

HOUSE BILL NO. 554

INTRODUCED BY L. RANDALL

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A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING AN INTERSTATE WOLF MANAGEMENT COMPACT; DIRECTING THE GOVERNOR TO JOIN THE COMPACT; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Interstate wolf management compact.** This state enacts into law and enters into the interstate wolf management compact with all states that enact the compact in the form substantially contained in [section 3].

NEW SECTION. **Section 2. Authority to join interstate wolf management compact.** The governor of the state of Montana is authorized and directed to enter into the wolf management compact provided for in [sections 1 through 3] on behalf of the state with any state that has lawfully joined in the compact in the form substantially contained in [section 3].

NEW SECTION. **Section 3. Text of compact.** The interstate wolf management compact referred to in [sections 1 and 2] reads as follows:

ARTICLE I

FINDINGS AND DECLARATION OF POLICY

(1) 4 U.S.C. 112 gives congressional consent "to any two or more States to enter into agreements or compacts for cooperative effort and mutual assistance in the prevention of crime and in the enforcement of their respective criminal laws and policies, and to establish such agencies, joint or otherwise, as they may deem desirable for making effective such agreements and compacts."

(2) Pursuant to their police powers to protect public health, safety, welfare, and morals, the party states have enacted or anticipate enacting laws or constitutional provisions to protect and guarantee the right to manage wolves.

(3) The party states have enacted or anticipate enacting laws that make it a crime in their states for



1 anyone to interfere with their enjoyment of the rights and freedoms guaranteed by current wolf management laws.

2 (4) The party states find it necessary and consider it desirable for making effective their respective current
3 or anticipated wolf management criminal laws, as well as this agreement and compact, to do the following:

4 (a) prohibit any governmental agent from depriving a person in any party state of the rights and freedoms
5 guaranteed under the state's respective current or anticipated wolf management criminal laws;

6 (b) prohibit any governmental agent from penalizing a person in any party state for exercising the rights
7 and freedoms guaranteed under the state's respective current or anticipated wolf management laws;

8 (c) cooperate with each other and give each other mutual assistance in the prevention of crimes under
9 the wolf management criminal laws of any party state; and

10 (d) cooperate with each other and give each other mutual assistance in the criminal prosecution of any
11 person who violates the wolf management criminal laws of any party state.

12 ARTICLE II

13 DEFINITIONS

14 (1) "State" means a state of the United States.

15 (2) "Wolf management criminal laws" means any state law that makes it a crime for anyone to interfere
16 with a person's enjoyment of the freedoms protected and guaranteed by the state's respective wolf management
17 laws.

18 (3) "Wolf management laws" means any state law or constitutional provision that protects and guarantees
19 the freedom or right of the state to manage wolves as the state deems necessary, including but not limited to
20 2-15-3110 through 2-15-3114, 81-1-110 and 81-1-111, Title 81, chapter 7, part 2, and Title 87.

21 ARTICLE III

22 TERMS

23 (1) Each party state shall give full faith and credit to the wolf management criminal laws and wolf
24 management laws of every party state.

25 (2) A governmental agent may not deprive a person of a party state of the rights and freedoms protected
26 under the respective state's wolf management criminal laws and guaranteed by the respective state's wolf
27 management laws.

28 (3) A governmental agent may not penalize a person of a party state for exercising the rights and
29 freedoms protected under the respective state's wolf management criminal laws and guaranteed by the respective
30 state's wolf management laws.

1 (4) The party states shall cooperate with each other and give each other mutual assistance in the
2 prevention of crimes under the wolf management criminal laws of any party state.

3 (5) The party states shall cooperate with each other and give each other mutual assistance in the criminal
4 prosecution of any person who violates the wolf management criminal laws of any party state.

5 ARTICLE IV

6 ENFORCEMENT

7 (1) The chief law enforcement officer of each party state shall enforce this agreement and compact.

8 (2) A taxpaying resident of any party state has standing in the courts of any party state to require the chief
9 law enforcement officer of any party state to enforce this agreement and compact.

10 ARTICLE V

11 COMPACT ADMINISTRATOR AND INTERCHANGE OF INFORMATION

12 (1) The governor of each party state or the governor's designee is the compact administrator. The
13 compact administrator shall:

14 (a) maintain an accurate list of all party states;

15 (b) consistent with subsections (3) and (4), transmit in a timely fashion to other party states citations of
16 all current wolf management laws and current wolf management criminal laws of the compact administrator's
17 state;

18 (c) receive and maintain a complete listing of the wolf management laws and wolf management criminal
19 laws of each party state;

20 (d) formulate all necessary and proper procedures to effectuate this compact; and

21 (e) delegate needed tasks to other state agencies.

22 (2) The compact administrator of each party state shall furnish to the compact administrator of each party
23 state any information or documents that are reasonably necessary to facilitate the administration of this compact.

24 (3) Within 10 days of executing this agreement and compact and upon the close of each of their
25 respective succeeding legislative sessions, the party states shall notify each other in writing and by appropriate
26 citation of each of their current wolf management laws considered to be within the subject matter of this
27 agreement and compact unless the compact administrator of one or more party states gives specific notice in
28 writing to all other party states within 60 days of the notice that the party state objects to the inclusion of a law
29 or laws in this agreement and compact.

30 (4) Within 10 days of executing this agreement and compact and upon the close of each of their

