

JAN 19 2018

A BILL FOR AN ACT

RELATING TO WILDLIFE.

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 compact also
11 establishes a process by which nonresident wildlife law
12 violators can be treated as state residents for purposes of law
13 enforcement, thereby easing the administrative burden on the
14 enforcement agency and reducing enforcement gaps that may allow
15 the violator to fail to comply with the terms of the citation.
16 The legislature finds that reciprocity agreements such as the



1 interstate wildlife violator compact are an important part of
2 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. Forty-
6 seven states have passed legislation necessary to join the
7 interstate wildlife violator compact.

8 The legislature further finds that existing member states
9 to the interstate wildlife violator compact have reported little
10 to no added costs or administrative burdens associated with
11 participating in the compact. The information system that
12 facilitates participation is available for free to member
13 states.

14 The purpose of this Act is to allow the department of land
15 and natural resources to become a member of the interstate
16 wildlife violator compact or similar agreement.

17 SECTION 2. Chapter 183D, Hawaii Revised Statutes, is
18 amended by adding a new section to part I 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)."



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1 SECTION 3. There is appropriated out of the general
 2 revenues of the State of Hawaii the sum of \$ or so
 3 much thereof as may be necessary for fiscal year 2018-2019 for
 4 the department of land and natural resources to enter into the
 5 interstate wildlife violator compact or similar agreement.

6 The sum appropriated shall be expended by the department of
 7 land and natural resources for the purposes of this Act.

8 SECTION 4. New statutory material is underscored.

9 SECTION 5. This Act shall take effect on July 1, 2018.

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INTRODUCED BY:

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S.B. NO. 2077

Report Title:

Wildlife; DLNR; Multi-jurisdictional Agreement; Interstate
Wildlife Violator Compact; Appropriation

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. Appropriates funds.

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