

JAN 27 2021

A BILL FOR AN ACT

RELATING TO THE INTERSTATE WILDLIFE VIOLATOR COMPACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The interstate wildlife violator compact is a
2 multistate agreement that promotes enforcement of hunting,
3 fishing, trapping, and other wildlife related regulations across
4 jurisdictions. For example, the interstate wildlife violator
5 compact could prevent wildlife violators who have lost their
6 hunting, fishing, trapping, or other wildlife related privileges
7 in other member states from obtaining a hunting license in
8 Hawaii. Similarly, persons who have been punished with license
9 revocation in Hawaii would be unable to avoid this punishment by
10 engaging in those activities in another state. The interstate
11 wildlife violator compact also establishes a process by which
12 nonresident wildlife law violators can be treated as state
13 residents for purposes of law enforcement, thereby easing the
14 administrative burden on the enforcement agency and reducing
15 enforcement gaps that may allow the violator to fail to comply
16 with the terms of the citation. Reciprocity agreements such as
17 the interstate wildlife violator compact are an important part
18 of any law enforcement effort.

1 The interstate wildlife violator compact is modeled after
2 the successful multistate driver license compact and nonresident
3 violator compact. Hawaii is party to both compacts. Forty-
4 eight states have passed legislation necessary to join the
5 interstate wildlife violator compact.

6 Furthermore, existing member states to the interstate
7 wildlife violator compact have reported little to no added costs
8 or administrative burdens associated with participating in the
9 compact. The information system that facilitates participation
10 is available for free to member states.

11 The purpose of this Act is to authorize the department of
12 land and natural resources to become a member of the interstate
13 wildlife violator compact or similar agreement.

14 SECTION 2. Chapter 183D, Hawaii Revised Statutes, is
15 amended by adding to part I a new section to be appropriately
16 designated and to read as follows:

17 "§183D- Interstate wildlife violator compact. (a) The
18 department may enter into the interstate wildlife violator
19 compact or similar agreement, whether in the form of a
20 memorandum of understanding, written agreement, or mutual aid
21 compact, with an appropriate state, federal, or foreign entity
22 for mutual assistance in the enforcement of hunting, fishing,

S.B. NO. 1175

1 and other wildlife laws, rules, or regulations in their
2 respective jurisdictions.

3 (b) Employees of the department who perform an act of
4 omission or commission in administering or enforcing the terms
5 or conditions of the agreement entered into pursuant to
6 subsection (a), if the act is within the course and scope of
7 their employment in administering or enforcing the agreement,
8 shall be:

- 9 (1) Immune from civil liability for damages;
10 (2) Entitled to legal representation for defense of legal
11 actions in which they are a named party or of claims
12 in which they are implicated; and
13 (3) Entitled to indemnification for any damages arising
14 from legal actions or claims resulting therefrom.

15 (c) The department may adopt rules pursuant to chapter 91
16 necessary for enforcement of the agreement entered into pursuant
17 to subsection (a)."

18 SECTION 3. New statutory material is underscored.

19 SECTION 4. This Act shall take effect upon approval.

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INTRODUCED BY:



BY REQUEST

22

S.B. NO. 1175

Report Title:

Interstate Wildlife Violator Compact; Multi-jurisdictional Agreement;

Description:

Authorizes the Department of Land and Natural Resources to enter into the Interstate Wildlife Violator Compact or similar agreement for mutual assistance in the enforcement of wildlife laws.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

SB. NO. 1175

JUSTIFICATION SHEET

DEPARTMENT: Land and Natural Resources

TITLE: A BILL FOR AN ACT RELATING TO THE INTERSTATE WILDLIFE VIOLATOR COMPACT.

PURPOSE: To authorize the Department to enter into the Interstate Wildlife Violator Compact or similar agreement for mutual assistance in the enforcement of wildlife laws.

MEANS: Add a new section to chapter 183D, Hawaii Revised Statutes.

JUSTIFICATION: The Interstate Wildlife Violator Compact is a multistate agreement that promotes enforcement of hunting, fishing, trapping, and other wildlife related regulations across jurisdictions. For example, the Interstate Wildlife Violator Compact could prevent wildlife violators who have lost their hunting, fishing, trapping, or other wildlife related privileges in other member states from obtaining a hunting license in Hawaii. Similarly, persons who have been punished with license revocation in Hawaii would be unable to avoid this punishment by engaging in those activities in another state. The Interstate Wildlife Violator Compact also establishes a process by which nonresident wildlife law violators can be treated as state residents for purposes of law enforcement, thereby easing the administrative burden on the enforcement agency and reducing enforcement gaps that may allow the violator to fail to comply with the terms of the citation. Reciprocity agreements such as the interstate wildlife violator compact are an important part of any law enforcement effort.

The Interstate Wildlife Violator Compact is modeled after the successful multistate driver license compact and nonresident violator compact. Hawaii is party to both

SB. NO. 1175

compacts. Forty-eight states have passed legislation necessary to join the Interstate Wildlife Violator Interstate Compact.

Impact on the public: Wildlife law violators will be held accountable due to the fact that their illegal activities in one state can affect their privileges in all participating states. The Interstate Wildlife Violator Interstate Compact will enhance the Department's ability to protect and manage wildlife resources for the benefit of all residents and visitors.

Impact on the department and other agencies: There will be little to no added costs or administrative burdens associated with participating in the Interstate Wildlife Violator Compact. The information system that facilitates participation is available for free to member states.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION: LNR 405.

OTHER AFFECTED
AGENCIES: None.

EFFECTIVE DATE: Upon approval.