



Interstate Wildlife Violator Compact

DEPARTMENT OF ENVIRONMENTAL QUALITY

Marine Fisheries

N.C. Marine Fisheries Commission Meeting | Catherine Blum | May 24, 2024



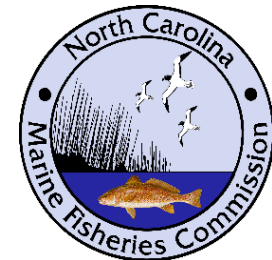
Wildlife Violator Compact Presentation Outline

- What is it and where did it start?
- Fundamentals
- Rulemaking considerations
- Operation and examples of ratification of a suspension
- Compact Administrator
- Division recommendation and next steps



What is the Interstate Wildlife Violator Compact?

- Interstate agreement that:
 - (1) promotes compliance with wildlife regulations in respective states; and
 - (2) provides for fair treatment of wildlife violators and recognizes:
 - Individual's right of due process; and
 - Sovereign status of a party state
- Enacted into N.C. law, so must be implemented and enforced by rules
- “Wildlife” includes marine and estuarine resources



Origination of the Compact

- Nationwide effort to apply consequences for violators of wildlife laws
- Hunting, trapping, and fishing
- Concept was first advanced in the early 1980s
- N.C. General Assembly enacted Compact into law 2008-2009
- 49 participating member states

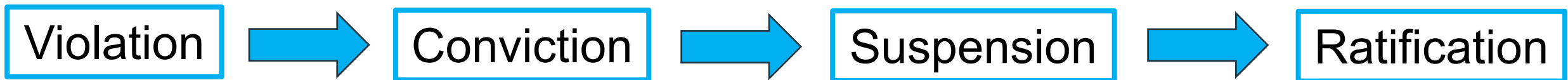


Compact Fundamentals

- Conviction of a violation can lead to license and permit suspension.
- Failure to appear or comply can lead to license and permit suspension.
- Suspension of licenses and permits can be ratified in the Compact.

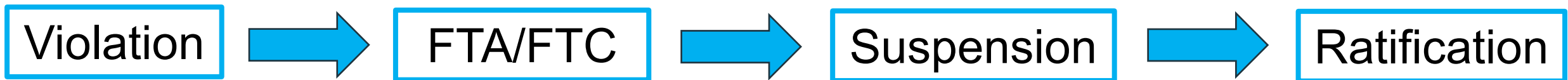
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Compact Fundamentals

- Documentation is needed to show the terms of violation are met.
- Suspension can then be removed from the Compact.
- Compact increases accountability on wildlife violators regardless of residency.

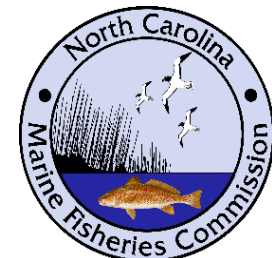
Rulemaking Considerations

- Two North Carolina management agencies
- Recreational and commercial fishing activity and licenses:
 - Are both considered?
 - Does one affect the other?
- Communication between states regarding suspensions via the Compact database
- Differences between how suspensions affect MFC licenses vs. WRC licenses



Operation under the Compact

- MFC rules needed for North Carolina to fully participate.
- Adoption of MFC rules gives Marine Patrol knowledge of violators' license and permit suspensions.
- Flexibility in decision to ratify suspensions:
 - Similarity of offense and license type related to North Carolina laws and rules.
 - Length of suspension is set by the out-of-state jurisdiction.



Issue Paper - Table 2 Examples

State Where Conviction Occurred	Is Person with Conviction a N.C. Resident?	Violation Type	Was a Wildlife Resource License/Permit Suspended in Other Jurisdiction?	Does Person Have N.C. Fishing License/Permit?	Suspend N.C. Fishing License/Permit?	Comments
South Carolina	No	Over the limit flounder; multiple violations	Yes: all saltwater products for one year	No	Prevent purchase of N.C. licenses/permits for coastal fishing waters	Use duration of South Carolina's suspension; include recreational and commercial products
North Carolina	No	Harvest mullet during closed season	N/A	Yes: non-resident annual CRFL	No	First conviction in three-year period
Montana	Yes	Obtain license by fraud	Yes: all hunting and fishing products for one year	Yes: SCFL	Yes	Nature of violation and license type suspended considered
New Hampshire	Yes	Attempt to take game without valid tag	Yes: all hunting products for two years	Yes: RCGL	No	Nature of violation and license type suspended considered
Colorado	Yes	Illegal harvest of a deer	Yes: all products	Yes: Dealer's License	No	Nature of violation and license type suspended considered
California	No	Illegal harvest of a shark	Yes: all fishing	Yes: Land or Sell License	Yes	Nature of violation and license type suspended considered
Idaho	Yes	Assault on wildlife officer	Yes: all products	Yes: dealers license	Yes	Conviction handled the same by DMF and WRC for egregious offense
Florida	No	Endangered species (taking of alligator)	DMF/MFC does not regulate this, but DMF would ratify due to egregiousness of offense. Yes: all products	Yes: CRFL	Yes	Would be for same duration as the member state entered
Georgia	Yes	Failure to Appear	Yes: all fishing	Yes: RCGL and Shellfish	Yes	Would remain suspended until the violation was addressed with the court

Compact Administrator

- North Carolina law sets out how the Compact Administrator is appointed.
- Discussions are underway on continued administration of the Compact requirements.
- Goal: consistent and efficient administration of the Compact in North Carolina.



Division Recommendation

Approve the management option and associated proposed language for rulemaking presented in the “Interstate Wildlife Violator Compact” issue paper so the rulemaking development process can continue.



Next Steps

MFC Action:

Vote to endorse the management option and associated proposed language for rulemaking in the “Interstate Wildlife Violator Compact” issue paper for development of the fiscal analysis of proposed rules.

Additional Rulemaking Steps:

- Summer 2024: DMF staff develop fiscal analysis of proposed rules.
- August 2024: MFC vote to begin formal rulemaking process.
- Fall 2024: public comment period held.
- February 2025: MFC receive public comment and vote on final rule approval.
- May 1, 2025: earliest effective date of rules.





Questions?

MFC Action

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