Act, an importation or possession permit for violating the terms of a permit or any statute or regulation governing importation or possession of wild animals.

DRAFT

- (e) Museums and Nature Centers. To be recognized as a museum or nature center the following shall be regarded as a minimum for any such organization:
- (1) For purposes of importing or possessing mammals, holds an exhibitor's class C license issued by the United States Department of Agriculture, and a copy of the last inspection report signed and dated by the United States Department of Agriculture;
 - (2) Holds municipal, state, or federal permits or licenses which may be required to possess wild animals;
 - (3) Complies with all applicable laws of the municipality in which the housing facility is located;
 - (4) Accommodates a minimum of 5,000 visitors to the facility annually;
 - (5) Has regularly scheduled hours open to the public consisting of a minimum of 28 hours per week, and eight months within a calendar year;
 - (6) Maintains the wild animal under conditions that give the owner or keeper exclusive control over it at all times as to prevent escape of such wild animals. In no instance shall such animals be accessible to handling by the general public;
 - (7) Housing facility is consistent with the design standards as established pursuant to the United States Animal Welfare Act and compliant with state and local health and building codes;
 - (8) Maintains liability insurance of a least \$1 million;
 - (9) Maintains a plan for the recapture or destruction of any such wild animal in the event of escape;
 - (10) Maintains a plan for the maintenance or disposition of all wild animals in case of the owner or keeper's absence, illness, or death;
 - (11) Maintains complete and accurate records for each wild animal in its possession that identifies:
 - (A) The species, sex, age, and lineage of each wild animal;
 - (B) Date of birth and acquisition of each wild animal;
 - (C) If applicable, the name and address of any person who has previously possessed the wild animal and date of transfer; and
 - (D) The date of the death, loss or transfer to another person of each wild animal; and
 - (12) The records required in this section shall be maintained in chronological order, retained for a minimum of five years after the date of death, loss, or transfer of any wild animal and shall be available for inspection at any reasonable time upon request of the commissioner or their designee.

- (f) Exhibitors. To be recognized as a exhibitor the following shall be regarded as a minimum for any such person or organization:
- (1) For purposes of importing or possessing mammals, holds an exhibitor's class C license issued by the United States Department of Agriculture, and a copy of the last inspection report signed and dated by the United States Department of Agriculture;
 - (2) Holds municipal, state, or federal permits or licenses which may be required to possess wild animals;
 - (3) Complies with all applicable laws of the municipality in which the housing facility is located;
 - (4) Conducts 50 public educational programs each calendar year for a minimum of 1,000 attendees;
 - (5) Maintains the wild animal under conditions that give the owner or keeper exclusive control over them at all times as to prevent escape of such wild animals. In no instance shall such animals be accessible to handling by the general public;
 - (6) Maintains a housing facility consistent with the design standards as established pursuant to the United States Animal Welfare Act and compliant with state and local health and building codes;
 - (7) Maintains liability insurance of a least \$1 million;
 - (8) Maintains a plan for the recapture or destruction of any such wild animal in the event of escape;
 - (9) Maintains a plan for the maintenance or disposition of all wild animals in case of the owner or keeper's absence, illness, or death;
 - (10) Maintains documentation to verify a minimum of 300 hours of substantial practical experience in the care, feeding, handling, and husbandry of the species for which is to be possessed, or other species which are substantially similar in size, characteristics, care and nutritional requirements to the species. Documentation shall consist of:
 - (A) A description of the specific experience acquired;
 - (B) The date and time the experience was obtained and the specific locations where acquired; and
 - (C) A minimum of two references from a professional organization or governmental institution such as universities, zoological associations, or federal agency.
 - (11) Obtained an educational degree in Bachelor of Science or higher in zoology or other relevant biological science, obtained at a college or university, may be substituted for 150 hours of the required experience;

- (12) Has not been convicted of violating wild animal laws or regulations of any state, the federal government or other country pertaining to the importation, possession, liberation, or welfare of wild animals;
 - (13) Maintains complete and accurate records for each wild animal in its possession that identifies:
 - (A) The species, sex, age, and lineage of each wild animal;
 - (B) Date of birth and acquisition;
 - (C) If applicable, the name and address of any person who has previously possessed the wild animal and date of transfer; and
 - (D) The date of the death, loss or transfer to another person of each wild animal; and
 - (14) The records required in this section shall be maintained in chronological order, retained for a minimum of five years after the date of death, loss, or transfer of any wild animal and shall be available for inspection at any reasonable time upon request of the commissioner or their designee.
- (g) Notification Requirement. Any person possessing a Category One or Two Wild Animal who loses said wild animal through escape or release shall notify the department no later than 24 hours after loss of an animal.
- (h) Disease Reporting and Prevention. Any person possessing a wild animal with symptoms of pathological distress within six weeks of importation shall file a report with the commissioner, on a form so provided, within 24 hours of recognition of the problem. The commissioner may require, for a period of time as determined by the commissioner, that any wild animal imported into the State showing signs of sickness or disease shall be kept in quarantine.

Any wild animal that shows signs of sickness or disease within the quarantine period after being imported shall be immediately taken to a licensed veterinarian, or, if the animal is dead, brought to an animal disease laboratory, or such other laboratory as shall be determined by the commissioner, for examination. A request shall be made that a copy of the laboratory's findings be sent to the Department of Environmental Protection and the Department of Agriculture.

Section 2. Section 26-55-2 of the Regulations of Connecticut State Agencies is repealed.

DRAFT