

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

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**Testimony of  
SUZANNE D. CASE  
Chairperson**

**Before the House Committee on  
JUDICIARY**

**Wednesday, February 13, 2019  
2:05 PM  
State Capitol, Conference Room 325**

**In consideration of  
HOUSE BILL 1035, HOUSE DRAFT 1  
RELATING TO THE INTERSTATE WILDLIFE VIOLATOR COMPACT**

House Bill 1035, House Draft , proposes to authorize the Department of Land and Natural Resources (Department) to enter into the interstate wildlife violator compact or similar agreement for mutual assistance in the enforcement of wildlife laws. **The Department strongly supports this Administration measure.**

The protection of the wildlife resources of the state is materially affected by the degree of compliance with state statutes, laws, regulations, ordinances, and administrative rules relating to the management of such resources. Violation of wildlife laws interferes with the management of wildlife resources and may endanger the safety of persons and property.

The Wildlife Violator Compact includes a reciprocal recognition of license privilege suspension by member states, thus any person whose license privileges are suspended in a member state would also be suspended in Hawaii. 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. This cooperative interstate effort will enhance the State of Hawaii's ability to protect and manage wildlife resources for the benefit of all residents and visitors.

Implementation of the Interstate Wildlife Violator Compact in Hawaii would involve the co-operation and coordination of three divisions within the Department: Division of Conservation and Resources Enforcement, Division of Aquatic Resources, and Division of Forestry and Wildlife, as well as input from other stakeholders. A nominal fee of \$500.00 annually is necessary to establish and maintain the system. Staff time to input or extract data is dependent on the number of qualifying violations.

Thank you for the opportunity to comment on this measure.

**SUZANNE D. CASE**  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**ROBERT K. MASUDA**  
FIRST DEPUTY

**M. KALEO MANUEL**  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS



**THE HUMANE SOCIETY**  
OF THE UNITED STATES

**To:** Honorable Chair Lee, members of the House Judiciary Committee  
**In Support Of:** HB1035 HD1  
**Date:** February 13, 2019  
**Testimony By:** Heather Carpenter, Western Regional Director, The Humane Society of the United States

On behalf of The Humane Society of the United States and our members and supporters across Hawaii, I appreciate the opportunity to submit this written testimony in support of HB1035 HD1, a bill to enter Hawaii into the Interstate Wildlife Violator Compact, with amendments.

The HSUS works to end the worst abuses facing wildlife, including poaching. Poaching—the illegal harming or killing of wildlife—is a serious problem across the country. Poachers take animals over the allowable limit or out of season and kill animals using prohibited methods. This bill will keep poachers from illegally taking Hawaii’s wildlife and assists with the enforcement of wildlife laws.

The Interstate Wildlife Violator Compact is a nationwide law enforcement network aimed at preventing lawbreakers who have lost their hunting, fishing, and/or trapping privileges in one state, due to committing poaching crimes or violations, from carrying out those activities in other states.

Hawaii is one of only two non-member states of the nationwide law enforcement network, along with Massachusetts. As a non-member, Hawaii does not benefit from the network that has been helping wildlife agencies increase compliance with wildlife laws for 25 years. We must modernize penalties to deter wildlife criminals.

When a violator has their hunting, fishing, and/or trapping privileges legally suspended in a state that is a member of the compact, the suspension may be recognized by all other compact member states. The violation is treated as if it happened in the violator’s home state for purposes of license suspension.

If a violator fails to comply with a ticket issued in a member state, the issuing state can request the violator's home state to immediately suspend the violator's hunting, fishing and trapping privileges in their state until the violator complies with the terms of the ticket.

With that ability, the non-resident violator (if a resident of a Compact state) in many cases can be handled in the same manner as a resident violator and released on his or her own recognizance. This saves law enforcement the often unnecessary step of taking a non-resident violator to jail and allows them to stay in the field and focus on enforcement. It also removes an unnecessary burden on the court system.

A good example of how the compact punishes poachers is the [recent case of an Arizona hunting guide](#) who killed a desert bighorn sheep in Utah with a fraudulently obtained big game permit. The hunter rented a home in UT, claiming in-state residence to obtain the permit. After killing the bighorn sheep, he was charged with fraud, had to pay \$30,000 in restitution, and cannot hunt for 10 years in the 48 states participating in the compact. However, he can still hunt in Hawaii and Massachusetts. It is critical that we protect our wildlife from people who break the law.

Poachers jeopardize the livelihood of outdoor recreation outfitter and ecotourism companies and other businesses. When poachers illegally take our fish and wildlife, they exploit our natural resources and steal revenue from constituents who make a living by selling goods and services that contribute to wildlife recreation and tourism in Hawaii.

This is a common sense tool to combat poaching which 48 other states participate in and I urge the committee to protect our unique tourism and local businesses here in Hawaii by entering our state into the Interstate Wildlife Violator Compact.

We request the following amendments to the bill:

- Create a new Chapter 183E.
- Insert the text of the compact, approximately 13 pages in length.
- Amend language to make it clear that the state is entering into the Compact.
- Add an enforcement provision for reciprocal recognition of license suspensions to make sure there is a penalty for someone who actually engages in hunting, trapping, or fishing in the state, but who has had a license for the same activity revoked in another state, and add details about a hearing regarding said suspension.
- Add a definition at the end of the bill language to clarify that as used in the new chapter, "wildlife" includes aquatic species. Licenses are required for the taking in Hawaii of introduced freshwater species, and fishing in certain areas:

<https://freshwater.ehawaii.gov/freshwater/>  
<http://dlnr.hawaii.gov/dar/licenses-permits/>

Permits are also required to take aquatic life for aquarium purposes, using certain gear:

<http://dlnr.hawaii.gov/dar/fishing/faqs/>

**The Humane Society of the United States offers to provide funding for any needed training on the details of the Compact for Department of Land and Natural Resources, Division of Conservation and Resources Enforcement staff. We request a favorable report on HB 1035 HD1, with our proposed amendments.**



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Western Regional Director  
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**Hawaiian Humane Society**  
*People for animals. Animals for people.*

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Date: Feb. 12, 2019

To: Chair Rep. Chris Lee  
Vice Chair Rep. Joy San Buenaventura  
and Members of the Judiciary Committee

Submitted By: Stephanie Kendrick, Public Policy Advocate  
Hawaiian Humane Society, 808-356-2217

RE: Testimony in support of HB 1035, HD1:  
Relating to the Interstate Wildlife Violator Compact  
Wednesday, Feb. 13, 2019, 2:01 p.m., Capitol room 325

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Aloha Chair Lee, Vice Chair San Buenaventura and Committee Members,

On behalf of the Hawaiian Humane Society, thank you for considering our support for House Bill 1035, HD1, which 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 Hawaiian Humane Society advocates for the humane treatment of all animals, including wildlife. Hawaii authorities charged with enforcing wildlife-related regulations should have access to information about individuals convicted of violating these rules in other states so they can bar them from similar activities in Hawaii. HB 1035, HD1, would bring Hawaii in line with 48 other states that have joined together to enforce protections for wild animals.

Please pass HB 1035, HD1, to strengthen the enforcement of wildlife regulations across jurisdictions.

Mahalo for your consideration and let me know if I can be of assistance.

**LATE**

**HB-1035-HD-1**

Submitted on: 2/12/2019 7:59:21 PM

Testimony for JUD on 2/13/2019 2:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Melodie Aduja	O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i	Support	No

Comments: