
By: **Delegates Weir and Guns**

Introduced and read first time: February 10, 1999

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Interstate Wildlife Violator Compact**

3 FOR the purpose of authorizing the Governor to enter into the Interstate Wildlife
4 Violator Compact; providing for the purposes of the compact; providing for
5 procedures for states issuing citations for wildlife violations to certain persons
6 residing in participating states; providing for procedures for home states of
7 certain persons receiving certain citations; providing for the reciprocal
8 recognition of suspension of certain privileges by participating states under
9 certain circumstances; providing for a board of compact administrators for
10 certain purposes; providing for the entry into and withdrawal from the compact;
11 providing for amendment of the compact; providing for the severability of
12 provisions of the compact; providing for the operation and effect of the compact;
13 limiting the compensation and expenses of the compact administrator for this
14 State; defining certain terms; and generally relating to interstate enforcement
15 of wildlife laws.

16 BY adding to
17 Article - Natural Resources
18 Section 10-1201 through 10-1203, inclusive, to be under the new subtitle
19 "Subtitle 12. Interstate Wildlife Violator Compact"
20 Annotated Code of Maryland
21 (1990 Replacement Volume and 1998 Supplement)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
23 MARYLAND, That the Laws of Maryland read as follows:

24 **Article - Natural Resources**

25 **SUBTITLE 12. INTERSTATE WILDLIFE VIOLATOR COMPACT.**

26 10-1201.

27 THE GENERAL ASSEMBLY HEREBY APPROVES AND THE GOVERNOR IS
28 AUTHORIZED TO ENTER INTO A COMPACT ON BEHALF OF THIS STATE WITH ANY
29 OTHER STATE OR STATES IN A FORM SUBSTANTIALLY AS FOLLOWS:

1

ARTICLE I

2

FINDINGS, DECLARATION OF POLICY, AND PURPOSE

3

(A) THE PARTICIPATING STATES FIND THAT:

4

(1) WILDLIFE RESOURCES ARE MANAGED IN TRUST BY THE RESPECTIVE
5 STATES FOR THE BENEFIT OF ALL RESIDENTS AND VISITORS;

6

(2) THE PROTECTION OF THE WILDLIFE RESOURCES OF A STATE IS
7 MATERIALLY AFFECTED BY THE DEGREE OF COMPLIANCE WITH STATE STATUTES,
8 LAWS, REGULATIONS, RULES, AND ORDINANCES RELATING TO THE MANAGEMENT
9 OF THOSE RESOURCES;

10

(3) THE PRESERVATION, PROTECTION, MANAGEMENT, AND
11 RESTORATION OF WILDLIFE RESOURCES CONTRIBUTES IMMEASURABLY TO THE
12 AESTHETIC, RECREATIONAL, AND ECONOMIC VALUES OF A STATE;

13

(4) WILDLIFE RESOURCES ARE VALUABLE WITHOUT REGARD TO
14 POLITICAL BOUNDARIES; THEREFORE, EVERY PERSON SHOULD BE REQUIRED TO
15 COMPLY WITH WILDLIFE PRESERVATION, PROTECTION, MANAGEMENT, AND
16 RESTORATION STATUTES, LAWS, RULES, REGULATIONS, AND ORDINANCES OF THE
17 PARTICIPATING STATES AS A CONDITION PRECEDENT TO THE CONTINUANCE OR
18 ISSUANCE OF ANY LICENSE TO HUNT, FISH, TRAP, OR POSSESS WILDLIFE;

19

(5) VIOLATION OF WILDLIFE LAWS INTERFERES WITH THE
20 MANAGEMENT OF WILDLIFE RESOURCES AND MAY ENDANGER THE SAFETY OF
21 PERSONS AND PROPERTY;

22

(6) THE MOBILITY OF MANY WILDLIFE LAW VIOLATORS NECESSITATES
23 THE MAINTENANCE OF CHANNELS OF COMMUNICATION AMONG THE VARIOUS
24 STATES;

25

(7) IN MOST INSTANCES, A PERSON WHO IS CITED FOR A WILDLIFE
26 VIOLATION IN A STATE OTHER THAN THE PERSON'S HOME STATE:

27

(I) IS REQUIRED TO POST COLLATERAL OR A BOND TO SECURE AN
28 APPEARANCE FOR A TRIAL AT A LATER DATE;

29

(II) IS TAKEN INTO CUSTODY UNTIL THE COLLATERAL OR BOND IS
30 POSTED; OR

31

(III) IS TAKEN DIRECTLY TO COURT FOR AN IMMEDIATE
32 APPEARANCE;

33

(8) THE PURPOSE OF THE ENFORCEMENT PRACTICES SET FORTH IN
34 PARAGRAPH (7) OF THIS SUBSECTION IS TO ENSURE COMPLIANCE WITH THE TERMS
35 OF A WILDLIFE CITATION BY THE CITED PERSON WHO, IF ALLOWED TO CONTINUE
36 ON THE PERSON'S WAY AFTER RECEIVING THE CITATION, COULD RETURN TO THE

1 PERSON'S HOME STATE AND DISREGARD ANY DUTY UNDER THE TERMS OF THE
2 CITATION;

3 (9) IN MOST INSTANCES, A PERSON RECEIVING A WILDLIFE CITATION IN
4 THE PERSON'S HOME STATE IS ALLOWED TO ACCEPT THE CITATION FROM THE
5 OFFICER AT THE SCENE OF THE VIOLATION AND IMMEDIATELY CONTINUE ON THE
6 PERSON'S WAY AFTER AGREEING OR BEING INSTRUCTED TO COMPLY WITH THE
7 TERMS OF THE CITATION;

8 (10) THE PRACTICES DESCRIBED IN PARAGRAPH (7) OF THIS SUBSECTION
9 CAUSE UNNECESSARY INCONVENIENCE AND, AT TIMES, A HARDSHIP FOR THE
10 PERSON WHO IS UNABLE AT THE TIME TO POST COLLATERAL, FURNISH A BOND,
11 STAND TRIAL, OR PAY A FINE, AND THUS IS COMPELLED TO REMAIN IN CUSTODY
12 UNTIL SOME ALTERNATIVE ARRANGEMENT IS MADE; AND

13 (11) THE ENFORCEMENT PRACTICES DESCRIBED IN PARAGRAPH (7) OF
14 THIS SUBSECTION CONSUME AN UNDUE AMOUNT OF LAW ENFORCEMENT TIME.

15 (B) IT IS THE POLICY OF THE PARTICIPATING STATES TO:

16 (1) PROMOTE COMPLIANCE WITH THE STATUTES, LAWS, REGULATIONS,
17 RULES, AND ORDINANCES RELATING TO MANAGEMENT OF WILDLIFE RESOURCES IN
18 THEIR RESPECTIVE STATES;

19 (2) RECOGNIZE THE SUSPENSION OF WILDLIFE LICENSE PRIVILEGES OF
20 A PERSON WHOSE LICENSE PRIVILEGES HAVE BEEN SUSPENDED BY A
21 PARTICIPATING STATE AND TREAT THAT SUSPENSION AS IF IT HAD OCCURRED IN
22 THEIR STATE;

23 (3) ALLOW A VIOLATOR, EXCEPT AS PROVIDED IN ARTICLE III,
24 SUBSECTION (B) OF THIS COMPACT, TO ACCEPT A WILDLIFE CITATION AND, WITHOUT
25 DELAY, PROCEED ON THE PERSON'S WAY, REGARDLESS OF THE VIOLATOR'S HOME
26 STATE, IF THAT STATE IS A PARTY TO THIS COMPACT;

27 (4) REPORT TO THE APPROPRIATE PARTICIPATING STATE, AS PROVIDED
28 IN THE COMPACT MANUAL, A CONVICTION RECORDED AGAINST A PERSON WHOSE
29 HOME STATE WAS NOT THE ISSUING STATE;

30 (5) ALLOW THE HOME STATE TO RECOGNIZE AND TREAT CONVICTIONS
31 RECORDED AGAINST ITS RESIDENTS THAT OCCURRED IN A PARTICIPATING STATE AS
32 THOUGH THEY HAD OCCURRED IN THE HOME STATE;

33 (6) EXTEND COOPERATION TO ITS FULLEST EXTENT AMONG THE
34 PARTICIPATING STATES FOR ENFORCING COMPLIANCE WITH THE TERMS OF A
35 WILDLIFE CITATION ISSUED IN ONE PARTICIPATING STATE TO A RESIDENT OF
36 ANOTHER PARTICIPATING STATE;

37 (7) MAXIMIZE EFFECTIVE USE OF LAW ENFORCEMENT PERSONNEL AND
38 INFORMATION; AND

1 (8) ASSIST COURT SYSTEMS IN THE EFFICIENT DISPOSITION OF
2 WILDLIFE VIOLATIONS.

3 (C) THE PURPOSE OF THIS COMPACT IS TO:

4 (1) PROVIDE A MEANS THROUGH WHICH PARTICIPATING STATES MAY
5 JOIN IN A RECIPROCAL PROGRAM TO EFFECTUATE THE POLICIES ENUMERATED IN
6 SUBSECTION (B) OF THIS ARTICLE IN A UNIFORM AND ORDERLY MANNER; AND

7 (2) PROVIDE FOR THE FAIR AND IMPARTIAL TREATMENT OF WILDLIFE
8 VIOLATORS OPERATING WITHIN PARTICIPATING STATES IN RECOGNITION OF
9 VIOLATORS' RIGHTS TO DUE PROCESS AND THE SOVEREIGN STATUS OF A
10 PARTICIPATING STATE.

11 ARTICLE II

12 DEFINITIONS

13 AS USED IN THIS COMPACT, UNLESS THE CONTEXT REQUIRES OTHERWISE, THE
14 FOLLOWING WORDS HAVE THE MEANINGS INDICATED:

15 (A) "CITATION" MEANS A SUMMONS, COMPLAINT, SUMMONS AND COMPLAINT,
16 TICKET, PENALTY ASSESSMENT, OR OTHER OFFICIAL DOCUMENT ISSUED TO A
17 PERSON BY A WILDLIFE OFFICER OR OTHER LAW ENFORCEMENT OFFICER FOR A
18 WILDLIFE VIOLATION THAT CONTAINS AN ORDER REQUIRING THE PERSON TO
19 RESPOND.

20 (B) "COLLATERAL" MEANS CASH OR OTHER SECURITY DEPOSITED TO SECURE
21 AN APPEARANCE FOR TRIAL IN CONNECTION WITH THE ISSUANCE BY A WILDLIFE
22 OFFICER OR OTHER LAW ENFORCEMENT OFFICER OF A CITATION FOR A WILDLIFE
23 VIOLATION.

24 (C) "COMPLIANCE" WITH RESPECT TO A CITATION MEANS THE ACT OF
25 ANSWERING A CITATION THROUGH AN APPEARANCE IN A COURT OR TRIBUNAL, OR
26 THROUGH THE PAYMENT OF FINES, COSTS, AND SURCHARGES, IF ANY.

27 (D) (1) "CONVICTION" MEANS A CONVICTION, INCLUDING A COURT
28 CONVICTION, FOR AN OFFENSE RELATED TO THE PRESERVATION, PROTECTION,
29 MANAGEMENT, OR RESTORATION OF WILDLIFE THAT IS PROHIBITED BY STATE
30 STATUTE, LAW, REGULATION, RULE, OR ORDINANCE.

31 (2) "CONVICTION" INCLUDES THE FORFEITURE OF BAIL, BOND, OR
32 OTHER SECURITY DEPOSITED TO SECURE THE APPEARANCE OF A PERSON CHARGED
33 WITH HAVING COMMITTED THE OFFENSE, THE PAYMENT OF A PENALTY
34 ASSESSMENT, A PLEA OF NOLO CONTENDERE, AND THE IMPOSITION OF A DEFERRED
35 OR SUSPENDED SENTENCE BY THE COURT.

36 (E) (1) "COURT" MEANS A COURT OF LAW.

37 (2) "COURT" INCLUDES A MAGISTRATE'S COURT.

- 1 (F) "HOME STATE" MEANS THE STATE OF PRIMARY RESIDENCE OF A PERSON.
- 2 (G) "ISSUING STATE" MEANS THE PARTICIPATING STATE THAT ISSUES A
3 WILDLIFE CITATION TO THE VIOLATOR.
- 4 (H) "LICENSE" MEANS A LICENSE, PERMIT, OR OTHER PUBLIC DOCUMENT
5 THAT CONVEYS TO THE PERSON TO WHOM IT WAS ISSUED THE PRIVILEGE OF
6 PURSUING, POSSESSING, OR TAKING ANY WILDLIFE REGULATED BY STATUTE, LAW,
7 REGULATION, RULE, OR ORDINANCE OF A PARTICIPATING STATE.
- 8 (I) "LICENSING AUTHORITY" MEANS THE GOVERNMENTAL UNIT IN EACH
9 PARTICIPATING STATE THAT IS AUTHORIZED BY LAW TO ISSUE OR APPROVE
10 LICENSES OR PERMITS TO HUNT, FISH, TRAP, OR POSSESS WILDLIFE.
- 11 (J) "PARTICIPATING STATE" MEANS A STATE THAT ENACTS LEGISLATION TO
12 BECOME A MEMBER OF THIS WILDLIFE COMPACT.
- 13 (K) "PERSONAL RECOGNIZANCE" MEANS AN AGREEMENT BY A PERSON MADE
14 AT THE TIME OF ISSUANCE OF THE WILDLIFE CITATION THAT THE PERSON WILL
15 COMPLY WITH THE TERMS OF THE CITATION.
- 16 (L) "STATE" MEANS A STATE, TERRITORY, OR POSSESSION OF THE UNITED
17 STATES, THE DISTRICT OF COLUMBIA, AND THE COMMONWEALTH OF PUERTO RICO.
- 18 (M) "SUSPENSION" MEANS A REVOCATION, DENIAL, OR WITHDRAWAL OF ANY
19 OR ALL LICENSE PRIVILEGES, INCLUDING THE PRIVILEGE TO APPLY FOR, PURCHASE,
20 OR EXERCISE THE BENEFITS CONFERRED BY A LICENSE.
- 21 (N) "TERMS OF THE CITATION" MEANS THE CONDITIONS AND OPTIONS
22 EXPRESSLY STATED IN THE CITATION.
- 23 (O) "WILDLIFE" MEANS ALL SPECIES OF ANIMALS INCLUDING, BUT NOT
24 LIMITED TO, MAMMALS, BIRDS, FISH, REPTILES, AMPHIBIANS, MOLLUSKS, AND
25 CRUSTACEANS, THAT ARE DEFINED AS "WILDLIFE" AND ARE PROTECTED OR
26 OTHERWISE REGULATED BY STATUTE, LAW, RULE, REGULATION, OR ORDINANCE IN
27 A PARTICIPATING STATE. SPECIES INCLUDED IN THE DEFINITION OF "WILDLIFE"
28 VARY FROM STATE TO STATE. THE DETERMINATION OF WHETHER A SPECIES IS
29 "WILDLIFE" FOR THE PURPOSES OF THIS COMPACT SHALL BE BASED ON THE LAW OF
30 THE ISSUING STATE.
- 31 (P) "WILDLIFE LAW" MEANS A STATUTE, LAW, REGULATION, RULE, OR
32 ORDINANCE DEVELOPED AND ENACTED FOR THE MANAGEMENT OF AND USES OF
33 WILDLIFE RESOURCES.
- 34 (Q) "WILDLIFE OFFICER" MEANS AN INDIVIDUAL WHO IS AUTHORIZED BY A
35 PARTICIPATING STATE TO ISSUE A CITATION FOR A WILDLIFE VIOLATION.
- 36 (R) "WILDLIFE VIOLATION" MEANS A CITED VIOLATION OF A STATUTE, LAW,
37 REGULATION, RULE, OR ORDINANCE DEVELOPED AND ENACTED FOR THE
38 MANAGEMENT AND USES OF WILDLIFE RESOURCES.

1

ARTICLE III

2

PROCEDURES FOR ISSUING STATE

3 (A) WHEN ISSUING A CITATION FOR A WILDLIFE VIOLATION, IF THE WILDLIFE
4 OFFICER RECEIVES THE RECOGNIZANCE OF THE PERSON THAT THE PERSON WILL
5 COMPLY WITH THE TERMS OF THE CITATION, A WILDLIFE OFFICER:

6 (1) SHALL ISSUE A CITATION TO A PERSON WHOSE PRIMARY RESIDENCE
7 IS IN A PARTICIPATING STATE IN THE SAME MANNER AS TO A PERSON RESIDING IN
8 THE ISSUING STATE; AND

9 (2) MAY NOT REQUIRE THE PERSON TO POST COLLATERAL TO SECURE
10 APPEARANCE, SUBJECT TO THE EXCEPTIONS NOTED IN SUBSECTION (B) OF THIS
11 ARTICLE.

12 (B) PERSONAL RECOGNIZANCE IS ACCEPTABLE:

13 (1) IF NOT PROHIBITED BY LOCAL LAW OR THE COMPACT MANUAL; AND

14 (2) IF THE VIOLATOR PROVIDES ADEQUATE PROOF OF IDENTIFICATION
15 TO THE WILDLIFE OFFICER.

16 (C) (1) ON CONVICTION OR FAILURE OF A PERSON TO COMPLY WITH THE
17 TERMS OF A WILDLIFE CITATION, THE APPROPRIATE OFFICIAL SHALL REPORT THE
18 CONVICTION OR FAILURE TO COMPLY TO THE LICENSING AUTHORITY OF THE
19 PARTICIPATING STATE WHERE THE WILDLIFE CITATION WAS ISSUED.

20 (2) THE REPORT SHALL:

21 (I) BE MADE IN ACCORDANCE WITH PROCEDURES SPECIFIED BY
22 THE ISSUING STATE; AND

23 (II) CONTAIN INFORMATION AS SPECIFIED IN THE COMPACT
24 MANUAL AS MINIMUM REQUIREMENTS FOR EFFECTIVE PROCESSING BY THE HOME
25 STATE.

26 (D) ON RECEIVING THE REPORT OF CONVICTION OR NONCOMPLIANCE UNDER
27 SUBSECTION (C) OF THIS ARTICLE, THE LICENSING AUTHORITY OF THE ISSUING
28 STATE SHALL TRANSMIT TO THE LICENSING AUTHORITY OF THE HOME STATE OF
29 THE VIOLATOR THE INFORMATION IN THE FORM AND CONTENT PRESCRIBED IN THE
30 COMPACT MANUAL.

31

ARTICLE IV

32

PROCEDURE FOR HOME STATE

33 (A) (1) ON RECEIVING A REPORT FROM THE LICENSING AUTHORITY OF THE
34 ISSUING STATE REPORTING THE FAILURE OF A VIOLATOR TO COMPLY WITH THE
35 TERMS OF A CITATION, THE LICENSING AUTHORITY OF THE HOME STATE SHALL:

1 (I) NOTIFY THE VIOLATOR;

2 (II) INITIATE A SUSPENSION ACTION IN ACCORDANCE WITH THE
3 HOME STATE'S SUSPENSION PROCEDURES; AND

4 (III) SUSPEND THE VIOLATOR'S LICENSE PRIVILEGES UNTIL
5 SATISFACTORY EVIDENCE OF COMPLIANCE WITH THE TERMS OF THE WILDLIFE
6 CITATION HAS BEEN FURNISHED BY THE ISSUING STATE TO THE HOME STATE
7 LICENSING AUTHORITY.

8 (2) DUE PROCESS SAFEGUARDS SHALL BE ACCORDED TO THE
9 VIOLATOR.

10 (B) ON RECEIVING A REPORT OF CONVICTION FROM THE LICENSING
11 AUTHORITY OF THE ISSUING STATE, THE LICENSING AUTHORITY OF THE HOME
12 STATE SHALL:

13 (1) ENTER THE CONVICTION IN ITS RECORDS; AND

14 (2) TREAT THE CONVICTION AS THOUGH THE CONVICTION HAD
15 OCCURRED IN THE HOME STATE FOR THE PURPOSES OF THE SUSPENSION OF
16 LICENSE PRIVILEGES.

17 (C) THE LICENSING AUTHORITY OF THE HOME STATE SHALL:

18 (1) MAINTAIN A RECORD OF ACTIONS TAKEN; AND

19 (2) MAKE REPORTS TO ISSUING STATES AS PROVIDED IN THE COMPACT
20 MANUAL.

21 ARTICLE V

22 RECIPROCAL RECOGNITION OF SUSPENSION

23 (A) ALL PARTICIPATING STATES SHALL RECOGNIZE THE SUSPENSION OF
24 LICENSE PRIVILEGES OF A PERSON BY A PARTICIPATING STATE AS THOUGH THE
25 VIOLATION RESULTING IN THE SUSPENSION HAD OCCURRED IN THEIR STATE AND
26 COULD HAVE BEEN THE BASIS FOR SUSPENSION OF LICENSE PRIVILEGES IN THEIR
27 STATE.

28 (B) EACH PARTICIPATING STATE SHALL COMMUNICATE SUSPENSION
29 INFORMATION TO OTHER PARTICIPATING STATES IN A FORM AND CONTENT
30 PRESCRIBED IN THE COMPACT MANUAL.

31 ARTICLE VI

32 APPLICABILITY OF OTHER LAWS

33 EXCEPT AS EXPRESSLY REQUIRED BY PROVISIONS OF THIS COMPACT, NOTHING
34 IN THIS COMPACT MAY BE CONSTRUED TO AFFECT THE RIGHT OF A PARTICIPATING

1 STATE TO APPLY ANY OF ITS LAWS RELATING TO LICENSE PRIVILEGES TO ANY
2 PERSON OR CIRCUMSTANCE OR TO INVALIDATE OR PREVENT ANY AGREEMENT OR
3 OTHER COOPERATIVE ARRANGEMENT BETWEEN A PARTICIPATING STATE AND A
4 NONPARTICIPATING STATE CONCERNING WILDLIFE LAW ENFORCEMENT.

5

ARTICLE VII

6

BOARD OF COMPACT ADMINISTRATORS

7 (A) (1) FOR THE PURPOSE OF ADMINISTERING THE PROVISIONS OF THIS
8 COMPACT AND TO SERVE AS A GOVERNING BODY FOR THE RESOLUTION OF ALL
9 MATTERS RELATING TO THE OPERATION OF THIS COMPACT, A BOARD OF COMPACT
10 ADMINISTRATORS IS ESTABLISHED. THE BOARD SHALL BE COMPOSED OF ONE
11 REPRESENTATIVE FROM EACH OF THE PARTICIPATING STATES TO BE KNOWN AS
12 THE COMPACT ADMINISTRATOR.

13 (2) THE COMPACT ADMINISTRATOR SHALL BE APPOINTED BY THE HEAD
14 OF THE LICENSING AUTHORITY OF EACH PARTICIPATING STATE AND SHALL SERVE
15 AND BE SUBJECT TO REMOVAL IN ACCORDANCE WITH THE LAWS OF THE STATE
16 THAT THE COMPACT ADMINISTRATOR REPRESENTS.

17 (3) A COMPACT ADMINISTRATOR MAY PROVIDE FOR AN ALTERNATE TO
18 DISCHARGE THE COMPACT ADMINISTRATOR'S DUTIES AND PERFORM THE COMPACT
19 ADMINISTRATOR'S FUNCTIONS AS A BOARD MEMBER. AN ALTERNATE MAY NOT BE
20 ENTITLED TO SERVE UNLESS WRITTEN NOTIFICATION OF THE ALTERNATE'S
21 IDENTITY HAS BEEN GIVEN TO THE BOARD.

22 (B) EACH MEMBER OF THE BOARD OF COMPACT ADMINISTRATORS SHALL BE
23 ENTITLED TO ONE VOTE. AN ACTION OF THE BOARD MAY NOT BE BINDING UNLESS
24 TAKEN AT A MEETING AT WHICH A MAJORITY OF THE TOTAL NUMBER OF THE
25 BOARD'S VOTES ARE CAST IN FAVOR OF THE ACTION. ACTION BY THE BOARD MAY BE
26 TAKEN ONLY AT A MEETING AT WHICH A MAJORITY OF THE PARTICIPATING STATES
27 ARE REPRESENTED.

28 (C) THE BOARD SHALL ELECT ANNUALLY FROM ITS MEMBERSHIP A
29 CHAIRMAN AND VICE CHAIRMAN.

30 (D) THE BOARD SHALL ADOPT BYLAWS NOT INCONSISTENT WITH THE
31 PROVISIONS OF THIS COMPACT OR THE LAWS OF A PARTICIPATING STATE FOR THE
32 CONDUCT OF ITS BUSINESS AND SHALL HAVE THE POWER TO AMEND AND RESCIND
33 ITS BYLAWS.

34 (E) THE BOARD MAY ACCEPT FOR ANY OF ITS PURPOSES AND FUNCTIONS
35 UNDER THIS COMPACT ANY AND ALL DONATIONS AND GRANTS OF MONEYS,
36 EQUIPMENT, SUPPLIES, MATERIALS, AND SERVICES, CONDITIONAL OR OTHERWISE,
37 FROM ANY STATE, THE UNITED STATES, OR ANY GOVERNMENTAL UNIT, AND MAY
38 RECEIVE, UTILIZE, AND DISPOSE OF THOSE GRANTS AND DONATIONS.

1 (F) THE BOARD MAY CONTRACT WITH, OR ACCEPT SERVICES OR PERSONNEL
2 FROM, ANY GOVERNMENTAL OR INTERGOVERNMENTAL UNIT, INDIVIDUAL, FIRM, OR
3 CORPORATION, OR ANY PRIVATE NOT-FOR-PROFIT ORGANIZATION OR INSTITUTION.

4 (G) THE BOARD SHALL FORMULATE ALL NECESSARY PROCEDURES AND
5 DEVELOP UNIFORM FORMS AND DOCUMENTS FOR ADMINISTERING THE PROVISIONS
6 OF THIS COMPACT. ALL PROCEDURES AND FORMS ADOPTED IN ACCORDANCE WITH
7 BOARD ACTION SHALL BE CONTAINED IN A COMPACT MANUAL.

8 ARTICLE VIII

9 ENTRY INTO COMPACT AND WITHDRAWAL

10 (A) THIS COMPACT SHALL BECOME EFFECTIVE WHEN IT IS ADOPTED IN A
11 SUBSTANTIALLY SIMILAR FORM BY TWO OR MORE STATES.

12 (B) (1) ENTRY INTO THE COMPACT SHALL BE MADE BY RESOLUTION OF
13 RATIFICATION EXECUTED BY THE AUTHORIZED OFFICIALS OF THE APPLYING STATE
14 AND SUBMITTED TO THE CHAIRMAN OF THE BOARD.

15 (2) THE RESOLUTION SHALL SUBSTANTIALLY BE IN THE FORM AND
16 CONTENT AS PROVIDED IN THE COMPACT MANUAL AND SHALL INCLUDE THE
17 FOLLOWING:

18 (I) A CITATION OF THE AUTHORITY FROM WHICH THE STATE IS
19 EMPOWERED TO BECOME A PARTY TO THIS COMPACT;

20 (II) AN AGREEMENT OF COMPLIANCE WITH THE TERMS AND
21 PROVISIONS OF THIS COMPACT; AND

22 (III) AN AGREEMENT THAT COMPACT ENTRY IS WITH ALL STATES
23 PARTICIPATING IN THE COMPACT AND WITH ALL ADDITIONAL STATES THAT
24 LEGALLY BECOME PARTIES TO THE COMPACT.

25 (3) THE EFFECTIVE DATE OF ENTRY SHALL BE SPECIFIED BY THE
26 APPLYING STATE BUT SHALL NOT BE LESS THAN 60 DAYS AFTER NOTICE HAS BEEN
27 GIVEN:

28 (I) BY THE CHAIRMAN OF THE BOARD OF COMPACT
29 ADMINISTRATORS; OR

30 (II) BY THE SECRETARIAT OF THE BOARD OF EACH PARTICIPATING
31 STATE THAT THE RESOLUTION FROM THE APPLYING STATE HAS BEEN RECEIVED.

32 (C) (1) A PARTICIPATING STATE MAY WITHDRAW FROM THIS COMPACT BY
33 OFFICIAL WRITTEN NOTICE TO EACH PARTICIPATING STATE, BUT THE WITHDRAWAL
34 MAY NOT BECOME EFFECTIVE UNTIL 90 DAYS AFTER THE NOTICE OF WITHDRAWAL
35 IS GIVEN.

1 (2) THE NOTICE SHALL BE DIRECTED TO THE COMPACT
2 ADMINISTRATOR OF EACH MEMBER STATE.

3 (3) A WITHDRAWAL OF ANY STATE MAY NOT AFFECT THE VALIDITY OF
4 THIS COMPACT AS TO THE REMAINING PARTICIPATING STATES.

5 ARTICLE IX

6 AMENDMENTS TO THE COMPACT

7 (A) THIS COMPACT MAY BE AMENDED FROM TIME TO TIME. EACH PROPOSED
8 AMENDMENT SHALL BE PRESENTED IN RESOLUTION FORM TO THE CHAIRMAN OF
9 THE BOARD OF COMPACT ADMINISTRATORS AND SHALL BE INITIATED BY ONE OR
10 MORE PARTICIPATING STATES.

11 (B) ADOPTION OF AN AMENDMENT SHALL REQUIRE ENDORSEMENT BY ALL
12 PARTICIPATING STATES AND SHALL BECOME EFFECTIVE 30 DAYS AFTER THE DATE
13 OF THE LAST ENDORSEMENT.

14 (C) FAILURE OF A PARTICIPATING STATE TO RESPOND TO THE COMPACT
15 CHAIRMAN WITHIN 120 DAYS AFTER RECEIPT OF A PROPOSED AMENDMENT SHALL
16 CONSTITUTE ENDORSEMENT OF THE PROPOSED AMENDMENT.

17 ARTICLE X

18 CONSTRUCTION AND SEVERABILITY

19 THIS COMPACT SHALL BE LIBERALLY CONSTRUED SO AS TO EFFECTUATE THE
20 PURPOSES STATED IN THE COMPACT. THE PROVISIONS OF THIS COMPACT SHALL BE
21 SEVERABLE AND IF ANY PHRASE, CLAUSE, SENTENCE, OR PROVISION OF THIS
22 COMPACT IS DECLARED TO BE CONTRARY TO THE CONSTITUTION OF A
23 PARTICIPATING STATE OR OF THE UNITED STATES, OR ITS APPLICABILITY TO ANY
24 GOVERNMENT, UNIT, INDIVIDUAL, OR CIRCUMSTANCE IS HELD INVALID, THE
25 VALIDITY OF THE REMAINDER OF THIS COMPACT MAY NOT BE AFFECTED BY THAT
26 INVALIDITY. IF THIS COMPACT SHALL BE HELD CONTRARY TO THE CONSTITUTION OF
27 A PARTICIPATING STATE, THE COMPACT SHALL REMAIN IN FULL FORCE AND EFFECT
28 AS TO THE REMAINING STATES AND IN FULL FORCE AND EFFECT AS TO THE
29 AFFECTED PARTICIPATING STATE AS TO ALL SEVERABLE MATTERS.

30 ARTICLE XI

31 TITLE

32 THIS COMPACT SHALL BE KNOWN AS THE "INTERSTATE WILDLIFE VIOLATOR
33 COMPACT".

34 10-1202.

35 WHEN THE GOVERNOR HAS EXECUTED THE COMPACT UNDER THIS SUBTITLE,
36 AND HAS FILED A VERIFIED COPY OF THE COMPACT WITH THE SECRETARY OF

1 STATE, AND WHEN ONE OR MORE OTHER STATES HAVE RATIFIED THE COMPACT,
2 THEN THE COMPACT SHALL OPERATE AND TAKE EFFECT BETWEEN THIS STATE AND
3 THE OTHER RATIFYING STATES. THE GOVERNOR MAY TAKE ALL ACTIONS
4 NECESSARY TO COMPLETE THE EXCHANGE OF DOCUMENTS BETWEEN THIS STATE
5 AND ANY OTHER STATE THAT RATIFIES THE COMPACT.

6 10-1203.

7 THE COMPACT ADMINISTRATOR REPRESENTING THIS STATE, AS PROVIDED IN
8 ARTICLE VII OF THE COMPACT:

9 (1) IS NOT ENTITLED TO ADDITIONAL COMPENSATION FOR
10 PERFORMING DUTIES OR RESPONSIBILITIES UNDER THE COMPACT; BUT

11 (2) MAY BE REIMBURSED FOR REASONABLE EXPENSES ACTUALLY
12 INCURRED IN CONNECTION WITH THOSE DUTIES AND RESPONSIBILITIES IN
13 ACCORDANCE WITH THE STATE BUDGET.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 1999.