

SENATE BILL No. 460

May 3, 2001, Introduced by Senators BENNETT, JOHNSON, MC COTTER, STEIL and JAYE and referred to the Committee on Natural Resources and Environmental Affairs.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 1615.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 1615. THE GOVERNOR OF THIS STATE MAY ENTER INTO A COM-
2 PACT ON BEHALF OF THIS STATE WITH ANY OF THE OTHER STATES OF THE
3 UNITED STATES LEGALLY JOINING IN THE COMPACT IN THE FORM SUBSTAN-
4 Tially AS FOLLOWS:

5 ARTICLE I

6 FINDINGS, DECLARATION OF POLICY, AND PURPOSE

7 (A) THE PARTICIPATING STATES FIND THAT:

8 (1) WILDLIFE RESOURCES ARE MANAGED IN TRUST BY THE RESPEC-
9 TIVE STATES FOR THE BENEFIT OF ALL RESIDENTS AND VISITORS.

10 (2) THE PROTECTION OF THE WILDLIFE RESOURCES OF A STATE IS
11 MATERIALLY AFFECTED BY THE DEGREE OF COMPLIANCE WITH STATE

1 STATUTES, LAWS, REGULATIONS, ORDINANCES, AND ADMINISTRATIVE RULES
2 RELATING TO THE MANAGEMENT OF SUCH RESOURCES.

3 (3) THE PRESERVATION, PROTECTION, MANAGEMENT, AND RESTORA-
4 TION OF WILDLIFE CONTRIBUTES IMMEASURABLY TO THE AESTHETIC, REC-
5 REATIONAL, AND ECONOMIC ASPECTS OF SUCH NATURAL RESOURCES.

6 (4) WILDLIFE RESOURCES ARE VALUABLE WITHOUT REGARD TO POLIT-
7 ICAL BOUNDARIES; THEREFORE, EVERY PERSON SHOULD BE REQUIRED TO
8 COMPLY WITH WILDLIFE PRESERVATION, PROTECTION, MANAGEMENT, AND
9 RESTORATION LAWS, ORDINANCES, AND ADMINISTRATIVE RULES AND REGU-
10 LATIONS OF THE PARTICIPATING STATES AS A CONDITION PRECEDENT TO
11 THE CONTINUANCE OR ISSUANCE OF ANY LICENSE TO HUNT, FISH, TRAP,
12 OR POSSESS WILDLIFE.

13 (5) VIOLATION OF WILDLIFE LAWS INTERFERES WITH THE MANAGE-
14 MENT OF WILDLIFE RESOURCES AND MAY ENDANGER THE SAFETY OF PERSONS
15 AND PROPERTY.

16 (6) THE MOBILITY OF MANY WILDLIFE LAW VIOLATORS NECESSITATES
17 THE MAINTENANCE OF CHANNELS OF COMMUNICATION AMONG THE VARIOUS
18 STATES.

19 (7) IN MOST INSTANCES, A PERSON WHO IS CITED FOR A WILDLIFE
20 VIOLATION IN A STATE OTHER THAN HIS HOME STATE:

21 (i) IS REQUIRED TO POST COLLATERAL OR A BOND TO SECURE
22 APPEARANCE FOR A TRIAL AT A LATER DATE; OR

23 (ii) IS TAKEN INTO CUSTODY UNTIL THE COLLATERAL OR BOND IS
24 POSTED; OR

25 (iii) IS TAKEN DIRECTLY TO COURT FOR AN IMMEDIATE
26 APPEARANCE.

1 (8) THE PURPOSE OF THE ENFORCEMENT PRACTICES SET FORTH IN
2 PARAGRAPH (7) OF THIS ARTICLE IS TO ENSURE COMPLIANCE WITH THE
3 TERMS OF A WILDLIFE CITATION BY THE CITED PERSON WHO, IF PERMIT-
4 TED TO CONTINUE ON HIS WAY AFTER RECEIVING THE CITATION, COULD
5 RETURN TO HIS HOME STATE AND DISREGARD HIS DUTY UNDER THE TERMS
6 OF THE CITATION.

7 (9) IN MOST INSTANCES, A PERSON RECEIVING A WILDLIFE
8 CITATION IN HIS HOME STATE IS PERMITTED TO ACCEPT THE CITATION
9 FROM THE OFFICER AT THE SCENE OF THE VIOLATION AND IMMEDIATELY
10 CONTINUE ON HIS WAY AFTER AGREEING OR BEING INSTRUCTED TO COMPLY
11 WITH THE TERMS OF THE CITATION.

12 (10) THE PRACTICES DESCRIBED IN PARAGRAPH (7) OF THIS ARTI-
13 CLE CAUSE UNNECESSARY INCONVENIENCE AND, AT TIMES, A HARDSHIP FOR
14 THE PERSON WHO IS UNABLE AT THE TIME TO POST COLLATERAL, FURNISH
15 A BOND, STAND TRIAL, OR PAY A FINE, AND THUS IS COMPELLED TO
16 REMAIN IN CUSTODY UNTIL SOME ALTERNATIVE ARRANGEMENT IS MADE.

17 (11) THE ENFORCEMENT PRACTICES DESCRIBED IN PARAGRAPH (7) OF
18 THIS ARTICLE CONSUME AN UNDUE AMOUNT OF LAW ENFORCEMENT TIME.

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

20 (1) PROMOTE COMPLIANCE WITH THE STATUTES, LAWS, ORDINANCES,
21 REGULATIONS, AND ADMINISTRATIVE RULES RELATING TO MANAGEMENT OF
22 WILDLIFE RESOURCES IN THEIR RESPECTIVE STATES.

23 (2) RECOGNIZE THE SUSPENSION OF WILDLIFE LICENSE PRIVILEGES
24 OF ANY PERSON WHOSE LICENSE PRIVILEGES HAVE BEEN SUSPENDED BY A
25 PARTICIPATING STATE AND TREAT SUCH SUSPENSION AS IF IT HAD
26 OCCURRED IN THEIR STATE.

1 (3) ALLOW A VIOLATOR, EXCEPT AS PROVIDED IN PARAGRAPH (B) OF
2 ARTICLE III, TO ACCEPT A WILDLIFE CITATION AND, WITHOUT DELAY,
3 PROCEED ON HIS WAY, WHETHER OR NOT A RESIDENT OF THE STATE IN
4 WHICH THE CITATION WAS ISSUED, PROVIDED THAT THE VIOLATOR'S HOME
5 STATE IS PARTY TO THIS COMPACT.

6 (4) REPORT TO THE APPROPRIATE PARTICIPATING STATE, AS PRO-
7 VIDED IN THE COMPACT MANUAL, ANY CONVICTION RECORDED AGAINST ANY
8 PERSON WHOSE HOME STATE WAS NOT THE ISSUING STATE.

9 (5) ALLOW THE HOME STATE TO RECOGNIZE AND TREAT CONVICTIONS
10 RECORDED AGAINST ITS RESIDENTS, WHICH CONVICTIONS OCCURRED IN A
11 PARTICIPATING STATE, AS THOUGH THEY HAD OCCURRED IN THE HOME
12 STATE.

13 (6) EXTEND COOPERATION TO ITS FULLEST EXTENT AMONG THE PAR-
14 TICIPATING STATES FOR ENFORCING COMPLIANCE WITH THE TERMS OF A
15 WILDLIFE CITATION ISSUED IN ONE PARTICIPATING STATE TO A RESIDENT
16 OF ANOTHER PARTICIPATING STATE.

17 (7) MAXIMIZE EFFECTIVE USE OF LAW ENFORCEMENT PERSONNEL AND
18 INFORMATION.

19 (8) ASSIST COURT SYSTEMS IN THE EFFICIENT DISPOSITION OF
20 WILDLIFE VIOLATIONS.

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

22 (1) PROVIDE A MEANS THROUGH WHICH PARTICIPATING STATES MAY
23 JOIN IN A RECIPROCAL PROGRAM TO EFFECTUATE THE POLICIES ENUMER-
24 ATED IN PARAGRAPH (B) OF THIS ARTICLE IN A UNIFORM AND ORDERLY
25 MANNER.

26 (2) PROVIDE FOR THE FAIR AND IMPARTIAL TREATMENT OF WILDLIFE
27 VIOLATORS OPERATING WITHIN PARTICIPATING STATES IN RECOGNITION OF

1 THE VIOLATOR'S RIGHT TO DUE PROCESS AND THE SOVEREIGN STATUS OF A
2 PARTICIPATING STATE.

3 ARTICLE II

4 DEFINITIONS

5 AS USED IN THIS COMPACT, UNLESS THE CONTEXT REQUIRES
6 OTHERWISE:

7 (A) "CITATION" MEANS ANY SUMMONS, COMPLAINT, SUMMONS AND
8 COMPLAINT, TICKET, PENALTY ASSESSMENT, OR OTHER OFFICIAL DOCUMENT
9 ISSUED TO A PERSON BY A WILDLIFE OFFICER OR OTHER PEACE OFFICER
10 FOR A WILDLIFE VIOLATION WHICH CONTAINS AN ORDER REQUIRING THE
11 PERSON TO RESPOND.

12 (B) "COLLATERAL" MEANS ANY CASH OR OTHER SECURITY DEPOSITED
13 TO SECURE AN APPEARANCE FOR TRIAL IN CONNECTION WITH THE ISSUANCE
14 BY A WILDLIFE OFFICER OR OTHER PEACE OFFICER OF A CITATION FOR A
15 WILDLIFE VIOLATION.

16 (C) "COMPLIANCE" WITH RESPECT TO A CITATION MEANS THE ACT OF
17 ANSWERING A CITATION THROUGH AN APPEARANCE IN A COURT OR TRIBU-
18 NAL, OR THROUGH THE PAYMENT OF FINES, COSTS, AND SURCHARGES, IF
19 ANY.

20 (D) "CONVICTION" MEANS A CONVICTION, INCLUDING ANY COURT
21 CONVICTION, FOR ANY OFFENSE RELATED TO THE PRESERVATION, PROTEC-
22 TION, MANAGEMENT, OR RESTORATION OF WILDLIFE WHICH IS PROHIBITED
23 BY STATE STATUTE, LAW, REGULATION, ORDINANCE, OR ADMINISTRATIVE
24 RULE, AND SUCH CONVICTION SHALL ALSO INCLUDE THE FORFEITURE OF
25 ANY BAIL, BOND, OR OTHER SECURITY DEPOSITED TO SECURE APPEARANCE
26 BY A PERSON CHARGED WITH HAVING COMMITTED ANY SUCH OFFENSE, THE

1 PAYMENT OF A PENALTY ASSESSMENT, A PLEA OF NOLO CONTENDERE AND
2 THE IMPOSITION OF A DEFERRED OR SUSPENDED SENTENCE BY THE COURT.

3 (E) "COURT" MEANS A COURT OF LAW, INCLUDING MAGISTRATE'S
4 COURT AND THE JUSTICE OF THE PEACE COURT.

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

7 (G) "ISSUING STATE" MEANS THE PARTICIPATING STATE WHICH
8 ISSUES A WILDLIFE CITATION TO THE VIOLATOR.

9 (H) "LICENSE" MEANS ANY LICENSE, PERMIT, OR OTHER PUBLIC
10 DOCUMENT WHICH CONVEYS TO THE PERSON TO WHOM IT WAS ISSUED THE
11 PRIVILEGE OF PURSUING, POSSESSING, OR TAKING ANY WILDLIFE REGU-
12 LATED BY STATUTE, LAW, REGULATION, ORDINANCE, OR ADMINISTRATIVE
13 RULE OF A PARTICIPATING STATE.

14 (I) "LICENSING AUTHORITY" MEANS THE DEPARTMENT OR DIVISION
15 WITHIN EACH PARTICIPATING STATE WHICH IS AUTHORIZED BY LAW TO
16 ISSUE OR APPROVE LICENSES OR PERMITS TO HUNT, FISH, TRAP, OR POS-
17 SESS WILDLIFE.

18 (J) "PARTICIPATING STATE" MEANS ANY STATE WHICH ENACTS LEG-
19 ISLATION TO BECOME A MEMBER OF THIS WILDLIFE COMPACT.

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

23 (L) "STATE" MEANS ANY STATE, TERRITORY, OR POSSESSION OF THE
24 UNITED STATES, THE DISTRICT OF COLUMBIA, THE COMMONWEALTH OF
25 PUERTO RICO, THE PROVINCES OF CANADA, AND OTHER COUNTRIES.

26 (M) "SUSPENSION" MEANS ANY REVOCATION, DENIAL, OR WITHDRAWAL
27 OF ANY OR ALL LICENSE PRIVILEGES, INCLUDING THE PRIVILEGE TO

1 APPLY FOR, PURCHASE, OR EXERCISE THE BENEFITS CONFERRED BY ANY
2 LICENSE.

3 (N) "TERMS OF THE CITATION" MEANS THOSE CONDITIONS AND
4 OPTIONS EXPRESSLY STATED UPON THE CITATION.

5 (O) "WILDLIFE" MEANS ALL SPECIES OF ANIMALS INCLUDING, BUT
6 NOT LIMITED TO, MAMMALS, BIRDS, FISH, REPTILES, AMPHIBIANS, MOL-
7 LUSKS, AND CRUSTACEANS, WHICH ARE DEFINED AS "WILDLIFE" AND ARE
8 PROTECTED OR OTHERWISE REGULATED BY STATUTE, LAW, REGULATION,
9 ORDINANCE, OR ADMINISTRATIVE RULE IN A PARTICIPATING STATE.
10 SPECIES INCLUDED IN THE DEFINITION OF "WILDLIFE" VARY FROM STATE
11 TO STATE AND DETERMINATION OF WHETHER A SPECIES IS "WILDLIFE" FOR
12 THE PURPOSES OF THIS COMPACT SHALL BE BASED ON LOCAL LAW.

13 (P) "WILDLIFE LAW" MEANS ANY STATUTE, LAW, REGULATION, ORDI-
14 NANCE, OR ADMINISTRATIVE RULE DEVELOPED AND ENACTED FOR THE MAN-
15 AGEMENT OF WILDLIFE RESOURCES AND THE USES THEREOF.

16 (Q) "WILDLIFE OFFICER" MEANS ANY INDIVIDUAL AUTHORIZED BY A
17 PARTICIPATING STATE TO ISSUE A CITATION FOR A WILDLIFE
18 VIOLATION.

19 (R) "WILDLIFE VIOLATION" MEANS ANY CITED VIOLATION OF A
20 STATUTE, LAW, REGULATION, ORDINANCE, OR ADMINISTRATIVE RULE
21 DEVELOPED AND ENACTED FOR THE MANAGEMENT OF WILDLIFE RESOURCES
22 AND THE USES THEREOF.

23 ARTICLE III

24 PROCEDURES FOR ISSUING STATE

25 (A) WHEN ISSUING A CITATION FOR A WILDLIFE VIOLATION, A
26 WILDLIFE OFFICER SHALL ISSUE A CITATION TO ANY PERSON WHOSE
27 PRIMARY RESIDENCE IS IN A PARTICIPATING STATE IN THE SAME MANNER

1 AS THOUGH THE PERSON WERE A RESIDENT OF THE ISSUING STATE AND
2 SHALL NOT REQUIRE SUCH PERSON TO POST COLLATERAL TO SECURE
3 APPEARANCE, SUBJECT TO THE EXCEPTIONS NOTED IN PARAGRAPH (B) OF
4 THIS ARTICLE, IF THE OFFICER RECEIVES THE RECOGNIZANCE OF SUCH
5 PERSON THAT HE WILL COMPLY WITH THE TERMS OF THE CITATION.

6 (B) PERSONAL RECOGNIZANCE IS ACCEPTABLE (1) IF NOT PROHIB-
7 ITED BY LOCAL LAW OR THE COMPACT MANUAL AND (2) IF THE VIOLATOR
8 PROVIDES ADEQUATE PROOF OF IDENTIFICATION TO THE WILDLIFE
9 OFFICER.

10 (C) UPON CONVICTION OR FAILURE OF A PERSON TO COMPLY WITH
11 THE TERMS OF A WILDLIFE CITATION, THE APPROPRIATE OFFICIAL SHALL
12 REPORT THE CONVICTION OR FAILURE TO COMPLY TO THE LICENSING
13 AUTHORITY OF THE PARTICIPATING STATE IN WHICH THE WILDLIFE
14 CITATION WAS ISSUED. THE REPORT SHALL BE MADE IN ACCORDANCE WITH
15 PROCEDURES SPECIFIED BY THE ISSUING STATE AND SHALL CONTAIN
16 INFORMATION AS SPECIFIED IN THE COMPACT MANUAL AS MINIMUM
17 REQUIREMENTS FOR EFFECTIVE PROCESSING BY THE HOME STATE.

18 (D) UPON RECEIPT OF THE REPORT OF CONVICTION OR NONCOMPLI-
19 ANCE PURSUANT TO PARAGRAPH (C) OF THIS ARTICLE, THE LICENSING
20 AUTHORITY OF THE ISSUING STATE SHALL TRANSMIT TO THE LICENSING
21 AUTHORITY OF THE HOME STATE OF THE VIOLATOR THE INFORMATION IN
22 THE FORM AND WITH THE CONTENT AS PRESCRIBED IN THE COMPACT
23 MANUAL.

24

ARTICLE IV

25

PROCEDURE FOR HOME STATE

26

(A) UPON RECEIPT OF A REPORT FROM THE LICENSING AUTHORITY OF
27 THE ISSUING STATE REPORTING THE FAILURE OF A VIOLATOR TO COMPLY

1 WITH THE TERMS OF A CITATION, THE LICENSING AUTHORITY OF THE HOME
2 STATE SHALL NOTIFY THE VIOLATOR AND SHALL INITIATE A SUSPENSION
3 ACTION IN ACCORDANCE WITH THE HOME STATE'S SUSPENSION PROCEDURES
4 AND SHALL SUSPEND THE VIOLATOR'S LICENSE PRIVILEGES UNTIL SATIS-
5 FACTORY EVIDENCE OF COMPLIANCE WITH THE TERMS OF THE WILDLIFE
6 CITATION HAS BEEN FURNISHED BY THE ISSUING STATE TO THE HOME
7 STATE LICENSING AUTHORITY. DUE PROCESS SAFEGUARDS SHALL BE
8 ACCORDED.

9 (B) UPON RECEIPT OF A REPORT OF CONVICTION FROM THE LICENS-
10 ING AUTHORITY OF THE ISSUING STATE, THE LICENSING AUTHORITY OF
11 THE HOME STATE SHALL ENTER SUCH CONVICTION IN ITS RECORDS AND
12 SHALL TREAT SUCH CONVICTION AS THOUGH IT OCCURRED IN THE HOME
13 STATE FOR THE PURPOSES OF THE SUSPENSION OF LICENSE PRIVILEGES.

14 (C) THE LICENSING AUTHORITY OF THE HOME STATE SHALL MAINTAIN
15 A RECORD OF ACTIONS TAKEN AND SHALL MAKE REPORTS TO ISSUING
16 STATES AS PROVIDED IN THE COMPACT MANUAL.

17 ARTICLE V

18 RECIPROCAL RECOGNITION OF SUSPENSION

19 (A) ALL PARTICIPATING STATES SHALL RECOGNIZE THE SUSPENSION
20 OF LICENSE PRIVILEGES OF ANY PERSON BY ANY PARTICIPATING STATE AS
21 THOUGH THE VIOLATION RESULTING IN THE SUSPENSION HAD OCCURRED IN
22 THEIR STATE AND COULD HAVE BEEN THE BASIS FOR SUSPENSION OF
23 LICENSE PRIVILEGES IN THEIR STATE.

24 (B) EACH PARTICIPATING STATE SHALL COMMUNICATE SUSPENSION
25 INFORMATION TO OTHER PARTICIPATING STATES IN THE FORM AND WITH
26 THE CONTENT AS CONTAINED IN THE COMPACT MANUAL.

ARTICLE VI

APPLICABILITY OF OTHER LAWS

(A) EXCEPT AS EXPRESSLY REQUIRED BY PROVISIONS OF THIS COMPACT, NOTHING HEREIN SHALL BE CONSTRUED TO AFFECT THE RIGHT OF ANY PARTICIPATING STATE TO APPLY ANY OF ITS LAWS RELATING TO LICENSE PRIVILEGES TO ANY PERSON OR CIRCUMSTANCE OR TO INVALIDATE OR PREVENT ANY AGREEMENT OR OTHER COOPERATIVE ARRANGEMENT BETWEEN A PARTICIPATING STATE AND A NONPARTICIPATING STATE CONCERNING WILDLIFE LAW ENFORCEMENT.

ARTICLE VII

COMPACT ADMINISTRATOR PROCEDURES

(A) FOR THE PURPOSE OF ADMINISTERING THE PROVISIONS OF THIS COMPACT AND TO SERVE AS A GOVERNING BODY FOR THE RESOLUTION OF ALL MATTERS RELATING TO THE OPERATION OF THIS COMPACT, A BOARD OF COMPACT ADMINISTRATORS IS ESTABLISHED. THE BOARD SHALL BE COMPOSED OF 1 REPRESENTATIVE FROM EACH OF THE PARTICIPATING STATES TO BE KNOWN AS THE COMPACT ADMINISTRATOR. THE COMPACT ADMINISTRATOR SHALL BE APPOINTED BY THE HEAD OF THE LICENSING AUTHORITY OF EACH PARTICIPATING STATE AND SHALL SERVE AND BE SUBJECT TO REMOVAL IN ACCORDANCE WITH THE LAWS OF THE STATE HE REPRESENTS. A COMPACT ADMINISTRATOR MAY PROVIDE FOR THE DISCHARGE OF HIS DUTIES AND THE PERFORMANCE OF HIS FUNCTIONS AS A BOARD MEMBER BY AN ALTERNATE. AN ALTERNATE SHALL NOT BE ENTITLED TO SERVE UNLESS WRITTEN NOTIFICATION OF HIS IDENTITY HAS BEEN GIVEN TO THE BOARD.

(B) EACH MEMBER OF THE BOARD OF COMPACT ADMINISTRATORS SHALL BE ENTITLED TO 1 VOTE. NO ACTION OF THE BOARD SHALL BE BINDING

1 UNLESS TAKEN AT A MEETING AT WHICH A MAJORITY OF THE TOTAL NUMBER
2 OF THE BOARD'S VOTES ARE CAST IN FAVOR THEREOF. ACTION BY THE
3 BOARD SHALL BE ONLY AT A MEETING AT WHICH A MAJORITY OF THE PAR-
4 TICIPATING STATES ARE REPRESENTED.

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

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

11 (E) THE BOARD MAY ACCEPT FOR ANY OF ITS PURPOSES AND FUNC-
12 TIONS UNDER THIS COMPACT ANY AND ALL DONATIONS AND GRANTS OF
13 MONEYS, EQUIPMENT, SUPPLIES, MATERIALS, AND SERVICES, CONDITIONAL
14 OR OTHERWISE, FROM ANY STATE, THE UNITED STATES, OR ANY GOVERN-
15 MENTAL AGENCY, AND MAY RECEIVE, UTILIZE AND DISPOSE OF THE DONA-
16 TIONS AND GRANTS.

17 (F) THE BOARD MAY CONTRACT WITH, OR ACCEPT SERVICES OR PER-
18 SONNEL FROM, ANY GOVERNMENTAL OR INTERGOVERNMENTAL AGENCY, INDI-
19 VIDUAL, FIRM, OR CORPORATION, OR ANY PRIVATE NONPROFIT ORGANIZA-
20 TION OR INSTITUTION.

21 (G) THE BOARD SHALL FORMULATE ALL NECESSARY PROCEDURES AND
22 DEVELOP UNIFORM FORMS AND DOCUMENTS FOR ADMINISTERING THE PROVI-
23 SIONS OF THIS COMPACT. ALL PROCEDURES AND FORMS ADOPTED PURSUANT
24 TO BOARD ACTION SHALL BE CONTAINED IN A COMPACT MANUAL.

25

ARTICLE VIII

1 ENTRY INTO COMPACT AND WITHDRAWAL

2 (A) THIS COMPACT SHALL BECOME EFFECTIVE AT SUCH TIME AS IT
3 IS ADOPTED IN A SUBSTANTIALLY SIMILAR FORM BY 2 OR MORE STATES.

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

7 (2) THE RESOLUTION SHALL SUBSTANTIALLY BE IN THE FORM AND
8 CONTENT AS PROVIDED IN THE COMPACT MANUAL AND SHALL INCLUDE THE
9 FOLLOWING:

10 (i) A CITATION OF THE AUTHORITY FROM WHICH THE STATE IS
11 EMPOWERED TO BECOME A PARTY TO THIS COMPACT;

12 (ii) AN AGREEMENT OF COMPLIANCE WITH THE TERMS AND PROVI-
13 SIONS OF THIS COMPACT; AND

14 (iii) AN AGREEMENT THAT COMPACT ENTRY IS WITH ALL STATES
15 PARTICIPATING IN THE COMPACT AND WITH ALL ADDITIONAL STATES
16 LEGALLY BECOMING A PARTY TO THE COMPACT.

17 (3) THE EFFECTIVE DATE OF ENTRY SHALL BE SPECIFIED BY THE
18 APPLYING STATE BUT SHALL NOT BE LESS THAN 60 DAYS AFTER NOTICE
19 HAS BEEN GIVEN, (A) BY THE CHAIRMAN OF THE BOARD OF THE COMPACT
20 ADMINISTRATORS OR (B) BY THE SECRETARIAT OF THE BOARD TO EACH
21 PARTICIPATING STATE, THAT THE RESOLUTION FROM THE APPLYING STATE
22 HAS BEEN RECEIVED.

23 (C) A PARTICIPATING STATE MAY WITHDRAW FROM PARTICIPATION IN
24 THIS COMPACT BY OFFICIAL WRITTEN NOTICE TO EACH PARTICIPATING
25 STATE, BUT WITHDRAWAL SHALL NOT BECOME EFFECTIVE UNTIL 90 DAYS
26 AFTER THE NOTICE OF WITHDRAWAL IS GIVEN. THE NOTICE SHALL BE
27 DIRECTED TO THE COMPACT ADMINISTRATOR OF EACH MEMBER STATE. NO

1 WITHDRAWAL OF ANY STATE SHALL AFFECT THE VALIDITY OF THIS COMPACT
2 AS TO THE REMAINING PARTICIPATING STATES.

3 ARTICLE IX

4 AMENDMENTS TO THE COMPACT

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

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

12 (C) FAILURE OF A PARTICIPATING STATE TO RESPOND TO THE COM-
13 PACT CHAIRMAN WITHIN 120 DAYS AFTER RECEIPT OF A PROPOSED AMEND-
14 MENT SHALL CONSTITUTE ENDORSEMENT THEREOF.

15 ARTICLE X

16 CONSTRUCTION AND SEVERABILITY

17 THIS COMPACT SHALL BE LIBERALLY CONSTRUED SO AS TO EFFECTU-
18 ATE THE PURPOSES STATED HEREIN. THE PROVISIONS OF THIS COMPACT
19 ARE SEVERABLE AND IF ANY PHRASE, CLAUSE, SENTENCE, OR PROVISION
20 OF THIS COMPACT IS DECLARED TO BE CONTRARY TO THE CONSTITUTION OF
21 ANY PARTICIPATING STATE OR OF THE UNITED STATES, OR THE APPLICA-
22 BILITY THEREOF TO ANY GOVERNMENT, AGENCY, INDIVIDUAL, OR CIRCUM-
23 STANCE IS HELD INVALID, THE VALIDITY OF THE REMAINDER OF THIS
24 COMPACT SHALL NOT BE AFFECTED THEREBY. IF THIS COMPACT IS HELD
25 CONTRARY TO THE CONSTITUTION OF ANY PARTICIPATING STATE, THE COM-
26 PACT SHALL REMAIN IN FULL FORCE AND EFFECT AS TO THE REMAINING

1 STATES AND IN FULL FORCE AND EFFECT AS TO THE PARTICIPATING STATE
2 AFFECTED AS TO ALL SEVERABLE MATTERS.

3 ARTICLE XI

4 TITLE

5 THIS COMPACT SHALL BE KNOWN AS THE "WILDLIFE VIOLATOR
6 COMPACT".