

JAN 24 2019

---

# 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

18

1 the Interstate Wildlife Violator Compact are an important part  
2 of any law enforcement effort.

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

6 Forty-eight states have passed legislation necessary to  
7 join the Interstate Wildlife Violator Compact. Existing member  
8 states to the Interstate Wildlife Violator Compact have reported  
9 little to no added costs or administrative burdens associated  
10 with participating in the compact. The information system that  
11 facilitates participation is available for a nominal annual fee  
12 (\$500) to member states.

13 The purpose of this Act is to authorize the department of  
14 land and natural resources to enter into the Interstate Wildlife  
15 Violator Compact or similar agreement for mutual assistance in  
16 the enforcement of wildlife laws.

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

20 "§183D- Interstate wildlife violator compact. (a) The  
21 department may enter into the interstate wildlife violator

1 compact or similar agreement, whether in the form of a  
2 memorandum of understanding, written agreement, or mutual aid  
3 compact, with an appropriate state, federal, or foreign entity  
4 for mutual assistance in the enforcement of hunting, fishing,  
5 and other wildlife laws, rules, or regulations in their  
6 respective jurisdictions.

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

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

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

22 SECTION 3. New statutory material is underscored.

S.B. NO. 1261

1 SECTION 4. This Act shall take effect upon its approval.

2

3

INTRODUCED BY: Mark M.

4

BY REQUEST

**Report Title:**

Interstate Wildlife Violator Compact

**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.*

## 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 part I of 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 compacts.

Forty-eight states have passed legislation necessary to join the Interstate Wildlife Violator Compact. Existing member states to the Interstate Wildlife Violator Compact have reported little to no added costs or administrative burdens associated with participating in the compact. The information system that facilitates participation is available for free to member states.

Impact on the public: This bill would enable the Department to join the Interstate Wildlife Violator Compact, preventing persons who have lost their hunting, fishing, or other wildlife privileges from obtaining a hunting license in Hawaii.

Impact on the department and other agencies: There will be little to no added costs or administrative burdens associated with participating in the compact. The information system that facilitates participation is available for a nominal annual fee (\$500) to member states.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM  
DESIGNATION: LNR 405.

OTHER AFFECTED  
AGENCIES: None.

EFFECTIVE DATE: Upon approval.