An Act amending title 12 of the Virgin Islands Code by adding a chapter 2A to establish the Invasive Species Eradication Community Program; establishing the Invasive Species Eradication Community Program Fund and an Imprest Account Fund for the payment of bounties under the Program; and appropriating $10,000 from the Animal Fund to the Invasive Species Eradication Community Program Fund

PROPOSED BY: Senator Kenneth L. Gittens

Be it enacted by the Legislature of the Virgin Islands:

SECTION 1. Title 12 of the Virgin Islands Code is amended by adding a chapter 2A to read as follows:

“Chapter 2A. Invasive Species Eradication Community Program

§ 111. Definitions

For the purpose of this chapter and unless the context otherwise requires:

(a) "Bounty species" means vermin, nuisance and invasive species.

(b) "Commissioner" means the Commissioner of the Department of Planning and Natural Resources.
(c) “DFW” means the Division of Fish and Wildlife of the Department of Planning and Natural Resources.

(d) “DPNR” means the Department of Planning and Natural Resources.

(e) “Euthanasia” means the humane destruction of an animal accomplished by a method that produces rapid unconsciousness and subsequent death without evidence of pain or distress, or a method that utilizes anesthesia produced by a licensed agent that causes painless loss of consciousness and subsequent death.

(f) “Invasive species” means a non-indigenous species or species complex whose introduction does or is likely to have an adverse impact in the Territory, causing economic or environmental harm or harm to human health.

(g) “Nuisance” means an organism that is causing property damage, presents a threat to public safety, or is an annoyance within, under or upon a building.

(h) “Program” means the Invasive Species Eradication Community Program established under this chapter.

(i) “Vermin” means certain species of animal life inherently destructive to homes, livestock, or crops, and which may be capable of carrying diseases harmful to man.

(j) “Wildlife Control Operator” means an individual who does not charge a fee for handling nuisance, vermin, or invasive wildlife species, but is certified by the Division of Fish and Wildlife to collect a bounty for handling nuisance, vermin, and invasive species.

(k) “Wildlife Control Removal Agent” means a professional licensed by the Department of Licensing and Consumers Affairs to collect a fee for handling nuisance,
vermin, or invasive species and is certified by the Division of Fish and Wildlife to handle nuisance, vermin, and invasive species.

(l) "Wildlife Conditional Removal Permit" means a written authorization from the Division of Fish and Wildlife to legally remove or euthanize vermin, nuisance, or invasive species in connection with the Program.

§ 112. Invasive Species Eradication Community Program

(a) There is established within the DFW, a program known as "The Invasive Species Eradication Community Program" to assist with the control of the population growth of vermin, nuisance and invasive species that negatively impact the Virgin Islands, including red-tail boa constrictors and caimans, by incentivizing members of the community to locate and euthanize these species; and to establish certification requirements for businesses that charge a fee for handling nuisance, vermin, and invasive species.

(b) Individuals who find bounty species on their private land may euthanize and donate the specimens to DFW. These individuals do not need to obtain a permit or be certified by DFW to euthanize and donate the specimens.

(c) Wildlife Control Operators and Wildlife Control Removal Agents shall euthanize bounty species at the time and sight of capture and may not transport living bounty species off the property without the prior authorization of DFW in accordance with procedures established by regulations pursuant to section 114.

§ 113. Program Eligibility

(a) To be eligible to participate in the Program, all applicants must:

(1) Be at least 18 years of age;

(2) Possess a valid V.I. driver's license;

(3) Have not been convicted of a felony or wildlife-related offense within
the last 5 years;

(4) Consent to submit to a criminal background check;

(5) Sign a waiver of liability;

(6) Possess a valid email address;

(7) Have access to a mobile device that allows for download and utilization of an electronic data collection and tracking app;

(8) Consent to using an electronic data collection app;

and

(9) Successfully complete a certification examination administered by the Division of Fish and Wildlife.

(b) All individuals and businesses seeking to participate in the Program shall meet all requirements set forth in DFW’s policies and procedures and in DPNR’s regulations.

§114. Certification program and permits, fees

(a) The Commissioner shall establish by regulations an in-person and on-line certification program. The certification program must include:

(1) A listing of the types of species sought;

(2) Instructions on humane euthanization;

(3) The documentation process, and

(4) The procedure to be followed regarding legal access when bounty species are spotted on private and public lands.

(b) The Commissioner shall collect an administrative fee of $25 from each applicant for each certification exam given.

(c) Each administrative fee collected in subsection (b) must be deposited as follows:

(1) $15 to the Animal Fund established under 19 V.I.C. §2624; and
(2) $10 to the General Fund.

(d) Each applicant shall apply to the DFW on a form provided by the DFW for an annual Wildlife Conditional Removal Permit. The application must be accompanied by an applicant fee of $25. The applicant may not participate in the program until the permit is issued.

(e) Each permit fee collected in subsection (d) must be deposited into the Fish and Wildlife Restoration Trust Fund established under 12 V.I.C. §81d.

§115. Euthanasia

The Commissioner shall establish by regulation a list of humane methods, consistent with the American Veterinary Medical Association’s guidelines, to euthanize bounty species.

§116. Bounty

(a) Only Wildlife Control Operators are eligible to receive a bounty for the euthanasia of bounty species.

(b) DNR shall:

(1) pay Wildlife Control Operators a bounty upon the euthanasia of the bounty species and the delivery of the head and intact stomach contents to the DFW for verification and data management; and

(2) dispose of all bounty specimens.

(c) The bounty amounts that DPNR shall pay for the euthanasia of snakes are $50 for snakes measuring 4 feet or less, and an amount not to exceed $100 for snakes measuring more than 4 feet.

(d) With the exception of snakes, the Commissioner, shall establish the bounty amounts for all other bounty species by regulations.”
§117. Invasive Species Eradication Community Program Fund

(a) There is established in the Treasury of the Virgin Islands a special, non-lapsing fund designated and known as the Invasive Species Eradication Community Program Fund ("Program Fund"). The Commissioner of Finance shall maintain and provide for the administration of the Program Fund as a separate and distinct fund in the Treasury of the Virgin Islands, and no monies are available for expenditure therefrom except as provided in this section. The Fund consists of all sums appropriated thereto from time to time by the Legislature.

(b) Monies from the Program Fund may be disbursed by the Commissioner of Finance upon authorization of the Commissioner of DPNR for deposit into an Imprest Account, to be maintained in the office of the Commissioner of DPNR. The Imprest Account may not exceed $10,000 at any one time. Payments may be made from the Imprest Account to any person entitled to receive a bounty under 116 by check signed by both the Commissioner of DPNR and the Director of DFW.

(c) The Commissioner of DPNR shall maintain a proper and complete accounting of expenditures from the Imprest Account and make periodic reports as may be required by the Commissioner of Finance.

(d) The Commissioner of Finance shall maintain a record of all monies deposited into and disbursed from the Program Fund and shall annually report to the Governor and the Legislature on the status of the Program Fund.

SECTION 2. Notwithstanding title 19 Virgin Islands Code, part VII, chapter 66, subchapter V, section 2624, subsection (a), there is appropriated in the fiscal year ending September 30, 2021, the sum of $10,000 from the Animal Fund to the Invasive Species
Eradication Community Program Fund established under 12 V.I.C. §117 to be used for payment of the bounties under 12 V.I.C. §116.

SECTION 3. The sum appropriated in Section 2 remains available until expended.

BILL SUMMARY

This bill amends title 12 of the Virgin Islands Code by adding a new chapter 2A establishing the Invasive Species Eradication Community Program). The Program establishes the eligibility criteria to participate in the program, the certification process, the procedure to be followed to collect a bounty, and the bounty amounts. The Program also establishes certification requirements for businesses that charge a fee for handling nuisance, vermin, and invasive species. This bill also creates the Invasive Species Eradication Community Program Fund to receive appropriations by the Legislature to fund the Program and further establishes an Imprest Account Fund for the payment of bounties. This bill also makes an appropriation of $10,000 from the Animal Fund to the Invasive Species Eradication Community Program Fund.

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