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By: **Delegates Weir and Guns**

Introduced and read first time: February 10, 1999

Assigned to: Environmental Matters

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 16, 1999

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CHAPTER \_\_\_\_\_

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; requiring certain types of identification for certain  
15 purposes; and generally relating to interstate enforcement 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:

1

Article - Natural Resources

2

SUBTITLE 12. INTERSTATE WILDLIFE VIOLATOR COMPACT.

3 10-1201.

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

7

ARTICLE I

8

FINDINGS, DECLARATION OF POLICY, AND PURPOSE

9 (A) THE PARTICIPATING STATES FIND THAT:

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

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

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

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

25 (5) VIOLATION OF WILDLIFE LAWS INTERFERES WITH THE  
26 MANAGEMENT OF WILDLIFE RESOURCES AND MAY ENDANGER THE SAFETY OF  
27 PERSONS AND PROPERTY;

28 (6) THE MOBILITY OF MANY WILDLIFE LAW VIOLATORS NECESSITATES  
29 THE MAINTENANCE OF CHANNELS OF COMMUNICATION AMONG THE VARIOUS  
30 STATES;

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

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

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

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

5 (8) THE PURPOSE OF THE ENFORCEMENT PRACTICES SET FORTH IN  
6 PARAGRAPH (7) OF THIS SUBSECTION IS TO ENSURE COMPLIANCE WITH THE TERMS  
7 OF A WILDLIFE CITATION BY THE CITED PERSON WHO, IF ALLOWED TO CONTINUE  
8 ON THE PERSON'S WAY AFTER RECEIVING THE CITATION, COULD RETURN TO THE  
9 PERSON'S HOME STATE AND DISREGARD ANY DUTY UNDER THE TERMS OF THE  
10 CITATION;

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

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

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

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

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

27 (2) RECOGNIZE THE SUSPENSION OF WILDLIFE LICENSE PRIVILEGES OF  
28 A PERSON WHOSE LICENSE PRIVILEGES HAVE BEEN SUSPENDED BY A  
29 PARTICIPATING STATE AND TREAT THAT SUSPENSION AS IF IT HAD OCCURRED IN  
30 THEIR STATE;

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

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

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

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

8 (7) MAXIMIZE EFFECTIVE USE OF LAW ENFORCEMENT PERSONNEL AND  
9 INFORMATION; AND

10 (8) ASSIST COURT SYSTEMS IN THE EFFICIENT DISPOSITION OF  
11 WILDLIFE VIOLATIONS.

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

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

16 (2) PROVIDE FOR THE FAIR AND IMPARTIAL TREATMENT OF WILDLIFE  
17 VIOLATORS OPERATING WITHIN PARTICIPATING STATES IN RECOGNITION OF  
18 VIOLATORS' RIGHTS TO DUE PROCESS AND THE SOVEREIGN STATUS OF A  
19 PARTICIPATING STATE.

20 ARTICLE II

21 DEFINITIONS

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

24 (A) "CITATION" MEANS A SUMMONS, COMPLAINT, SUMMONS AND COMPLAINT,  
25 TICKET, PENALTY ASSESSMENT, OR OTHER OFFICIAL DOCUMENT ISSUED TO A  
26 PERSON BY A WILDLIFE OFFICER OR OTHER LAW ENFORCEMENT OFFICER FOR A  
27 WILDLIFE VIOLATION THAT CONTAINS AN ORDER REQUIRING THE PERSON TO  
28 RESPOND.

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

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

36 (D) (1) "CONVICTION" MEANS A CONVICTION, INCLUDING A COURT  
37 CONVICTION, FOR AN OFFENSE RELATED TO THE PRESERVATION, PROTECTION,

1 MANAGEMENT, OR RESTORATION OF WILDLIFE THAT IS PROHIBITED BY STATE  
2 STATUTE, LAW, REGULATION, RULE, OR ORDINANCE.

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

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

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

10 (F) "HOME STATE" MEANS THE STATE OF PRIMARY RESIDENCE OF A PERSON.

11 (G) "ISSUING STATE" MEANS THE PARTICIPATING STATE THAT ISSUES A  
12 WILDLIFE CITATION TO THE VIOLATOR.

13 (H) "LICENSE" MEANS A LICENSE, PERMIT, OR OTHER PUBLIC DOCUMENT  
14 THAT CONVEYS TO THE PERSON TO WHOM IT WAS ISSUED THE PRIVILEGE OF  
15 PURSUING, POSSESSING, OR TAKING ANY WILDLIFE REGULATED BY STATUTE, LAW,  
16 REGULATION, RULE, OR ORDINANCE OF A PARTICIPATING STATE.

17 (I) "LICENSING AUTHORITY" MEANS THE GOVERNMENTAL UNIT IN EACH  
18 PARTICIPATING STATE THAT IS AUTHORIZED BY LAW TO ISSUE OR APPROVE  
19 LICENSES OR PERMITS TO HUNT, FISH, TRAP, OR POSSESS WILDLIFE.

20 (J) "PARTICIPATING STATE" MEANS A STATE THAT ENACTS LEGISLATION TO  
21 BECOME A MEMBER OF THIS WILDLIFE COMPACT.

22 (K) "PERSONAL RECOGNIZANCE" MEANS AN AGREEMENT BY A PERSON MADE  
23 AT THE TIME OF ISSUANCE OF THE WILDLIFE CITATION THAT THE PERSON WILL  
24 COMPLY WITH THE TERMS OF THE CITATION.

25 (L) "STATE" MEANS A STATE, TERRITORY, OR POSSESSION OF THE UNITED  
26 STATES, THE DISTRICT OF COLUMBIA, AND THE COMMONWEALTH OF PUERTO RICO.

27 (M) "SUSPENSION" MEANS A REVOCATION, DENIAL, OR WITHDRAWAL OF ANY  
28 OR ALL LICENSE PRIVILEGES, INCLUDING THE PRIVILEGE TO APPLY FOR, PURCHASE,  
29 OR EXERCISE THE BENEFITS CONFERRED BY A LICENSE.

30 (N) "TERMS OF THE CITATION" MEANS THE CONDITIONS AND OPTIONS  
31 EXPRESSLY STATED IN THE CITATION.

32 (O) "WILDLIFE" MEANS ALL SPECIES OF ANIMALS INCLUDING, BUT NOT  
33 LIMITED TO, MAMMALS, BIRDS, FISH, REPTILES, AMPHIBIANS, MOLLUSKS, AND  
34 CRUSTACEANS, THAT ARE DEFINED AS "WILDLIFE" AND ARE PROTECTED OR  
35 OTHERWISE REGULATED BY STATUTE, LAW, RULE, REGULATION, OR ORDINANCE IN  
36 A PARTICIPATING STATE. SPECIES INCLUDED IN THE DEFINITION OF "WILDLIFE"  
37 VARY FROM STATE TO STATE. THE DETERMINATION OF WHETHER A SPECIES IS

1 "WILDLIFE" FOR THE PURPOSES OF THIS COMPACT SHALL BE BASED ON THE LAW OF  
2 THE ISSUING STATE.

3 (P) "WILDLIFE LAW" MEANS A STATUTE, LAW, REGULATION, RULE, OR  
4 ORDINANCE DEVELOPED AND ENACTED FOR THE MANAGEMENT OF AND USES OF  
5 WILDLIFE RESOURCES.

6 (Q) "WILDLIFE OFFICER" MEANS AN INDIVIDUAL WHO IS AUTHORIZED BY A  
7 PARTICIPATING STATE TO ISSUE A CITATION FOR A WILDLIFE VIOLATION.

8 (R) "WILDLIFE VIOLATION" MEANS A CITED VIOLATION OF A STATUTE, LAW,  
9 REGULATION, RULE, OR ORDINANCE DEVELOPED AND ENACTED FOR THE  
10 MANAGEMENT AND USES OF WILDLIFE RESOURCES.

11 ARTICLE III

12 PROCEDURES FOR ISSUING STATE

13 (A) WHEN ISSUING A CITATION FOR A WILDLIFE VIOLATION, IF THE WILDLIFE  
14 OFFICER RECEIVES THE RECOGNIZANCE OF THE PERSON THAT THE PERSON WILL  
15 COMPLY WITH THE TERMS OF THE CITATION, A WILDLIFE OFFICER:

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

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

22 (B) PERSONAL RECOGNIZANCE IS ACCEPTABLE:

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

24 (2) IF THE VIOLATOR PROVIDES ADEQUATE PROOF OF IDENTIFICATION,  
25 INCLUDING AN IDENTIFICATION DOCUMENT THAT CONTAINS THE PERSON'S  
26 PICTURE, TO THE WILDLIFE OFFICER.

27 (C) (1) ON CONVICTION OR FAILURE OF A PERSON TO COMPLY WITH THE  
28 TERMS OF A WILDLIFE CITATION, THE APPROPRIATE OFFICIAL SHALL REPORT THE  
29 CONVICTION OR FAILURE TO COMPLY TO THE LICENSING AUTHORITY OF THE  
30 PARTICIPATING STATE WHERE THE WILDLIFE CITATION WAS ISSUED.

31 (2) THE REPORT SHALL:

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

1 (II) CONTAIN INFORMATION AS SPECIFIED IN THE COMPACT  
2 MANUAL AS MINIMUM REQUIREMENTS FOR EFFECTIVE PROCESSING BY THE HOME  
3 STATE.

4 (D) ON RECEIVING THE REPORT OF CONVICTION OR NONCOMPLIANCE UNDER  
5 SUBSECTION (C) OF THIS ARTICLE, THE LICENSING AUTHORITY OF THE ISSUING  
6 STATE SHALL TRANSMIT TO THE LICENSING AUTHORITY OF THE HOME STATE OF  
7 THE VIOLATOR THE INFORMATION IN THE FORM AND CONTENT PRESCRIBED IN THE  
8 COMPACT MANUAL.

9 ARTICLE IV

10 PROCEDURE FOR HOME STATE

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

14 (I) NOTIFY THE VIOLATOR;

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

17 (III) SUSPEND THE VIOLATOR'S LICENSE PRIVILEGES UNTIL  
18 SATISFACTORY EVIDENCE OF COMPLIANCE WITH THE TERMS OF THE WILDLIFE  
19 CITATION HAS BEEN FURNISHED BY THE ISSUING STATE TO THE HOME STATE  
20 LICENSING AUTHORITY.

21 (2) DUE PROCESS SAFEGUARDS SHALL BE ACCORDED TO THE  
22 VIOLATOR.

23 (B) ON RECEIVING A REPORT OF CONVICTION FROM THE LICENSING  
24 AUTHORITY OF THE ISSUING STATE, THE LICENSING AUTHORITY OF THE HOME  
25 STATE SHALL:

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

27 (2) TREAT THE CONVICTION AS THOUGH THE CONVICTION HAD  
28 OCCURRED IN THE HOME STATE FOR THE PURPOSES OF THE SUSPENSION OF  
29 LICENSE PRIVILEGES.

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

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

32 (2) MAKE REPORTS TO ISSUING STATES AS PROVIDED IN THE COMPACT  
33 MANUAL.

1

## ARTICLE V

2

## RECIPROCAL RECOGNITION OF SUSPENSION

3 (A) ALL PARTICIPATING STATES SHALL RECOGNIZE THE SUSPENSION OF  
4 LICENSE PRIVILEGES OF A PERSON BY A PARTICIPATING STATE AS THOUGH THE  
5 VIOLATION RESULTING IN THE SUSPENSION HAD OCCURRED IN THEIR STATE AND  
6 COULD HAVE BEEN THE BASIS FOR SUSPENSION OF LICENSE PRIVILEGES IN THEIR  
7 STATE.

8 (B) EACH PARTICIPATING STATE SHALL COMMUNICATE SUSPENSION  
9 INFORMATION TO OTHER PARTICIPATING STATES IN A FORM AND CONTENT  
10 PRESCRIBED IN THE COMPACT MANUAL.

11

## ARTICLE VI

12

## APPLICABILITY OF OTHER LAWS

13 EXCEPT AS EXPRESSLY REQUIRED BY PROVISIONS OF THIS COMPACT, NOTHING  
14 IN THIS COMPACT MAY BE CONSTRUED TO AFFECT THE RIGHT OF A PARTICIPATING  
15 STATE TO APPLY ANY OF ITS LAWS RELATING TO LICENSE PRIVILEGES TO ANY  
16 PERSON OR CIRCUMSTANCE OR TO INVALIDATE OR PREVENT ANY AGREEMENT OR  
17 OTHER COOPERATIVE ARRANGEMENT BETWEEN A PARTICIPATING STATE AND A  
18 NONPARTICIPATING STATE CONCERNING WILDLIFE LAW ENFORCEMENT.

19

## ARTICLE VII

20

## BOARD OF COMPACT ADMINISTRATORS

21 (A) (1) FOR THE PURPOSE OF ADMINISTERING THE PROVISIONS OF THIS  
22 COMPACT AND TO SERVE AS A GOVERNING BODY FOR THE RESOLUTION OF ALL  
23 MATTERS RELATING TO THE OPERATION OF THIS COMPACT, A BOARD OF COMPACT  
24 ADMINISTRATORS IS ESTABLISHED. THE BOARD SHALL BE COMPOSED OF ONE  
25 REPRESENTATIVE FROM EACH OF THE PARTICIPATING STATES TO BE KNOWN AS  
26 THE COMPACT ADMINISTRATOR.

27 (2) THE COMPACT ADMINISTRATOR SHALL BE APPOINTED BY THE HEAD  
28 OF THE LICENSING AUTHORITY OF EACH PARTICIPATING STATE AND SHALL SERVE  
29 AND BE SUBJECT TO REMOVAL IN ACCORDANCE WITH THE LAWS OF THE STATE  
30 THAT THE COMPACT ADMINISTRATOR REPRESENTS.

31 (3) A COMPACT ADMINISTRATOR MAY PROVIDE FOR AN ALTERNATE TO  
32 DISCHARGE THE COMPACT ADMINISTRATOR'S DUTIES AND PERFORM THE COMPACT  
33 ADMINISTRATOR'S FUNCTIONS AS A BOARD MEMBER. AN ALTERNATE MAY NOT BE  
34 ENTITLED TO SERVE UNLESS WRITTEN NOTIFICATION OF THE ALTERNATE'S  
35 IDENTITY HAS BEEN GIVEN TO THE BOARD.

36 (B) EACH MEMBER OF THE BOARD OF COMPACT ADMINISTRATORS SHALL BE  
37 ENTITLED TO ONE VOTE. AN ACTION OF THE BOARD MAY NOT BE BINDING UNLESS  
38 TAKEN AT A MEETING AT WHICH A MAJORITY OF THE TOTAL NUMBER OF THE



1 BOARD'S VOTES ARE CAST IN FAVOR OF THE ACTION. ACTION BY THE BOARD MAY BE  
2 TAKEN ONLY AT A MEETING AT WHICH A MAJORITY OF THE PARTICIPATING STATES  
3 ARE REPRESENTED.

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

6 (D) THE BOARD SHALL ADOPT BYLAWS NOT INCONSISTENT WITH THE  
7 PROVISIONS OF THIS COMPACT OR THE LAWS OF A PARTICIPATING STATE FOR THE  
8 CONDUCT OF ITS BUSINESS AND SHALL HAVE THE POWER TO AMEND AND RESCIND  
9 ITS BYLAWS.

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

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

18 (G) THE BOARD SHALL FORMULATE ALL NECESSARY PROCEDURES AND  
19 DEVELOP UNIFORM FORMS AND DOCUMENTS FOR ADMINISTERING THE PROVISIONS  
20 OF THIS COMPACT. ALL PROCEDURES AND FORMS ADOPTED IN ACCORDANCE WITH  
21 BOARD ACTION SHALL BE CONTAINED IN A COMPACT MANUAL.

22

#### ARTICLE VIII

23

#### ENTRY INTO COMPACT AND WITHDRAWAL

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

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

29 (2) THE RESOLUTION SHALL SUBSTANTIALLY BE IN THE FORM AND  
30 CONTENT AS PROVIDED IN THE COMPACT MANUAL AND SHALL INCLUDE THE  
31 FOLLOWING:

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

34 (II) AN AGREEMENT OF COMPLIANCE WITH THE TERMS AND  
35 PROVISIONS OF THIS COMPACT; AND

1 (III) AN AGREEMENT THAT COMPACT ENTRY IS WITH ALL STATES  
2 PARTICIPATING IN THE COMPACT AND WITH ALL ADDITIONAL STATES THAT  
3 LEGALLY BECOME PARTIES TO THE COMPACT.

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

7 (I) BY THE CHAIRMAN OF THE BOARD OF COMPACT  
8 ADMINISTRATORS; OR

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

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

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

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

19 ARTICLE IX

20 AMENDMENTS TO THE COMPACT

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

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

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

31 ARTICLE X

32 CONSTRUCTION AND SEVERABILITY

33 THIS COMPACT SHALL BE LIBERALLY CONSTRUED SO AS TO EFFECTUATE THE  
34 PURPOSES STATED IN THE COMPACT. THE PROVISIONS OF THIS COMPACT SHALL BE  
35 SEVERABLE AND IF ANY PHRASE, CLAUSE, SENTENCE, OR PROVISION OF THIS  
36 COMPACT IS DECLARED TO BE CONTRARY TO THE CONSTITUTION OF A

1 PARTICIPATING STATE OR OF THE UNITED STATES, OR ITS APPLICABILITY TO ANY  
2 GOVERNMENT, UNIT, INDIVIDUAL, OR CIRCUMSTANCE IS HELD INVALID, THE  
3 VALIDITY OF THE REMAINDER OF THIS COMPACT MAY NOT BE AFFECTED BY THAT  
4 INVALIDITY. IF THIS COMPACT SHALL BE HELD CONTRARY TO THE CONSTITUTION OF  
5 A PARTICIPATING STATE, THE COMPACT SHALL REMAIN IN FULL FORCE AND EFFECT  
6 AS TO THE REMAINING STATES AND IN FULL FORCE AND EFFECT AS TO THE  
7 AFFECTED PARTICIPATING STATE AS TO ALL SEVERABLE MATTERS.

8 ARTICLE XI

9 TITLE

10 THIS COMPACT SHALL BE KNOWN AS THE "INTERSTATE WILDLIFE VIOLATOR  
11 COMPACT".

12 10-1202.

13 WHEN THE GOVERNOR HAS EXECUTED THE COMPACT UNDER THIS SUBTITLE,  
14 AND HAS FILED A VERIFIED COPY OF THE COMPACT WITH THE SECRETARY OF  
15 STATE, AND WHEN ONE OR MORE OTHER STATES HAVE RATIFIED THE COMPACT,  
16 THEN THE COMPACT SHALL OPERATE AND TAKE EFFECT BETWEEN THIS STATE AND  
17 THE OTHER RATIFYING STATES. THE GOVERNOR MAY TAKE ALL ACTIONS  
18 NECESSARY TO COMPLETE THE EXCHANGE OF DOCUMENTS BETWEEN THIS STATE  
19 AND ANY OTHER STATE THAT RATIFIES THE COMPACT.

20 10-1203.

21 THE COMPACT ADMINISTRATOR REPRESENTING THIS STATE, AS PROVIDED IN  
22 ARTICLE VII OF THE COMPACT:

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

25 (2) MAY BE REIMBURSED FOR REASONABLE EXPENSES ACTUALLY  
26 INCURRED IN CONNECTION WITH THOSE DUTIES AND RESPONSIBILITIES IN  
27 ACCORDANCE WITH THE STATE BUDGET.

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