

## Wanton Waste Laws in Other States

<b>Alaska</b>	<p>AS 16.30.010. Wanton Waste of Big Game Animals and Wild Fowl.</p> <p>(a) It is a class A misdemeanor for a person who kills a big game animal or a species of wild fowl to fail intentionally, knowingly, recklessly, or with criminal negligence to salvage for human consumption the edible meat of the animal or fowl.</p> <p>(b) If a person is convicted of violating this section and in the course of that violation failed to salvage from a big game animal at least the hindquarters as far as the distal joint of the tibia-fibula (hock), the court shall impose a sentence of imprisonment of not less than seven consecutive days and a fine of not less than \$2,500.</p> <p>(c) The imposition or execution of the minimum sentence prescribed in (b) of this section may not be suspended under AS 12.55.080 or 12.55.085. The minimum sentence prescribed in (b) of this section may not be reduced.</p>
<b>Delaware</b>	<p>18.0 Wanton Waste; Penalty Section 7 Del.C. §103(d)</p> <p>18.1 Retrieval and Possession of Game Animals. A person wounding or killing a game animal shall make a reasonable effort to retrieve the wounded or dead game animal. The retrieved game animal shall be retained in the individual's possession until any of the following occurs:</p> <p>18.1.1 The game animal is processed for consumption, consumed or utilized for its fur value.</p> <p>18.1.2 The game animal is transported to the individual's residence, to a taxidermist, or to a place of commercial processing.</p> <p>18.1.3 The game animal is utilized for scientific, educational or research purposes.</p> <p>18.2 Any use of a game animal as not described in items 18.1.1 - 18.1.3 above will be deemed wanton waste.</p>
<b>Illinois</b>	<p>Illinois Statutes Chapter 520. Wildlife § 5/2.33. Prohibitions</p> <p>(hh) It shall be unlawful to kill or cripple any species protected by this Act for which there is a bag limit without making a reasonable effort to retrieve such species and include such in the bag limit. It shall be unlawful for any person having control over harvested game mammals, game birds, or migratory game birds for which there is a bag limit to wantonly waste or destroy the usable meat of the game, except this shall not apply to wildlife taken under Sections 2.37 or 3.22 of this Code. For purposes of this subsection, "usable meat" means the breast meat of a game bird or migratory game bird and the hind ham and front shoulders of a game mammal. It shall be unlawful for any person to place, leave, dump, or abandon a wildlife carcass or parts of it along or upon a public right-of-way or highway or on public or private property, including a waterway or stream, without the permission of the owner or tenant. It shall not be unlawful to discard game meat that is determined to be unfit for human consumption.</p>

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<b>Maine</b>	<p>Maine Revised Statutes §11224. Waste of game</p> <p>1. Prohibition. A person may not waste a wild bird or wild animal that has been wounded or killed by that person while hunting. For purposes of this section, "waste" means to intentionally leave a wounded or killed animal in the field or forest without making a reasonable effort to retrieve and render it for consumption or use.</p> <p>This subsection does not apply to coyote.</p>
<b>Minnesota</b>	<p>Minnesota Statutes 97A.031. Wanton Waste.</p> <p>Unless expressly allowed, a person may not wantonly waste or destroy a usable part of a protected wild animal.</p> <p>Subd. 38. Protected birds.</p> <p>“Protected birds” means all birds except unprotected birds.</p> <p>Subd. 39. Protected wild animals.</p> <p>“Protected wild animals” means big game, small game, game fish, rough fish, minnows, leeches, alewives, ciscoes, chubs, lake whitefish and the subfamily Coregoninae, rainbow smelt, frogs, turtles, clams, mussels, wolf, mourning doves, bats, snakes, salamanders, lizards, any animal species listed as endangered, threatened, or of special concern in Minnesota Rules, chapter 6134, and wild animals that are protected by a restriction in the time or manner of taking, other than a restriction in the use of artificial lights, poison, or motor vehicles.</p> <p>Subd. 52. Unprotected birds.</p> <p>“Unprotected birds” means English sparrow, starling, cormorant, common pigeon, Eurasian collared dove, chukar partridge, quail other than bobwhite quail, and mute swan.</p> <p>Subd. 53. Unprotected wild animals.</p> <p>“Unprotected wild animals” means wild animals that are not protected wild animals including coyote, plains pocket gopher, porcupine, striped skunk, and unprotected birds, except any animal species listed as endangered, threatened, or of special concern in Minnesota Rules, chapter 6134.</p>

## Wanton Waste Laws in Other States

### Montana

Montana Code Annotated. § 87-6-205. Waste of game animal, game bird, or game fish.

(1) Except as provided in subsection (3), a person responsible for the death of any game animal, game bird, or game fish suitable for food may not purposely or knowingly waste the game by:

(a) detaching or removing only the head, hide, antlers, tusks, or teeth or any or all of these parts from the carcass of a game animal;

(b) transporting, hanging, or storing the carcass in a manner that renders it unfit for human consumption; or

(c) abandoning the carcass of a game animal or any portion of the carcass suitable for food in the field.

(2) A person in possession of a game animal or game animal parts, a game bird, or a game fish suitable for food may not purposely or knowingly waste the game by:

(a) transporting, storing, or hanging the animal, bird, or fish in a manner that renders it unfit for human consumption; or

(b) disposing of or abandoning any portion of the animal, bird, or fish that is suitable for food.

(3) A person responsible for the death of a mountain lion, except as provided in 87-6-106, may not abandon the head or hide in the field.

(4) A person responsible for the death of a grizzly bear wastes the game if the person abandons the head or hide or any parts required by department or commission regulation for scientific purposes pursuant to 87-3-131.

(5) For the purposes of this section, the meat of a grizzly bear or a black bear that is found to be infected with trichinosis is not considered to be suitable for food.

(6) A person convicted of a violation of this section may be fined not less than \$50 or more than \$1,000 or be imprisoned in the county jail for a term not to exceed 6 months, or both. In addition, the person, upon conviction or forfeiture of bond or bail, shall:

(a) forfeit any current hunting, fishing, or trapping license issued by this state and the privilege to hunt, fish, or trap in this state for 24 months from the date of conviction or forfeiture unless the court imposes a longer period; and

(b) pay restitution pursuant to 87-6-905 through 87-6-907.

(7) A person convicted of waste of game by abandonment in the field may be subject to the additional penalties provided in 87-6-901.

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### New Jersey

New Jersey Administrative Code 7:25-5.22

(h) The following activities shall be considered the wanton waste of a game animal and are illegal:

1. It is unlawful for any person who kills or wounds any white-tailed deer; black bear; wild turkey; rabbit species as defined in N.J.A.C. 7:25-5.3; squirrel; pheasant as defined in N.J.A.C. 7:25-5.2; quail, chukar, or Hungarian partridge; ruffed grouse; and all migratory game birds as defined in N.J.A.C. 7:25-5.13 while engaged in any hunting activities to refuse or neglect to make a reasonable effort to retrieve, retain, or lawfully take into possession such game or wildlife.

2. It is unlawful for any person to take, kill, or capture any game mammal or game bird and remove from the carcass the head, hide, or antlers and leave the edible portions of the carcass and meat to waste except for those species in N.J.A.C. 7:25-5.8, 5.9, 5.10, 5.11, 5.15, 5.17, 5.18, 5.19, and 5.21, except with the permission of the owner or tenant as provided at (h)3 below.

i. As used in this paragraph, “edible portions” means:

(1) For white-tailed deer and black bear:

(A) Front quarters as far as the distal joint of the radius-ulna (knee);

(B) Hind quarters as far as the distal joint of the tibia-fibula (hock); and

(C) Backstrap/tenderloin - the meat along the backbone, between the front and hind quarters;

(2) For rabbit and squirrel:

(A) Front shoulders;

(B) Thighs; and

(C) Backstrap;

(3) For game birds:

(A) For turkey, the meat of the breast, legs and thighs; and

(B) For game birds other than turkey, the meat of the breast; and

(4) Edible portions do not include meat from the head or neck; meat that has been damaged by the method of taking; bones, sinew, and meat reasonably lost as a result of butchering, boning, or close trimming of bones; or viscera. Edible portions do not include meat from diseased or scavenged carcasses.

## Wanton Waste Laws in Other States

### Pennsylvania

34 Pennsylvania Statutes § 2305. Retrieval and disposition of killed or wounded game or wildlife.

(a) General rule.--It is unlawful for any person who kills or wounds any game or wildlife while engaged in any activities permitted by this title to refuse or neglect to make a reasonable effort to retrieve, retain or lawfully dispose of such game or wildlife.

(b) Penalty.--A violation of this section is a summary offense of the fourth degree.

### Texas

Texas Parks and Wildlife Code - § 62.011. Retrieval and Waste of Game

(a) Except as provided by Subsection (c), it is an offense if a person while hunting kills or wounds a game bird or game animal and intentionally or knowingly fails to make a reasonable effort to retrieve the animal or bird and include it in the person's daily or seasonal bag limit.

(b) Except as provided by Subsection (c), it is an offense if a person intentionally takes or possesses a game bird, game animal, or fish and intentionally, knowingly, recklessly, or with criminal negligence fails to keep the edible portions of the bird, animal, or fish in an edible condition.

(c) It is an offense if a person while hunting kills or wounds a desert bighorn sheep, pronghorn antelope, mule deer, or white-tailed deer in violation of Section 61.022 , 62.003 , 62.0031 , 62.004 , or 62.005 and intentionally or knowingly fails to make a reasonable effort to retrieve the animal or intentionally, knowingly, recklessly, or with criminal negligence fails to keep the edible parts of the animal in an edible condition.

(d) In this section:

(1) "Edible condition" means fit for human consumption. The term does not include any portion of a game bird, game animal, or fish that is:

(A) bruised by bullet, shot, or arrow, or otherwise destroyed as a result of harvest;

(B) decayed or rotting; or

(C) obviously infected or diseased.

(2) "Edible parts" means the meaty portions of a carcass that are retained for consumption after quartering as defined in Section 42.001(8).

## Wanton Waste Laws in Other States

### Washington

Revised Code of Washington § 77.15.170. Waste of fish and wildlife—Penalty.

(1) A person is guilty of waste of fish and wildlife if the person:

(a) Takes or possesses wildlife classified as food fish, game fish, shellfish, or game birds having a value of two hundred fifty dollars or more, or wildlife classified as big game; and

(b) Recklessly allows such fish, shellfish, or wildlife to be wasted.

(2) Waste of fish and wildlife is a gross misdemeanor. Upon conviction, the department shall revoke any license or tag used in the crime and shall order suspension of the person's privileges to engage in the activity in which the person committed waste of fish and wildlife for a period of one year.

(3) It is prima facie evidence of waste if:

(a) A fish dealer purchases or engages a quantity of food fish, shellfish, or game fish that cannot be processed within sixty hours after the food fish, game fish, or shellfish are taken from the water, unless the food fish, game fish, or shellfish are preserved in good marketable condition; or

(b) A person brings a big game animal to a wildlife meat cutter and then abandons the animal. For purposes of this subsection (3)(b), a big game animal is deemed to be abandoned when its carcass is placed in the custody of a wildlife meat cutter for butchering and processing and:

(i) Having been placed in such custody for an unspecified period of time, the meat is not removed within thirty days after the wildlife meat cutter gives notice to the person who brought in the carcass or, having been so notified, the person who brought in the carcass refuses or fails to pay the agreed upon or reasonable charges for the butchering or processing of the carcass; or

(ii) Having been placed in such custody for a specified period of time, the meat is not removed at the end of the specified period or the person who brought in the carcass refuses to pay the agreed upon or reasonable charges for the butchering or processing of the carcass.