

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 Senate Committee on
JUDICIARY**

**Tuesday, February 26, 2019
9:00 AM
State Capitol, Conference Room 016**

**In consideration of
SENATE BILL 1261, SENATE DRAFT 1
RELATING TO THE INTERSTATE WILDLIFE VIOLATOR COMPACT**

Senate Bill 1261, Senate Draft 1 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
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LAND
STATE PARKS



Hawaiian Humane Society
People for animals. Animals for people.

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Date: Feb. 22, 2019

To: Chair Sen. Karl Rhoads
Vice Chair Sen. Glenn Wakai
and Members of the Judiciary Committee

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

RE: Testimony in support of SB 1261, SD1:
Relating to the Interstate Wildlife Violator Compact
Tuesday, Feb. 26, 2019, 9 a.m., Capitol conference room 016

Aloha Chair Rhoads, Vice Chair Wakai and Committee Members,

On behalf of the Hawaiian Humane Society, thank you for considering our support for SB 1261, SD1, 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. SB 1261, SD1, would bring Hawaii in line with 48 other states that have joined together to enforce protections for wild animals.

Please pass SB 1261, SD1, to strengthen the enforcement of wildlife regulations across jurisdictions.

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



THE HUMANE SOCIETY
OF THE UNITED STATES

To: Honorable Chair Rhoads, members of the Senate Judiciary Committee
In Support Of: SB 1261 SD1
Date: February 26, 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 SB 1261 SD1, 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/>

- Change the date for when the Act goes into effect to 60 days after the administrators of the IWVC have given notice to each participating state that the resolution from the state of Hawaii has been received.

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 SB 1261 SD1, with our proposed amendments.



Heather Carpenter
Western Regional Director
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SB-1261-SD-1

Submitted on: 2/25/2019 8:51:43 AM

Testimony for JDC on 2/26/2019 9:00:00 AM

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

Comments:

SB-1261-SD-1

Submitted on: 2/21/2019 6:09:26 PM

Testimony for JDC on 2/26/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Benton Kealii Pang, Ph.D.	Individual	Support	No

Comments:

I support SB1261SD1 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. This bill will increase the efficacy of our law enforcement officers to protect our natural resource laws and cooperate with other state jurisdictions. Please pass SB1261 SD1.