

DAVID Y. IGE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the Senate Committee on
JUDICIARY**

**Tuesday, March 30, 2021
9:50 AM
State Capitol, Via Videoconference**

**In consideration of
HOUSE BILL 1021, HOUSE DRAFT 1, SENATE DRAFT 1
RELATING TO THE INTERSTATE WILDLIFE VIOLATOR COMPACT**

House Bill 1021, House Draft 1, 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 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



Hawaiian Humane Society
People for animals. Animals for people.

2700 Waiālae Avenue Honolulu, Hawaii 96826
808.356.2200 • HawaiianHumane.org

Date: March 26, 2021

To: Chair Sen. Karl Rhoads
Vice Chair Sen. Jarrett Keohokalole
and Members of the Committee on Judiciary

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

RE: Testimony in support of HB 1021, HD1, SD1:
Relating to the Interstate Wildlife Violator Compact
Tuesday, March 30, 2021, 9:50 a.m., Via Videoconference

Aloha Chair Rhoads, Vice Chair Keohokalole and Committee Members,

On behalf of the Hawaiian Humane Society, thank you for considering our support for House Bill 1021, HD1, 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. HB 1021, HD1, SD1, would bring Hawaii in line with 48 other states that have joined together to enforce protections for wild animals.

Please pass HB 1021, HD1, SD1, to strengthen the enforcement of wildlife regulations across jurisdictions.

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

HB-1021-SD-1

Submitted on: 3/26/2021 1:54:46 PM

Testimony for JDC on 3/30/2021 9:50:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lisa Bishop	Testifying for Friends of Hanauma Bay	Support	No

Comments:

Friends of Hanauma Bay stands in strong support of HB 1021 RELATING TO THE INTERSTATE WILDLIFE VIOLATOR COMPACT.

Mahalo,

Lisa Bishop

President

Friends of Hanauma Bay

HB-1021-SD-1

Submitted on: 3/26/2021 8:07:07 PM

Testimony for JDC on 3/30/2021 9:50:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ted Bohlen	Testifying for Hawai'i Reef and Ocean Coalition	Support	No

Comments:

To: The Honorable Karl Rhoads, Chair, the Honorable Jarrett Keohokalole, Vice Chair, and members of the Senate Committee on Judiciary

From: HAWAI'I REEF AND OCEAN COALITION – HIROC (by Ted Bohlen)

Re: Hearing HB1021 HD1 SD1 **RELATING TO THE INTERSTATE WILDLIFE VIOLATOR COMPACT**

Hearing Date: Tuesday, March 30, 2021, 9:50 am, videoconference

Aloha Chair Rhoads, Vice Chair Keohokalole, and Members of the Senate Committee on Judiciary:

The HAWAI'I REEF AND OCEAN COALITION – HIROC – STRONGLY SUPPORTS HB1021 HD1 SD1! HIROC was formed in 2017 by coral reef scientists, educators, local Hawai'i environmental organizations, elected officials, and others to address the crisis facing Hawaii's coral reefs and other marine life. The health of our reefs and oceans is critical for Hawaii's recreation, economy and shoreline protection. Our coral reefs, other aquatic life, and ocean need greater protection!

The purpose of this measure is to authorize the Department of Land and Natural Resources, which supports this measure, to enter into the Interstate Wildlife Violator Compact or similar agreement for mutual assistance in the enforcement of wildlife laws.

The Interstate Wildlife Violator Compact is a multistate agreement that promotes enforcement of hunting, fishing, trapping, and other wildlife-related regulations across jurisdictions. Joining the Interstate Wildlife Violator Compact enables state and local law enforcement action against nonresident wildlife law violators, including poachers, who can therefore be treated as state residents for enforcement purposes. This process is convenient for citizens of member states and increases the efficiency of conservation officers by allowing more time for enforcement duties rather than violator processing procedures that are required for arrest, booking and bonding of nonresidents. Wildlife

law violators are held accountable due to the fact that their illegal activities in one state can affect their privileges in all participating states, including the member home state.

The Wildlife Violator Compact also 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 their home state. Violation of wildlife laws, **including those to protect aquatic resources**, interferes with the management of wildlife resources and may endanger the safety of persons and property. The Interstate Wildlife Violator Compact was created to promote compliance with the laws, regulations, ordinances, resolutions, and administrative rules that related to the management of wildlife resources in the respective member states. 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.

Forty-eight states have passed legislation needed to join the Interstate Wildlife Violator Compact. It is time for Hawai'i to join this effort. This measure will enhance Hawaii's ability to protect and manage its wildlife resources, including aquatic resources, and therefore will benefit the reefs and ocean. Please pass this bill! Mahalo!

Hawaii Reef and Ocean Coalition (by Ted Bohlen)



March 30, 2021

TO: Honorable Chair Rhoads, Vice-Chair Nishihara and Senate Judiciary Committee members

SUBMITTED BY: Inga Gibson, Policy Consultant, For the Fishes
ponoadvocacy@gmail.com, 808.922.9910

RE: SUPPORT for HB1021; Interstate Wildlife Violators Compact

For the Fishes respectfully urges your **support of HB1021** which would allow DLNR, who supports this measure, to become a member of the national law enforcement network known as the Interstate Wildlife Violator Compact.

48 states are currently members of this Compact. The Compact is an agreement between states to gain further compliance with wildlife related laws, ordinances, and regulations of participating states, while providing for the fair and impartial treatment of wildlife violators.

Membership in the Compact is free to member states and, according to existing member states, has little to no fiscal impact (estimated 10 hours per month of existing staff time entering information into the national database).

Wildlife officials estimate that nationally tens of millions of animals are poached each year. Poaching is a serious problem and far more often than not, poaching activity remains undetected and poachers go unpunished for their crimes. In fact, it is estimated that despite the tireless efforts of wildlife protection officers, a mere one to five percent of poachers are ever apprehended by law enforcement.

Crimes that may be recorded and accessed via the IWVC database include but are not limited to the following: Illegal take or possession of big game, Illegal take or possession of threatened or endangered species, Felony wildlife violations, License violations, fraud, false statement, Waste of wildlife, Accumulated wildlife violations, Violations while on revocation, Sale/purchase of prohibited wildlife, Illegal take or possession of small game or migratory birds and Federal Wildlife Violations.

Modeled after the equally successful Driver's License Compact, the Interstate Wildlife Violator Compact was first developed back in the early 1990s. If enacted in Hawaii, it would prevent wildlife violators who have lost their wildlife related privileges in member states from coming to Hawaii to circumvent those license revocations. Enacting the compact would also ensure that those who have been punished with license revocations for illegal wildlife acts in Hawaii can't avoid their punishment by engaging in those activities in another member state.

Thank you very much for your time and consideration.



March 19, 2021

TO: Honorable Chair Inouye, Vice-Chair Keith-Agaran and Water & Land Committee members

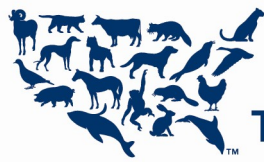
SUBMITTED BY: Inga Gibson, Policy Consultant, For the Fishes
ponoadvocacy@gmail.com, 808.922.9910

RE: SUPPORT FOR HB1018 Relating to Lay nets

For the Fishes respectfully urges your support for HB1018. Lay or gill nets cause tremendous death and injury to non-target marine wildlife if not monitored closely. Critically endangered monk seals, turtles, sharks and other protected marine animals are often the victims of these indiscriminate nets. The animals captured may suffer for hours or days before succumbing to death via starvation, drowning or other injury.

While we would support a complete prohibition on their use, since they are so indiscriminate, we understand that the Department feels they can regulate such gear via a limited permitting process, which would also lead to strict identification of nets and hold non-permittees accountable for any prohibited use.

Thank you for the opportunity to testify in support of this measure.



THE HUMANE SOCIETY
OF THE UNITED STATES

To: Senator Karl Rhoads, Chair
Members of the Senate Committee on Judiciary

In Support Of: HB 1021 HD1 SD1

Date: March 30, 2021

Testimony By: Lindsay Vierheilig, Hawaii State Director, The Humane Society of the United States

Dear Chair Rhoads, Vice Chair Keohokalole, and members of the Senate Committee on Judiciary,

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 HB 1021 HD1 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 respectfully 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/>

Thank you for your consideration of this important bill and the opportunity to offer testimony in support.

Sincerely,



Lindsay Vierheilg
Hawaii State Director
lvierheilg@humanesociety.org

HB-1021-SD-1

Submitted on: 3/28/2021 11:58:54 AM

Testimony for JDC on 3/30/2021 9:50:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Victoria Anderson	Individual	Support	No

Comments:

Please pass this important bill.

HB-1021-SD-1

Submitted on: 3/29/2021 5:40:55 AM

Testimony for JDC on 3/30/2021 9:50:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Chiwa	Individual	Support	No

Comments:

Aloha Chairperson Rhoads, Vice Chairperson Keohokalole and Members of the Committee on Judiciary.

Please support HB 1021 HD 1 SD 1 which would have the Department of Land and Natural Resources enter into the interstate Wildlife Violation Compact or similar agreement for mutual assistance with wildlife laws. It's my understanding that 48 other states have entered in to this agreement so Hawaii's participation is long overdue. Please support this bill to help protect Hawaii's wildlife.

Mahalo!

Jennifer Chiwa

Makiki