

STAND. COM. REP. NO.

1681

Honolulu, Hawaii

APR 09 2021

RE: H.B. No. 1021  
H.D. 1  
S.D. 2

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1021, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE INTERSTATE WILDLIFE VIOLATOR COMPACT,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize 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.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Humane Society of the United States, Hawaiian Humane Society, Friends of Hanauma Bay, Hawai'i Reef and Oceanic Coalition, For the Fishes, and two individuals.

Your Committee finds that the Interstate Wildlife Violator Compact is a multistate agreement that promotes enforcement of hunting, fishing, trapping, and other wildlife-related regulations across jurisdictions by establishing a reciprocal process that enables local law enforcement to take enforcement action against nonresident wildlife law violators who can therefore be treated as state residents for enforcement purposes. Your Committee further finds that violation of wildlife laws interferes with the



management of wildlife resources and may endanger the safety of persons and property.

Your Committee additionally finds that the Interstate Wildlife Violator Compact was created to promote compliance with the laws, regulations, ordinances, resolutions, and administrative rules that relate to the management of wildlife resources in the respective member states. Your Committee also finds that forty-eight states have passed legislation needed to join the Interstate Wildlife Violator Compact. This measure will enhance Hawaii's ability to protect and manage its wildlife resources by authorizing the Department of Land and Natural Resources to enter into the Interstate Wildlife Violator Compact or a similar agreement.

Your Committee notes that this measure includes language granting immunity from civil liability for employees acting in the course and scope of their employment when enforcing the agreement. This is unnecessary as existing state law would generally apply in situations where an employee acting in the course and scope of employment causes injury or damages.

Your Committee has amended this measure by:

- (1) Deleting unnecessary language that would grant employees of the Department of Land and Natural Resources immunity, representation for defense, and indemnification from civil liability for damages resulting from an act or omission in administering or enforcing the Interstate Wildlife Violator Compact; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1021, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1021, H.D. 1, S.D. 2.



Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary,

*Karl Rhoads*

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KARL RHOADS, Chair



