

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage identical to or substantially similar to the I.T.-inclusive reading of the MBTA?	
Alabama	"Whenever used in this article, the following words and terms shall have the following respective meaning unless the context clearly indicates otherwise: (1) MIGRATORY WATERFOWL. Any wild duck, wild goose, brant or coot (poule d'eau)."	Section 9-11-430 (1)	"The form of the stamp shall be determined by the department and the department shall furnish the stamps to the judge of probate or issuing officer of the counties or to other authorized license agents as provided in Section 9-11-433 for issuance or sale in the same manner as state hunting licenses are issued or sold."	Section 9-11-432	"This article shall be construed in furtherance of the purpose thereof, which is to insure the procurement, development, restoration, maintenance or preservation of wetlands for migratory waterfowl habitat."	Section 9-11-431	"A person may not hunt migratory waterfowl within the State of Alabama or its coastal waters without first procuring a state migratory waterfowl stamp. The stamp shall be validated by the signature of the hunter written across the face of the stamp in ink. The stamp shall be in the possession of the hunter while the hunter is hunting or taking migratory waterfowl."	Section 9-11-432	"Any person who violates any of the provisions of Sections 9-11-244 or 9-11-245 shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than \$25.00 nor more than \$100.00 for each offense. Any person convicted the second time of violating Sections 9-11-244 or 9-11-245 shall be guilty of a misdemeanor and shall be punished by a fine of not less than \$50.00 nor more than \$250.00 and, at the discretion of the court, may also be imprisoned in the county jail for not longer than six months. Any person convicted of violating Sections 9-11-244 or 9-11-245 the third or subsequent times shall be guilty of a misdemeanor and shall be punished by a fine of not less than \$100.00 nor more than \$500.00 and, at the discretion of the court, may also be imprisoned in the county jail for not longer than six months."	Section 9-11-246	NO	
							"(a) No person shall at any time collect any protected wild invertebrate or vertebrate species, or their eggs, in this state for propagation or scientific purposes except under the direction, supervision and regulation of the Commissioner of Conservation and Natural Resources, who, on the payment of the applicable fee, may issue propagation or scientific permits annually to properly accredited persons or institutions"	AL Code § 9-11-231				
							"Any person, firm, association, or corporation who takes, catches, kills, or has in possession at any time, living or dead, any protected wild bird not a game bird, or who sells or offers for sale, buys, purchases, or offers to buy or purchase any such bird or exchange same for anything of value, or who shall sell or expose for sale or buy any part of the plumage, skin, or body of any bird protected by the laws of this state, or who shall take or willfully destroy the nests of any wild bird, or who shall have the nests or eggs of the birds in his or her possession, except as otherwise provided by law"	AL Code § 9-11-232	" shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) for each offense."	AL Code § 9-11-232		
							"English sparrows, crows and starlings are not protected by the game laws of this state and may be killed at any time."	AL Code § 9-11-233				
							"Any person who hunts, takes, catches, captures, kills, or has in his or her possession or who attempts to hunt, take, catch, capture, or kill, any bird or animal protected by law or regulation of this state except during the open season when same may be hunted, taken, caught, captured, or killed"	AL Code § 9-11-236	" shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than two hundred fifty dollars (\$250) nor more than one thousand dollars (\$1,000) and, at the discretion of the court, may also be imprisoned in the county jail for not longer than six months."	AL Code § 9-11-236		
							"Any person, company, corporation or common carrier who shall ship or transport any game birds or game animals or parts thereof without first ascertaining that the person, firm or corporation offering same for shipment or transportation has in his possession a license authorizing his possession of same and covering the period when such shipment is offered and the license tax required in this article"	AL Code § 9-11-256	"shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than \$25.00 nor more than \$50.00."	AL Code § 9-11-256		

			<p>"The Commissioner of Conservation and Natural Resources with approval of the governor shall have authority to enter into agreements of reciprocity with conservation commissioners or directors or other proper officials of states bordering Alabama who have jurisdiction over waterfowl hunting laws and regulations of such states whereby the citizens of the State of Alabama may be permitted to hunt and take waterfowl from the waters under the jurisdiction of such other states upon similar agreements whereby such nonresidents are allowed to take or catch waterfowl from the waters within the State of Alabama regardless of residence."</p>	<p>AL Code § 9-11-280</p>			<p>"All game, birds or animals taken or killed in this state must at all times be carried or transported openly [...] All game, birds or animals carried or transported in an illegal manner or taken or killed illegally shall be confiscated and disposed of under regulations promulgated by the Commissioner of Conservation and Natural Resources."</p>	<p>AL Code § 9-11-259</p>	<p>"failure to do so shall constitute a misdemeanor punishable by a fine of not less than \$10.00 nor more than \$25.00."</p>	<p>AL Code § 9-11-259</p>
							<p>"No person shall possess any wildlife in captivity for public exhibition purposes, except as provided in this article or any rule or regulation promulgated by the commissioner. [without a 324 permit]"</p>	<p>AL Code § 9-11-321</p>	<p>"Anyone authorized by the Commissioner of Conservation and Natural Resources to enforce this article may, with or without a warrant, arrest any person who violates such provisions or standards in his presence or view and may execute any warrant or other process issued by any officer or court of competent jurisdiction and may, with a search warrant or as incident to a lawful arrest, search for and seize any wildlife possessed in violation of this article or the standards issued thereunder or the provisions of any permit."</p>	<p>AL Code § 9-11-326</p>
			<p>"The title and ownership to all wild birds and wild animals in the State of Alabama or within the territorial jurisdiction of the state are vested in the state for the purpose of regulating the use and disposition of the same in accordance with the laws of the state."</p>	<p>Section 9-11-230</p>			<p>"No person at any time shall take, catch, kill or attempt to take, catch or kill any bird or animal protected by law or regulation of the State of Alabama by means, aid or use, directly or indirectly, of any bait such as shelled, shucked or unshucked corn or of wheat or other grain, salt or any other feed whatsoever that has been so deposited, placed, distributed or scattered as to constitute for such birds or animals a lure, attraction or enticement to, on or over the area where such hunter or hunters are attempting to kill or take them; provided, that such birds or animals may be taken under properly shocked corn and standing crops of corn, wheat or other grain or feed and grains scattered solely as a result of normal agricultural harvesting"</p>	<p>Section 9-11-244</p>	<p>corporation who takes, ships, or transports without or within this state any of the birds or game protected by the laws of this state, unless the same are in the personal possession of or are carried openly by the owner thereof or person killing the same, who has in his or her possession a nonresident's license if the game is to be carried without this state or a resident's license if the game is to be transported wholly within this state shall be guilty of a misdemeanor and, on conviction, shall be punished by a fine of not less than \$25.00 nor more than \$50.00; provided, however, that under proper regulations by the Department of Conservation and Natural Resources issued by the Commissioner of Conservation and Natural Resources, any person may transport as baggage or by express not more than two days' bag limit of any game birds or animals taken legally; and provided further, that the baggage or express is marked or tagged with the shipping tag procured from the Department of Conservation and Natural Resources and a fee of \$.25 paid therefor. Failure or refusal on the part of any person to comply with this section shall be deemed a misdemeanor and, upon conviction, shall be punished by a fine of</p>	<p>Section 9-11-255</p>
			<p>"and provided further, migratory birds may be hunted under the most recent provisions established by the U.S. Fish and Wildlife Service or regulations promulgated by the Commissioner of the Department of Conservation and Natural Resources within the limits of the federal regulations."</p>	<p>Section 9-11-244</p>			<p>"No person shall at any time make use of any pitfall, deadfall, baited field, cage, trap, net, pen, baited hook, snare, poison, explosive, or chemical for the purpose of injuring, capturing, or killing birds or animals protected by law or regulation of this state."</p>	<p>Section 9-11-245</p>	<p>"Any person, firm, or corporation who sells, offers, or exposes for sale, buys, purchases, barter, or exchanges anything of value for any game bird or game animal or any part thereof at any time shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than \$250.00 nor more than \$500.00 for each offense."</p>	<p>Section 9-11-237</p>

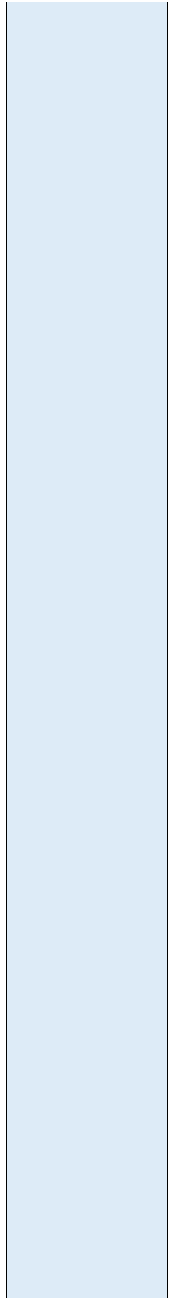
	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?
Alaska			"(a) The Board of Game may adopt regulations it considers advisable in accordance with AS 44.62 (Administrative Procedure Act) for [...] (5) classifying game as game birds, song birds, big game animals, fur bearing animals, predators, or other categories; [...] (8) prohibiting the live capture, possession, transport, or release of native or exotic game or their eggs; [...] (12) regulating the activities of persons licensed to control nuisance wild birds and nuisance wild small mammals;"	AK Stat § 16.05.255	N/A	N/A	"(a) Except as otherwise permitted in this chapter, without having the appropriate license or tag in actual possession, a person may not engage in (1) sport fishing, including the taking of razor clams; (2) hunting, trapping, or fur dealing; (3) the farming of fish, fur, or game; (4) taxidermy; or (5) control of nuisance wild birds and nuisance wild small mammals for compensation."	AK Stat § 16.05.330	"(a) Upon conviction of a person of a first violation of AS 16.05.330 — 16.05.430 or of a federal or state law or regulation for the protection of the sport fish and game of the state, the court may, in addition to the penalty imposed by law, revoke the person's license. (b) Upon subsequent conviction of a person for a violation of AS 16.05.330 — 16.05.430 or of a federal or state law or regulation for the protection of the sport fish and game of the state, the court shall revoke the person's license."	AK Stat § 16.05.410	YES
							"(17)Waterfowl conservation tag 10(A)A person may not engage in waterfowl hunting without having the current year's waterfowl tag in the person's actual possession, unless that person(i)qualifies for a \$5 license fee under (6) of this subsection;(ii)is a resident under 18 years of age;(iii)is 60 years of age or older and is a resident;(iv)is a disabled veteran eligible for a free license under . AS 16.05.341(B)The Board of Game shall by regulation exempt the requirement of a waterfowl conservation tag for waterfowl hunting in areas of the state not likely to benefit from programs described in — (4).AS 16.05.130(b)(2)"	AK Stat § 16.05.340	"(a) Except as provided in AS 16.05.407(b) and (d), 16.05.408(b), and 16.05.420(b), a person who violates AS 16.05.330 — 16.05.420 or a regulation adopted under AS 16.05.330 — 16.05.420 is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than \$1,000, or by imprisonment for not more than six months, or by both."	AK Stat § 16.05.430	
							"A net, seine, lantern, snare, device, contrivance, and material while in use, had and maintained for the purpose of catching, taking, killing, attracting, or decoying fish or game, contrary to law or regulation of a board or the commissioner, is a public nuisance and is subject to abatement."	AK Stat § 16.05.800			
			state has not assented to federal control of fish and game in Glacier Bay National Park and Preserve or the navigable waters within or adjoining the park and preserve, that the power to control the management of fish and game within the boundaries of the state is an incident of state sovereignty, and that the federal government cannot commandeer the lawmaking processes of the states to compel the state to enact and enforce a federal regulatory program, an agency, employee, or agent of the state may not expend funds to adopt or enforce the implementation of the federal regulatory program or a part of the program for control of fish and game in the park and preserve or the navigable waters within or adjoining the park and preserve that is in conflict with a state statute or regulation regarding management of fish or game within the park or preserve. This subsection does not prohibit an agency, employee, or agent of the state from [...] (4) participating in or cooperating with a	AK Stat § 16.05.935			"(a) This chapter does not prevent the collection or exportation of fish and game, a part of fish or game or a nest or egg of a bird for scientific or educational purposes, or for propagation or exhibition purposes under a permit that the department may issue and prescribe the terms thereof. (b) This chapter does not prohibit a person from taking fish or game during the closed season, in case of dire emergency, as defined by regulation adopted by the appropriate board."	AK Stat § 16.05.930			

	<p>"(19) "game" means any species of bird, reptile, and mammal, including a feral domestic animal, found or introduced in the state, except domestic birds and mammals; and game may be classified by regulation as big game, small game, fur bearers or other categories considered essential for carrying out the intention and purposes of AS 16.05 — AS 16.40;"</p>	<p>AK Stat § 16.05.940</p>				<p>"(a) Unless permitted by AS 16.05 — AS 16.40 or by regulation adopted under AS 16.05 — AS 16.40, a person may not take, possess, transport, sell, offer to sell, purchase, or offer to purchase fish, game, or marine aquatic plants, or any part of fish, game, or aquatic plants, or a nest or egg of fish or game."</p>	<p>AK Stat § 16.05.920</p>			
	<p>"(B) "wild fowl" means species of wild fowl for which seasons or bag limits have been established by state or federal law."</p>	<p>AK Stat § 16.30.030</p>	<p>"The provisions of AS 16.30.010 and 16.30.012 do not apply to animals that the board exempts by regulation."</p>	<p>AK Stat § 16.30.020</p>		<p>"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>AK Stat § 16.30.010</p>	<p>"is a class A misdemeanor [...]"</p>	<p>AK Stat § 16.30.010</p>	
	<p>(35) "take" means taking, pursuing, hunting, fishing, trapping, or in any manner disturbing, capturing, or killing or attempting to take, pursue, hunt, fish, trap, or in any manner capture or kill fish or game;</p>	<p>AK Stat § 16.05.940</p>								

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?
Arizona	"5. Small game are cottontail rabbits, tree squirrels, upland game birds and migratory game birds. [...] 10. Migratory game birds are wild waterfowl, including ducks, geese and swans; sandhill cranes; all coots, all gallinules, common snipe, wild doves and bandtail pigeons. 11. Nongame birds are all birds except upland game birds and migratory game birds. [...] 12. Raptors are birds that are members of the order of falconiformes or strigiformes and include falcons, hawks, owls, eagles and other birds that the commission may classify as raptors."	AZ Rev Stat § 17-101	"Wildlife, both resident and migratory, native or introduced, found in this state, except fish and bullfrogs impounded in private ponds or tanks or wildlife and birds reared or held in captivity under permit or license from the commission, are property of the state and may be taken at such times, in such places, in such manner and with such devices as provided by law or rule of the commission."	AZ Rev Stat § 17-102	N/A	N/A	"A. It is unlawful to take or injure any bird or harass any bird upon its nest, or remove the nests or eggs of any bird, except as may occur in normal horticultural and agricultural practices and except as authorized by commission order. Nothing in this title shall be construed to prohibit the taking of such birds for scientific purposes under permits issued by the commission. [...] C. A person who has qualified to become a class II, general, or class III, master, falconer, as provided by commission rule, may possess, transport and use for sport falconry purposes, raptors not listed in the migratory bird treaty act (40 Stat. 755; 16 United States Code sections 703 through 711) without possessing a sport falconry license."	AZ Rev Stat § 17-236			YES
	"24. " Wildlife" means all wild mammals, wild birds and the nests or eggs thereof, reptiles, amphibians, mollusks, crustaceans and fish, including their eggs or spawn."	AZ Rev Stat § 17-101(A)(24)	"The commission shall prescribe seasons, bag limits, possession limits and other regulations pertaining to taking migratory birds in accordance with the migratory bird treaty act and regulations issued thereunder, but the commission may shorten or modify seasons, bag and possession limits and other regulations on migratory birds as it deems necessary. "	AZ Rev Stat § 17-235			"A. Unless otherwise prescribed by this title, it is unlawful for a person to: [...] 2. Take, possess, transport, release, buy, sell or offer or expose for sale wildlife except as expressly permitted by this title. [...] 10. Take wildlife during the closed season. 12. Take wildlife with an unlawful device. [...] 16. Possess or transport any wildlife or parts of the wildlife that was unlawfully taken. [...] 18. Use the edible parts of any game mammal or any part of any game bird or nongame bird as bait. 19. Possess or transport the carcass or parts of a carcass of any wildlife that cannot be identified as to species and legality. 20. Take game animals, game birds and game fish with an explosive compound, poison or any other deleterious substances. 21. Import into this state or export from this state the carcass or parts of a carcass of any wildlife unlawfully taken or possessed."	AZ Rev Stat § 17-309 (A)	"B. Unless a different or other penalty or punishment is specifically prescribed, a person who violates any provision of this [17-309], or who violates or fails to comply with a lawful order or rule of the commission, is guilty of a class 2 misdemeanor. [...] 2. Barbers, sells or offers for sale any wildlife or parts of wildlife unlawfully taken during a closed season. 3. Barbers, sells or offers for sale any wildlife or parts of wildlife imported or purchased in violation of this title or a lawful rule of the commission."	AZ Rev Stat § 17-309	
			"B. The commission shall issue licenses to permit the possession and transportation of raptors for sport falconry consistent with the requirements of the migratory bird treaty act (40 Stat. 755; 16 United States Code sections 703 through 711)"	AZ Rev Stat § 17-236 (B)			"2. Barbers, sells or offers for sale any wildlife or parts of wildlife unlawfully taken during a closed season. 3. Barbers, sells or offers for sale any wildlife or parts of wildlife imported or purchased in violation of this title or a lawful rule of the commission."	AZ Rev Stat § 17-309 (D)	D. A person is guilty of a class 6 felony who knowingly [violates 17-309]	AZ Rev Stat § 17-309 (D)	
	"20.. "Take" means pursuing, shooting, hunting, fishing, trapping, killing, capturing, snaring or netting wildlife or the placing or using of any net or other device or trap in a manner that may result in the capturing or killing of wildlife.	AZ Rev Stat § 17-101(A)(20)	"The commission is authorized to bring suit in the name of the state against any person, corporation, or government agency, to restrain or enjoin the person, corporation, or government agency from discharging or dumping into a stream or body of water in the state any deleterious substance which is injurious to wildlife."	AZ Rev Stat § 17-237					"A. The commission may impose a civil penalty against any person unlawfully taking, wounding or killing, or unlawfully in possession of, any of the following wildlife, or part thereof, to recover the following minimum sums: [...] 3. For each elk or eagle, other than trophy or endangered species \$2, 500.00 [...] 5. For each small game or aquatic wildlife animal \$ 50.00"	AZ Rev Stat § 17-314	

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?
California	"Bird" means a wild bird or part of a wild bird.	CA Fish & Game Code § 22	"The commission may, annually, adopt regulations pertaining to migratory birds to conform with or to further restrict the rules and regulations prescribed pursuant to the Migratory Bird Treaty Act. [...] Every regulation of the commission adopted pursuant to this article shall be filed with the Secretary of State, and shall become effective upon filing unless otherwise specified in the regulations."	CA Fish & Game Code § 355			"Migratory game birds may be taken in conformity with the federal laws and regulations and the regulations of the commission as provided in Section 355."	CA Fish & Game Code § 356	"(a) Except as expressly provided otherwise in this code, any violation of this code, or of any rule, regulation, or order made or adopted under this code, is a misdemeanor."	CA Fish & Game Code § 12000	INDETERMINATE (bill pending, however)
	"Take" means hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.	CA Fish & Game Code	" In the event no regulations are prescribed by the proper federal agency, the commission may determine and fix the area or areas, the seasons and hours, the species, the bag and possession limits, and the total number that may be taken during any open season for the taking of migratory game birds, under such rules and regulations as the commission may prescribe. Such rules and regulations as the commission may prescribe shall have the same effect as if enacted by the Legislature."	CA Fish & Game Code § 356					"(a) Unless otherwise provided, the punishment for a violation of this code that is a misdemeanor is a fine of not more than one thousand dollars (\$1,000), imprisonment in a county jail for not more than six months, or by both that fine and imprisonment."	CA Fish & Game Code § 12002	
			" (a) The commission may adopt regulations for the possession or training, and the capture, importation, exportation, or intrastate transfer, of any bird in the orders Falconiformes and Strigiformes (birds-of-prey) used in the practice of falconry and may authorize the issuance and provide for the revocation of licenses and permits to persons for the practice of falconry."	CA Fish & Game Code § 395			"(b) It is unlawful to capture, possess, or train any bird in the orders Falconiformes and Strigiformes (birds-of-prey) in the practice of falconry without procuring a falconry license."	CA Fish & Game Code § 395	"(a) Notwithstanding Section 12002, the punishment for taking a mammal or bird for which a hunting license issued pursuant to Section 3031 is required or a tag, seal, or stamp is required, including a deer tag issued pursuant to Section 3407, without having in one's possession the required valid license, or without having in one's possession any required tag, seal, or stamp, or when the taking of that mammal or bird is prohibited by allowable season, limit, time, or area, is punishable by a fine of not less than two hundred fifty dollars (\$250) or more than two thousand dollars (\$2,000), or imprisonment in the county jail for not more than one year, or by both that fine and imprisonment, or by any greater punishment prescribed by this code."	CA Fish & Game Code § 12002.1 (a)	
	"Wildlife" means and includes all wild animals, birds, plants, fish, amphibians, reptiles, and related ecological communities, including the habitat upon which the wildlife depends for its continued viability."	CA Fish & Game Code § 89.5	" (a) The department may issue permits, subject to restrictions and regulations that the department determines are desirable, to take or possess, in any part of the state, for scientific, educational, or propagation purposes, mammals, birds and the nests and eggs thereof, fish, amphibians, reptiles, or any other form of plant or animal life."	CA Fish & Game Code § 1002			"Mammals, birds and their nests and eggs, fish and their eggs, reptiles, amphibians, mollusks, crustaceans, or any other form of plant or animal life taken under the provisions of a scientific or propagation permit issued pursuant to Section 1002 may be shipped or transported anywhere within or without the state if prior written approval is obtained from the department and the shipment is accompanied by the name, address, and permit number of the person holding the scientific or propagation permit"	CA Fish & Game Code § 1003			

	"As used in this chapter, an "oil sump" is any open depression or basin in the ground, whether manmade or natural, which contains oil or a combination of oil and water."	CA Pub Res Code § 3780	"(b) Whenever the department determines that an oil sump, as defined by Section 3780 of the Public Resources Code, constitutes an immediate and grave danger to wildlife, the department shall forthwith notify the State Oil and Gas Supervisor of such condition in order that he may take action pursuant to Section 3784 of the Public Resources Code to have such condition cleaned up or abated. The department, in making such notification, shall specify the immediate and grave danger."	CA Fish & Game Code § 1016	"(c) The commission shall promulgate such rules and regulations as are necessary to implement the provisions of this section, including a reasonable definition of the term "hazardous" for the purposes of this section. It is the intent of the Legislature that the department adopt, as a part of such rules and regulations, a definition of the term "wildlife," as herein employed, which will provide for reasonable exclusions consistent with effectuating the wildlife protection purposes of this section."	CA Fish & Game Code § 1016			"(d) No provision of this section shall be construed as a limitation on the authority or responsibilities of the department with respect to the enforcement or administration of any provision of state law which it is authorized or required to enforce or administer."	CA Fish & Game Code § 1016
			"Unless otherwise provided, the provisions of this code relating to the possession of birds, mammals, fish, reptiles, or amphibians apply to birds, mammals, fish, reptiles, or amphibians taken either in or outside of this state."	CA Fish & Game Code § 2013			"(a) It is unlawful to take a mammal, bird, fish, reptile, or amphibian outside of an established season or to exceed a bag limit or possession limit established in this code or by a regulation adopted by the commission. Violation of an established season, bag limit, or possession limit may be charged as a violation of this section or of the specific code section or regulation that establishes the season or limit."	CA Fish & Game Code § 2001		
							" (a) It is unlawful for any person to take, mutilate, or destroy any bird or mammal lawfully in the possession of another."	CA Fish & Game Code § 2011		
			" (a) (1) The department, in cooperation with the Department of Food and Agriculture, may, upon application, issue a written permit to import into, possess, or transport within this state any wild animal enumerated in, or designated pursuant to, Section 671 of Title 14 of the California Code of Regulations, upon a determination that the animal is not detrimental or that no damage or detriment can be caused to agriculture, native wildlife, the public health or safety, or the welfare of the animal, as a result of the importation, transportation, or possession."	CA Fish & Game Code § 2150			" It is unlawful for any person who keeps in confinement, with or without a permit, any wild animal of a species enumerated in or designated pursuant to Section 2118, to liberate, ship, or transport the animal except in accordance with the conditions of a permit first obtained from the department."	CA Fish & Game Code § 2190		
							" Except as otherwise provided, it is unlawful for any common carrier to transport any live protected nongame bird or any live resident or migratory game bird for which there is no open season."	CA Fish & Game Code § 2225		
							"It is unlawful for a common carrier or his or her agent to transport for, or to receive for transportation from, any one person, during any interval of time, more than the bag limit of [dead] birds, mammals, fish, reptiles, or amphibians that may legally be taken and possessed by that person during that interval." Except as otherwise provided, it is unlawful for any common carrier to transport any live protected nongame bird or any live resident or migratory game bird for which there is no open season."	CA Fish & Game Code § 2346		
							"It is unlawful for any person to offer for transportation by common carrier during any interval of time more than the bag limit of birds, mammals, fish, reptiles, or amphibians that may legally be taken and possessed by that person during that interval."	CA Fish & Game Code § 2347		



" It is unlawful to transport or carry a deer or game bird out of this state, except by the holder of a nonresident hunting license or under a written permit issued by the department."It is unlawful for any person to offer for transportation by common carrier during any interval of time more than the bag limit of birds, mammals, fish, reptiles, or amphibians that may legally be taken and possessed by that person during that interval."

CA Fish & Game
Code § 2350

"Except as permitted by this code, it is unlawful for any common carrier to transport any protected nongame bird, or to transport any resident or migratory game bird for which there is no open season."

CA Fish & Game
Code § 2352

" (a) The department may impose civil liability upon any person pursuant to this chapter for any of the following acts done for profit or personal gain:
(1) Unlawfully export, import, transport, sell, possess, receive, acquire, or purchase, or unlawfully assist, conspire, or aid in the importing, exporting, transporting, sale, possession, receiving, acquisition, or purchasing of, any bird, mammal, amphibian, reptile, or fish which are taken or possessed in violation of this code or the regulations adopted pursuant to this code."

CA Fish & Game
Code § 2582

"(a) Birds, mammals, fish, reptiles, or amphibians shall not be imported or possessed in this state unless all of the following requirements are met: (1) The animals were legally taken and legally possessed outside of this state. (2) This code and regulations adopted pursuant thereto do not expressly prohibit their possession in this state. (3) A declaration is submitted to the department or a designated state or federal agency at or immediately before the time of entry, in the form and manner prescribed by the department.

(b) Birds, mammals, fish, reptiles, or amphibians legally taken and legally possessed outside of this state may be imported into this state and possessed without a declaration if the shipment is handled by a common carrier under a bill of lading or as supplies carried into this state by common carriers for use as food for the passengers."

CA Fish & Game
Code § 2353

(b), any person who violates this code or any regulation adopted to carry out this code, and, with the exercise of due care, should have known that the birds, mammals, amphibians, reptiles, or fish, or the endangered or threatened species, or the fully protected birds, mammals, or fish were taken, possessed, transported, imported, received, purchased, acquired, or sold in violation of, or in a manner unlawful under, this code, may be assessed a civil penalty. The civil penalty imposed under this chapter by the department shall not be more than ten thousand dollars (\$10,000) for each bird, mammal, amphibian, reptile, or fish, or for each endangered or threatened species, or each fully protected bird, mammal, or fish unlawfully taken, possessed, transported, imported, received, purchased, acquired, or sold. This civil penalty may be in addition to any other penalty, civil or criminal, provided in this code or otherwise by law."

CA Fish & Game
Code § 2583

"(a) It is unlawful to take birds or mammals with any net, pound, cage, trap, set line or wire, or poisonous substance, or to possess birds or mammals so taken, whether taken within or without this state, except as provided in this code or, when relating to ongoing mining operations, in accordance with a mitigation plan approved by the department."

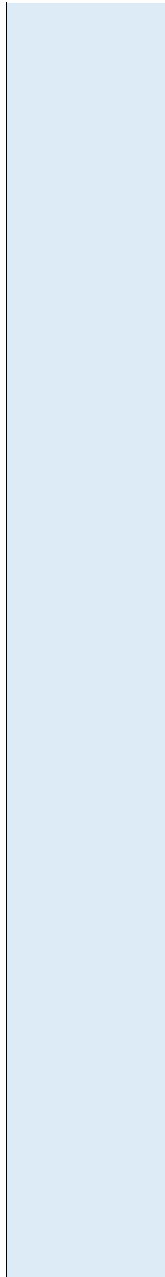
CA Fish & Game
Code § 3005

"It is unlawful to use any recorded or electrically amplified bird or mammal calls or sounds, or recorded or electrically amplified imitations of bird or mammal calls or sounds, to assist in taking any bird or mammal, except nongame birds and nongame mammals as permitted by regulations of the commission."

CA Fish & Game
Code § 3012

"(c) The commission and the department shall not modify this section by any regulation that would prohibit the importation of lawfully killed migratory game birds taken in any other state or country and transported into this state pursuant to the migratory bird regulations adopted annually by the Secretary of the Interior."

CA Fish & Game
Code § 2353



"The commission may prescribe additional regulations deemed necessary for the releasing and shooting of domesticated migratory game birds and shall set the season and areas where such birds may be taken." CA Fish & Game Code § 3302

"(b) Migratory game birds are as follows: (1) Ducks and geese. (2) Coots and gallinules. (3) Jacksnipe. (4) Western mourning doves. (5) White-winged doves. (6) Band-tailed pigeons." CA Fish & Game Code § 3500 (b)(1-6)

"(c) References in this code to "game birds" means both resident game birds and migratory game birds." CA Fish & Game Code § 3500 (c)

"(2) As used in this subdivision, "scientific research" does not include an action taken as part of specified mitigation for a project, as defined in Section 21065 of the Public Resources Code." CA Fish & Game Code § 3511

"No person shall sell the carcass of any domesticated game bird or mammal without first obtaining a domesticated game breeder's license from the department." CA Fish & Game Code § 3201

"It is unlawful for any person to engage in the raising and releasing, or the releasing, of domesticated migratory game birds for shooting by persons who pay for that privilege, unless the person has a revocable nontransferable license issued by the department." CA Fish & Game Code § 3300

" No dead, domesticated migratory game bird shall be removed from the premises of a licensed area until there is securely attached to the carcass a seal, and such seal shall remain attached to the carcass until it is finally prepared for consumption." CA Fish & Game Code § 3309

"The licensee shall comply with all applicable federal laws or regulations relating to the releasing and shooting of domesticated migratory game birds." CA Fish & Game Code § 3311

"It is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto." CA Fish & Game Code § 3503

"(a) Notwithstanding Section 12002, the maximum punishment for each violation of Section 3503.5 relating to a bird-of-prey designated as endangered, threatened, or fully protected is a fine of five thousand dollars (\$5,000) or imprisonment in the county jail for a period of not to exceed one year, or both the fine and imprisonment.

(b) Notwithstanding Section 12002, the maximum punishment for a violation of Section 3503.5 relating to any bird-of-prey that was taken from the wild and that is subsequently reported to the department as having been bred in captivity is a fine of five thousand dollars (\$5,000) or imprisonment in the county jail for a period of not to exceed one year, or both the fine and imprisonment."

"It is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto." CA Fish & Game Code § 3503.5

"Subject to the provisions of this code permitting the sale of domestically raised game birds, it is unlawful to sell or purchase a game bird or nongame bird." CA Fish & Game Code § 3504

"(a) A person who illegally takes, possesses, imports, exports, sells, purchases, barter, trades, or exchanges a bird, fish, mammal, reptile, amphibian, or part of any of those animals, for profit or personal gain, is guilty of a misdemeanor punishable by a fine of not less than five thousand dollars (\$5,000) nor more than forty thousand dollars (\$40,000), or imprisonment in the county jail for not more than one year, or by both that fine and imprisonment."

" It is unlawful to take, sell, or purchase any egret, osprey, bird of paradise, gaur, numidi, or any part of such a bird." CA Fish & Game Code § 3505

CA Fish & Game Code § 12012

"(b) The following are fully protected birds:
 (1) American peregrine falcon (*Falco peregrinus anatum*).
 (2) Brown pelican.
 (3) California black rail (*Laterallus jamaicensis coturniculus*).
 (4) California clapper rail (*Rallus longirostris obsoletus*).
 (5) California condor (*Gymnogyps californianus*).
 (6) California least tern (*Sterna albibrons browni*).
 (7) Golden eagle.
 (8) Greater sandhill crane (*Grus canadensis tabida*).
 (9) Light-footed clapper rail (*Rallus longirostris levipes*)."
 (10) Southern bald eagle (*Haliaeetus leucocephalus leucocephalus*).
 (11) Trumpeter swan (*Cygnus buccinator*).

CA Fish & Game Code § 3511

"However, the department may authorize the taking of a fully protected bird for necessary scientific research, including efforts to recover fully protected, threatened, or endangered species, and may authorize the live capture and relocation of a fully protected bird pursuant to a permit for the protection of livestock. Before authorizing the take of a fully protected bird, the department shall make an effort to notify all affected and interested parties to solicit information and comments on the proposed authorization"

CA Fish & Game Code § 3511

"The commission may adopt such regulations as it deems necessary to govern the release, taking, and possession of exotic nonresident game birds.
 The commission may adopt such regulations as it deems necessary to govern the inspection of resident game birds imported into this State."

CA Fish & Game Code § 3516

" (a) (1) Except as provided in this section, Section 2081.7, or Section 2835, a fully protected bird may not be taken or possessed at any time. No provision of this code or any other law shall be construed to authorize the issuance of a permit or license to take a fully protected bird, and no permit or license previously issued shall have any force or effect for that purpose. [...]
 (3) A legally imported fully protected bird may be possessed under a permit issued by the department."

CA Fish & Game Code § 3511

"It is unlawful to take or possess any migratory nongame bird as designated in the Migratory Bird Treaty Act or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Treaty Act."

CA Fish & Game Code § 3513

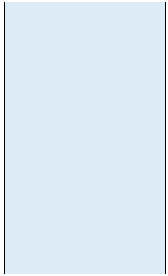
"(a) It is unlawful for any person, except a person licensed pursuant to paragraph (2) of subdivision (a) of Section 3031, to take any migratory game bird, except jacksnipe, coots, gallinules, western mourning doves, white-winged doves, and band-tailed pigeons, without first procuring a state duck hunting validation as provided in subdivision (b), and having that validation in his or her possession while taking those birds."

CA Fish & Game Code § 3700.1 (a)

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?
Colorado	<p>context otherwise requires: [...] (29) "Nongame wildlife" means all native species and subspecies of wildlife which are not classified as game wildlife by rule or regulation of the commission. [...] (37) "Raptor" means all birds that are members of the order of Falconiformes or Strigiformes and, specifically, but not by way of limitation, means falcons, hawks, owls, and eagles or such other birds classified as raptors by the commission. [...] (41) "Small game" means: Game birds, including grouse, ptarmigan, pheasant, quail, partridge, wild turkey, wild ducks, wild geese, sora and Virginia rails, coot, sandhill cranes, snipe, mergansers, band-tailed pigeons, doves, and crow; game mammals, including cottontail rabbit, snowshoe hare, fox squirrel, pine squirrel, Abert's squirrel, jackrabbits, marmot, and prairie dogs; and all species</p>	CO Rev Stat § 33-1-102 (41)	<p>"(1) The open season for all migratory game birds in the state of Colorado shall be the same as that fixed, or as may be fixed, under the administrative provisions of the federal "Migratory Bird Treaty Act", secs. 703 to 711 of title 16, U.S.C., as amended. Any change made by the United States department of the interior, fish and wildlife service, or any new ruling made by the secretary of the interior under said act which is applicable to the state of Colorado shall be in effect in the state of Colorado and shall be enforced by the division."</p>	CO Rev Stat § 33-1-115 (1)					<p>"(1) Every Colorado wildlife officer or other commissioned officer of the division shall enforce the provisions of articles 1 to 6 of this title. Every other peace officer, as defined in section 33-1-102 (32), may assist the Colorado wildlife officers in the enforcement of articles 1 to 6 of this title. "</p>	CO Rev Stat § 33-6-101	INDETERMINATE
	<p>"The term "migratory birds" includes birds defined as such under the administrative provisions of said "Migratory Bird Treaty Act" and regulations adopted pursuant to the provisions of said act."</p>	CO Rev Stat § 33-1-115 (1)	<p>(2) (a) The commission shall issue licenses in accordance with its regulations to permit the possession of raptors for falconry and captive breeding purposes and to encourage individual efforts to propagate the species. The commission shall actively pursue the establishment of reciprocal agreements with other states and Canada as a signatory to the "Migratory Bird Treaty Act", which agreements shall allow for the taking, use, and transportation of raptors from each respective area by qualified and licensed applicants.</p>	CO Rev Stat § 33-1-115 (2)(a)	<p>"(c) It is the intent of the general assembly for the commission to make the rules of this state conform to or be more stringent than the provisions of the "Migratory Bird Treaty Act", as amended, and the "Endangered Species Act of 1973", as amended. These rules may include, but not be limited to, captive breeding and the use of domestic captive bred raptors and the purchase, sale, transportation, importation, exportation, or exchange of raptors with persons having like licenses."</p>	CO Rev Stat § 33-1-115 (2)(c)			<p>"If the possession, use, importation, exportation, transportation, storage, sale, or offering or exposing for sale of wildlife is prohibited or restricted by articles 1 to 6 of this title or by rule or regulation of the commission, the prohibition or restriction, where not otherwise specifically provided, shall extend to and include every part of such wildlife, and a violation as to each animal or part thereof shall be a separate offense. Two or more offenses may be charged in the same complaint, information, or indictment, and proof as to part of an animal shall be sufficient to sustain a charge as to the whole of it. Violations as to any number of animals of the same kind may be charged in the same count and punished as a separate offense as to each animal."</p>	CO Rev Stat § 33-6-103	
			<p>"(b) Applicants from other states or Canadian provinces or territories which are signatories to the "Migratory Bird Treaty Act" and have reciprocal raptor agreements with Colorado may obtain nonthreatened raptors in reasonable numbers commensurate with raptor populations within this state. The commission may issue nonresident take licenses to such applicants, and the fees for such licenses shall be equivalent to the fees for comparable licenses in the states, provinces, or territories with which Colorado holds such agreements."</p>	CO Rev Stat § 33-1-115 (2)(b)					<p>"(1) Any person who violates any of the provisions of articles 1 to 6 of this title or any rule of the commission that does not have a specific penalty listed is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of fifty dollars, a surcharge as described in section 24-33.5-415.6, C.R.S., and an assessment of five license suspension points."</p>	CO Rev Stat § 33-6-104	

			"(2) The commission shall by regulation establish limitations relating to the taking, possession, transportation, exportation, processing, sale or offering for sale, or shipment as may be deemed necessary to manage nongame wildlife."	CO Rev Stat § 33-2-104			"(3) Except as provided in regulations issued by the commission, it is unlawful for any person to take, possess, transport, export, process, sell or offer for sale, or ship nongame wildlife deemed by the commission to be in need of management pursuant to this section. Subject to the same exception, it is also unlawful for any common or contract carrier to knowingly transport or receive for shipment nongame wildlife deemed by the commission to be in need of management pursuant to this section."	CO Rev Stat § 33-2-104	"(5) Any person who possesses live wildlife in this state and who is required by commission rule or regulation to have a license for such possession shall have the required license at the site where the wildlife is kept. Any person who violates this subsection (5) is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of fifty dollars and an assessment of ten license suspension points."	CO Rev Stat § 33-6-106
	"(1) As used in this section, unless the context otherwise requires, "migratory waterfowl" means any wild goose or duck."	CO Rev Stat § 33-4-102.5	"(1) (a) Where wildlife is causing excessive damage to property, as determined by the division after consultation with the property owner, the division is authorized to issue a permit to the property owner, the property owner's designee, or to such other person selected by the division to kill a specified number of the species of wildlife causing such excessive damage."	CO Rev Stat § 33-3-106			"(2) All persons sixteen years of age or older shall procure a state migratory waterfowl stamp before hunting or taking any migratory waterfowl within Colorado. Such stamp shall be in the possession of the person while hunting or taking any migratory waterfowl."	CO Rev Stat § 33-4-102.5 (2)		
	(43) "Take" means to acquire possession of wildlife; but such term shall not include the accidental wounding or killing of wildlife by a motor vehicle, vessel, or train.	CO Rev Stat § 33-1-102 (43)					"(1) It is unlawful for any person to hunt, take, or have in such person's possession any wildlife that is the property of this state as provided in section 33-1-101, except as permitted by articles 1 to 6 of this title or by rule or regulation of the commission. (2) It is unlawful for any person to have in his possession in Colorado any wildlife, as defined by the state or country of origin, that was acquired, taken, or transported from such state or country in violation of the laws or regulations thereof."	CO Rev Stat § 33-6-109	(1) or (2) of this section is guilty of a misdemeanor and, depending upon the wildlife involved, shall be punished upon conviction by a fine or imprisonment, or both, and license suspension points or suspension or revocation of license privileges as follows: [...] (b) For each bald eagle, golden eagle, rocky mountain goat, desert bighorn sheep, American peregrine falcon, or rocky mountain bighorn sheep, a fine of not less than one thousand dollars and not more than one hundred thousand dollars, or by imprisonment for not more than one year in the county jail, or both such fine and such imprisonment, and an assessment of twenty points. Upon conviction, the commission may suspend any or all license privileges of the person for a period of one year to life. A person who possesses all or a part of a bald eagle or golden eagle shall not be in violation of this section if the possession is authorized by 50 CFR 22 [...] (f) For each raptor not covered by paragraph (a) or (b) of this	CO Rev Stat § 33-6-109
							"(1) (a) Except as otherwise provided in articles 1 to 6 of this title or by rule of the commission, it is unlawful for any person to knowingly sell or purchase, or knowingly offer for sale or purchase, wildlife or to solicit another person in the illegal hunting or taking of wildlife for the purposes of monetary or commercial gain or profit."	CO Rev Stat § 33-6-113 (1)(a)	"(2) Any person who violates this section: (a) With respect to [...] eagles, commits a class 5 felony and shall be punished as provided in section 18-1.3-401, C.R.S. Upon such conviction, the commission may suspend any or all wildlife license privileges of the person for a minimum of one year to life. (b) With respect to all other wildlife, is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one thousand dollars nor more than one thousand dollars or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment, and an assessment of twenty license suspension points."	CO Rev Stat § 33-6-113

							<p>"(1) It is unlawful for any person to transport or to export any wildlife or portion thereof within or from this state except in accordance with the rules or regulations of the commission. (2) It is unlawful for any person to import any live wildlife into this state unless an importation license is obtained prior to importation, a current and valid health certificate accompanies each shipment, and such importation is in accordance with the rules and regulations of the commission."</p>	<p>CO Rev Stat § 33-6-114 (1-2)</p>	<p>"(4) Any person who violates this section is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of fifty dollars for violations involving native wildlife and by a fine of not less than two hundred fifty dollars nor more than one thousand dollars for violations involving nonnative or exotic wildlife. In addition, for violations involving either native wildlife or nonnative or exotic wildlife, five license suspension points per incident may be assessed by the division against an individual's license privileges."</p>	<p>CO Rev Stat § 33-6-114 (4)</p>
							<p>"(2) Except as otherwise provided in articles 1 to 6 of this title or by rule of the commission, it is unlawful for a person to fail to reasonably attempt to dress or care for and provide for human consumption the edible portions of game wildlife. "</p>	<p>CO Rev Stat § 33-6-119</p>	<p>" A person who violates this subsection (2) is guilty of a misdemeanor "</p>	<p>CO Rev Stat § 33-6-119</p>
							<p>"(3) It is unlawful for any person to use wildlife as bait unless otherwise provided by rule or regulation of the commission. "</p>	<p>CO Rev Stat § 33-6-119</p>	<p>"Any person who violates this section is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of one hundred dollars and an assessment of ten license suspension points."</p>	<p>CO Rev Stat § 33-6-119</p>
							<p>"(1) It is unlawful for any person to fish, trap, hunt, or take any wildlife outside of the season established by or in an area closed by commission rule. "</p>	<p>CO Rev Stat § 33-6-120</p>	<p>" Any person who violates this section is guilty of a misdemeanor and, upon conviction, shall be punished by a fine and an assessment of license suspension points as follows: (a) For each incident that is not related to the hunting or taking of a big game animal, the fine shall be equal to twice the cost of the most expensive license for such species and ten license suspension points shall be assessed" "Any person who violates this subsection (1) is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of one hundred dollars and an assessment of ten license suspension points." Any person who violates this subsection (1) is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of two hundred dollars and an assessment of twenty license suspension points."</p>	<p>CO Rev Stat § 33-6-120</p>
							<p>"(1) Unless permitted by the division, it is unlawful for any person to willfully damage or destroy any wildlife den or nest or their eggs or to harass any wildlife."</p>	<p>CO Rev Stat § 33-6-128 (1)</p>	<p>Any person who violates this subsection (1) is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of two hundred dollars and an assessment of twenty license suspension points."</p>	<p>CO Rev Stat § 33-6-128 (1)</p>
							<p>"(1) Unless permitted by law or by the division, it is unlawful for any person to use toxicants, poisons, drugs, dynamite, explosives, or any stupefying substances for the purpose of hunting, taking, or harassing any wildlife. "</p>	<p>CO Rev Stat § 33-6-130</p>	<p>assessment of twenty license suspension points."</p>	<p>CO Rev Stat § 33-6-130</p>
							<p>"(1) Except as otherwise provided in this part 2, it is unlawful to take wildlife with any leghold trap, any instant kill body-gripping design trap, or by poison or snare in the state of Colorado. Penalties shall be as provided in section 33-6-109 unless a different penalty is specifically provided in this part 2."</p>	<p>CO Rev Stat § 33-6-203</p>	<p>"(2) Except as otherwise provided in this part 2, any person who attempts to take wildlife using any leghold trap, instant kill body-gripping design trap, poison, or snare commits a class 1 petty offense and, upon conviction thereof, shall be punished by a fine of forty dollars and an assessment of four license suspension points."</p>	<p>CO Rev Stat § 33-6-203</p>
							<p>"(1) Section 33-6-203 shall not apply to: (a) The taking of birds or of rodents, other than beaver or muskrat, as authorized by law; or"</p>	<p>CO Rev Stat § 33-6-204</p>		



"(1) Section 33-6-203 shall not apply to the taking of wildlife by federal, state, county, or municipal departments of health for the purpose of protecting human health or safety." CO Rev Stat § 33-6-205

"(1) Notwithstanding section 33-6-203, but subject to regulation by the commission, authorized persons may use nonlethal snares, traps specifically designed not to kill, or nets to take wildlife for purposes of:

- (a) Bona fide scientific research;
- (b) Falconry;
- (c) Relocation permitted in accordance with rules of the division; or
- (d) Medical treatment of the animal being captured." CO Rev Stat § 33-6-206

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?
Connecticut					N/A	N/A	"(a) On or after July 1, 1993, no person sixteen years of age or older may hunt waterfowl or take waterfowl in the state without first procuring a Connecticut Migratory Bird Conservation Stamp and having such stamp in his possession. The stamp shall not be transferable and shall be issued annually."	CT Gen Stat § 26-27b			NO
	"(22) "Wildlife" means all species of invertebrates, fish, amphibians, reptiles, birds and mammals which are ferae naturae or wild by nature."	CT Gen Stat § 26-1	"(a) When it is shown to the satisfaction of the commissioner that wildlife is causing unreasonable damage to agricultural crops during the night and it is found by the commissioner that control of such damage by wildlife is impracticable during the daylight hours, the commissioner may issue permits for the taking of such wildlife as the commissioner deems necessary to control such damage by such method as the commissioner determines, including the use of lights, during the period between sunset and sunrise, upon written application of the owner or lessee of record of the land on which such crops are grown. Such permits may be issued to any qualified person designated by such landowner or lessee. The person to whom such permit is issued shall be held responsible for complying with the conditions under which such permit is issued. The provisions of this section shall not apply to deer."	CT Gen Stat § 26-47			"(b) (1) No person shall engage in the business of controlling nuisance wildlife, other than rats or mice, without obtaining a license from the commissioner. "	CT Gen Stat § 26-47	"(c) Any person who violates any provision of this section, or any condition under which a permit or license is issued, shall be guilty of a class D misdemeanor; and any permit or license issued to such person, and all other such permits or licenses issued to any other person for such property, shall be revoked by the commissioner and the right to obtain such permit or license shall remain suspended for such period of time as the commissioner determines."	CT Gen Stat § 26-47	
			"The commissioner may issue permits authorizing the establishment and operation of regulated private shooting preserves when in his judgment such preserves will not conflict with any reasonable prior public interest. [...] The commissioner shall govern and prescribe by regulations the size of the preserves, the methods of hunting, the species and sex of birds that may be taken, the open and closed seasons, the tagging of birds with tags furnished by the commissioner at a reasonable fee and the releasing, possession and use of legally propagated game birds thereon; and may require such reports as the commissioner deems necessary concerning the operation of such preserves. "	CT Gen Stat § 26-48					"Any permit issued under the provisions of this section may be revoked for a violation of any provision of this chapter or for a violation of any regulation made by the commissioner relating to private shooting preserves."	CT Gen Stat § 26-48	
			"(a) The commissioner may establish, by regulations adopted in accordance with the provisions of chapter 54, standards for the management of salmon, migratory game birds in accordance with section 26-92, pheasant and turkey which shall include provision for the issuance of permits, tags or stamps. "	CT Gen Stat § 26-48a			"No person shall be issued a permit, tag or stamp for migratory birds, pheasant or turkey without first obtaining a license to hunt and no person shall be issued a permit, tag or stamp for salmon without first obtaining a license to fish. "	CT Gen Stat § 26-48a			

			<p>"The commissioner may appoint as custodians persons who may have in their possession injured, sick or immature birds or quadrupeds until such time as they can be released, and he may issue permits without fee authorizing possession of legally acquired wild birds or quadrupeds as pets or for the purpose of training dogs. The commissioner may regulate the number and species of birds or animals to be held under such permits and the type and size of pens used in their confinement and their care and feeding. The commissioner, in the interest of protecting other game, domestic birds or quadrupeds or the public health and safety, or for a violation of any regulation under which the permit was granted, may revoke such permit and may confiscate birds or animals possessed by the permittee and may destroy such birds or animals when, in his opinion, such action is advisable. "</p>	CT Gen Stat § 26-54						
			<p>"Such permit may be issued at the discretion of the commissioner under such regulations as the commissioner may prescribe. The commissioner shall by regulation prescribe the numbers of live fish, wild birds, wild mammals, reptiles, amphibians or invertebrates of certain species which may be imported, possessed, introduced into the state or liberated therein. [...] The commissioner shall by regulation exempt from permit requirements organizations or institutions such as municipal parks, zoos, laboratories and research facilities maintained by scientific or educational institutions, museums, public nonprofit aquaria or nature centers where live fish, wild birds, wild mammals, reptiles, amphibians or invertebrates are held in strict confinement"</p>	CT Gen Stat § 26-55			<p>"(a) Except as provided in subsection (c) of this section, no person shall import or introduce into the state, or possess or liberate therein, any live fish, wild bird, [...] or invertebrate unless such person has obtained a permit therefor from the commissioner. "</p>	CT Gen Stat § 26-55	<p>"(c) Except as provided in subsection (e) of this section, any person who violates any provision of this section or any regulation adopted by the commissioner pursuant to this section shall be assessed a civil penalty not to exceed one thousand dollars, to be fixed by the court, for each offense. Each violation shall be a separate and distinct offense."</p>	CT Gen Stat § 26-55
			<p>" The commissioner may grant to any properly accredited person not less than eighteen years of age, upon written application, a permit to collect fish, crustaceans and wildlife and their nests and eggs, for scientific and educational purposes only, and not for sale or exchange or shipment from or removal from the state without the consent of the commissioner. The commissioner may determine the number and species of such fish, crustaceans and wildlife and their nests and eggs which may be taken and the area and method of collection of such fish, crustaceans and wildlife under any permit in any year. The permit shall be issued for a term established by the commissioner in accordance with federal regulations "</p>	CT Gen Stat § 26-60					<p>"Any person violating the provisions of this chapter or of the permit held by him shall be subject to the penalties provided in section 26-64, and, upon conviction of such violation, the permit so held by him shall become void."</p>	CT Gen Stat § 26-60

									concerning an alleged violation of any provision of this chapter, any regulation issued by the commissioner or any regulation issued by the United States Fish and Wildlife Service under the provisions of section 26-91 [...] the commissioner may suspend, after notice and hearing in accordance with the provisions of chapter 54, with respect to the person who is the subject of the complaint, any license, registration or permit issued pursuant to this chapter to such person or such person's right to obtain any such license, registration or permit for not more than one year, and such license, registration or permit, together with the flag or other insignia issued by the commissioner, shall be surrendered to the commissioner or his authorized agent. (b) Upon the conviction of any person for any violation of any provision of this chapter, any regulation issued by the commissioner or any regulation issued by the United States Fish and Wildlife Service under the provisions of	CT Gen Stat § 26-60	
									"Any person who violates any provision of this part for which no other penalty is provided shall be fined eighty-seven dollars, except that any person who takes, attempts to take or assists in taking any fish or bait species in violation of subsection (a) of section 26-27, such fine shall be suspended and the case dismissed for any first time violator who provides proof of purchase of the requisite license subsequent to the violation but prior to the imposition of such fine."	CT Gen Stat § 26-64	
	"(1) As used in this section and section 26-67e, "raptor" means any bird of the family Accipitridae, Falconidae or Strigidae, but does not mean any bird listed as endangered, threatened or of special concern in regulations adopted under section 26-306."	CT Gen Stat § 26-67d	"Any person engaged in falconry shall abide by the provisions of Title 50 CFR and guidelines established by the United States Fish and Wildlife Service governing falconry. The Commissioner of Energy and Environmental Protection may adopt regulations, in accordance with the provisions of chapter 54, consistent with or more restrictive than federal regulations."	CT Gen Stat § 26-67e							
			"The commissioner may, in an emergency, declare a closed season on any species of game birds, wild quadrupeds, reptiles or amphibians threatened with undue depletion from any cause and, if deemed necessary, to close any area, or any stream, lake or pond, or portions thereof, to hunting and trapping for limited periods of time."	CT Gen Stat § 26-68				"No person shall buy, sell or exchange, or have in possession with intent to sell or exchange, any wild or game bird, wild quadruped, reptile or amphibian, alive or dead, or parts thereof, including plumage of any such bird, except as provided in this chapter, provided any game bird, wild quadruped, reptile or amphibian, alive or dead, or parts thereof, not including plumage of any such bird, legally taken and legally transported into this state from any other state or country which does not prohibit the sale or exportation of such bird, wild quadruped, reptile or amphibian, may be bought or sold in this state at any time of the year under such regulations as may be made by the commissioner. The commissioner may make regulations governing the importation, transportation, purchase, sale or exchange of wild or game bird plumage."	CT Gen Stat § 26-78	"Any person who violates any provision of this section or any regulation or order issued by the commissioner under this section shall be guilty of a class C misdemeanor."	CT Gen Stat § 26-78

" For the purposes of this section, the following shall be considered game birds: The anatidae, or waterfowl, including brant, wild ducks and geese; the rallidae, or rails, including coots, gallinules and sora and other rails; the limicolae, or shore birds, including snipe and woodcock; the gallinae, including wild turkeys, grouse, prairie chickens, pheasants, partridge and quail; the corvidae, including crows. "

CT Gen Stat § 26-92

"(a) The closed season, daily bag limit and possession limit for migratory game birds and the methods of taking such game birds shall be at least as stringent as the closed season, daily bag limit, possession limit and methods of taking, including allowable compositions of nontoxic shot, fixed for such birds by the regulations of the United States Fish and Wildlife Service, made under the provisions of an Act of Congress Relating to Migratory Birds."

CT Gen Stat § 26-91 (a)

"The commissioner may establish and define by regulation, for the purpose of controlling waterfowl hunting, zones on either side of the lines fixed by it to distinguish open coastal waters beyond outer harbor limits where certain species of waterfowl may be taken during the open season. The area shoreward of such lines established by the commissioner and the mainland or shore shall, for the purpose of this section, be known as coastal waters within outer harbor limits and the area seaward of such lines shall be known as open coastal waters beyond outer harbor limits."

CT Gen Stat § 26-77

" Nothing in this section shall be construed to prevent the setting of traps on poles eight or more feet from the ground for the purpose of taking predatory birds not protected by law, provided the commissioner may issue permits authorizing the taking, by such method as he determines, such birds as become a nuisance or birds that should be controlled because of the damage they do to property, poultry, domestic animals and agricultural crops. No permit shall be required under the provisions hereof by persons authorized by the United States Fish and Wildlife Service to trap birds for the purpose of banding and release provided the commissioner may require such authorized persons to obtain a permit to trap any species of bird listed as endangered, threatened or of special concern as defined in section 26-304."

CT Gen Stat § 26-95

" Any person who violates any provision of this part for which no other penalty is provided shall be guilty of a class D misdemeanor."

CT Gen Stat § 26-81

"Any person who disturbs, hunts, takes, kills or attempts to kill any bald eagle or disturbs any active bald eagle nest"

CT Gen Stat § 26-93

"shall be fined not more than one thousand dollars or imprisoned not more than thirty days or both."

CT Gen Stat § 26-93

" Any person who hunts, takes, wounds or kills or attempts to hunt, take, wound or kill any species of swan, including the whistling swan (Cygnus columbianus), the trumpeter swan (Cygnus buccinator) and the mute swan (Steheneleides olor)"

CT Gen Stat § 26-94

"shall be fined not more than two hundred fifty dollars."

CT Gen Stat § 26-94

"Nothing in this section shall affect the right to kill or have in possession to be sold or offered for sale wild ducks, geese and brant, bred or propagated by any domestic breeder."

CT Gen Stat § 26-91 (a)

"Any person who violates any provision of this subsection shall be fined not more than two hundred fifty dollars. The possession of each bird or part thereof shall constitute a separate offense."

CT Gen Stat § 26-91 (a)

"No person shall catch, kill or purchase or attempt to catch, kill or purchase, sell, offer or expose for sale or have in possession, living or dead, any wild bird other than a game bird, or purchase or attempt to purchase, sell, offer or expose for sale or have in possession any part of any such bird or of the plumage thereof except as acquired under the provisions of this chapter. [...] No person shall take or destroy any nest or any egg of any wild bird or game bird. No person shall possess any nest or egg of any wild or game bird."

CT Gen Stat § 26-92

"Any person who violates any provision of this part, or any regulation issued by the commissioner pursuant thereto, for which no other penalty is provided, or who makes any material false statement in procuring any permit, shall be fined not more than two hundred fifty dollars, and the possession of each bird or part thereof, taken or possessed in violation of any such provision, shall constitute a separate offense."

CT Gen Stat § 26-98

"No person shall trap, net or snare any bird for which a closed season is provided or which is protected by statute, or set, bait, place or use any net, trap, snare or other device for the purpose of taking any bird. "

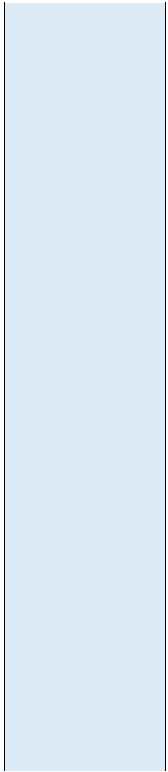
CT Gen Stat § 26-95

(20) "Taking" means shooting, pursuing, hunting, fishing, killing, capturing, trapping, snaring, hooking and netting any species of wildlife and attempting to shoot, pursue, hunt, fish, kill, capture, trap, snare, hook, net or catch any species of wildlife or any act of assistance to any other person in taking or attempting to take such wildlife whether or not such act results in the capture of any such wildlife.

CT Gen Stat § 26-1

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?
Delaware	"(2) "Migratory waterfowl" means a wild goose, brant or wild duck."	7 DE Code § 517	"When information is furnished to the Department that any species of protected wildlife has become, under extraordinary conditions, seriously injurious to agriculture or other interests in any particular community, an investigation shall be made by the Department to determine the nature and extent of the injury, whether the protected wildlife alleged to be doing the damage should be killed or captured and, if so, by whom, during what times and by what means. The Department shall issue an appropriate order giving effect to its determination."	7 DE Code § 113			"(b) Except as otherwise provided herein, no person may hunt or take any migratory waterfowl within this State without first procuring a migratory waterfowl stamp as provided for by this section. Such stamp must be in the possession of every person when hunting or taking any migratory waterfowl."	7 DE Code § 517			NO
			"Upon receipt by the Department of information from the owner, tenant or sharecropper that any 1 or more species of protected wildlife are detrimental to his or her crops, property or other interests on the land on which he or she resides or controls, together with a statement of the location of the land, the nature of the crops, property or other interests being damaged or destroyed, the extent of the injury and the particular species of protected wildlife committing the injury, an investigation shall be made by the Department, and, if it is determined from such investigation that the injury complained of is substantial and can be abated only by killing or capturing the protected wildlife, or so many thereof as in the opinion of the Department is necessary, a permit to kill or capture any number or all of such protected wildlife on such premises shall be issued by the Department"	7 DE Code § 114			"A permit to sell any game animals or game birds shall be required of a breeder to ship game animals or game birds out of this State. The permit shall be obtained from the Department. "	7 DE Code § 544	"Whoever violates this subchapter shall be fined guilty of a class D environmental violation for each offense."	7 DE Code § 545	
			"(b) Permits issued under this section may establish any conditions and/or restrictions deemed appropriate by the Division of Fish and Wildlife."	7 DE Code § 555			"(a) No person or persons shall take, capture, have in possession or transport protected wildlife, finfish, shellfish, or their nests or eggs for scientific, education or propagating purposes except as authorized by a permit from the Director of the Division of Fish and Wildlife in accordance with existing laws and regulations."	7 DE Code § 555	"(f) Whoever violates this section or any rule and regulation adopted pursuant to this section shall be guilty of a class C environmental violation for each offense."	7 DE Code § 555	
			"The Department [...] to persons, clubs or associations, authorizing the holders thereof to carry on, pursuant to regulations issued by the Department in furtherance of the purposes of this subchapter, propagating, holding, raising, releasing and shooting of rabbits and game birds, such as but not limited to pheasant, grouse, quail and partridge, hereinafter sometimes referred to individually or collectively as game."	7 DE Code § 566			"For the purpose of stimulating an increase in the quantity of game released upon such reservations, the licensee, the licensee's invitees or guests, when properly licensed to hunt in accordance with the laws of this State, [...] may kill, without regard to sex, any number of such game so liberated, even if the number exceeds the limits otherwise prescribed by law."	7 DE Code § 568	"Persons who trespass upon any restricted preserve authorized by this subchapter for the purpose of shooting or harassing any kind of wildlife without first obtaining permission to do so from the owner or occupant thereof, shall be guilty of class B environmental misdemeanor. "	7 DE Code § 571	

							"(a) No person shall make use of any pitfall, deadfall, scaffold, cage, snare, trap, net, pen, baited hook, lure, urine or baited field or any other similar device for the purpose of injuring, capturing or killing birds or animals protected by the laws of this State [...] (b) No person shall make use of any drug, poison, chemical or explosive for the purpose of injuring, capturing or killing birds or animals protected by the laws of this State."	7 DE Code § 704			
							"No person shall needlessly destroy, break or interfere with any nest, den or lair of any bird or animal protected by the laws of this State, or set fire to, burn, bark or in any way mutilate any tree, living or dead, stump or log, on lands of another, without the express consent of the owner or person in charge."	7 DE Code § 706			
							"No person shall pursue, catch, take or kill any migratory bird or fowl except within the hours permitted by federal laws and regulations. "	7 DE Code § 709			
	"The following shall be considered game birds: The Anatidae, commonly known as geese, brant and river and sea ducks; the Rallidae, commonly known as rails, coots, mudhens and gallinules; the Limicolae, commonly known as shore birds, plovers, surf birds, snipe, woodcock, sandpipers, tattlers and curlews; the Gallinae, commonly known as wild turkeys, grouse, prairie chickens, pheasants, chukar partridges, partridges and quail; also the reed bird of the Icteridae; and the dove."	7 DE Code § 702					"(a) No person shall have more than 2 times the daily bag limit or creel limit of any game bird, game animal or game fish in that person's possession at any 1 time when it is lawful to possess such wildlife, except that possession limits for game birds protected under the Migratory Bird Treaty Act [16 U.S.C. § 703 et seq.] shall be defined by federal regulations. Any game bird, game animal, or game fish that has been processed and stored for consumption at a person's permanent residence shall not count against the person's possession limit. [...] (b) No person shall have in possession any game fish during the closed season for said fish, whether the same shall have been taken within or without the State, and no person shall at any time of the year barter, sell, offer for sale or buy any game birds, game animals or game fish protected by the laws of this State, and killed or caught either lawfully or unlawfully within or without this State [...]. (c) No person shall knowingly have in possession any game birds, animals or fish which have been unlawfully killed or taken, except when	7 DE Code § 715	"(d) Whoever violates this section shall be guilty of a class C environmental violation for each offense. In addition to being fined and/or imprisoned, the violator shall be fined \$25 for each game bird, game fish and game animal caught or killed illegally, purchased or offered to purchase, sold, offered for sale, bartered or exchanged, or taken or killed or found in possession in excess of the bag or creel limit."	7 DE Code § 715	
							"Any person required by this title to obtain a license before hunting, trapping or fishing in this State and who hunts, traps or fishes without having obtained such license"	7 DE Code § 716	"shall be guilty of a class C environmental violation."	7 DE Code § 716	
							"Any person who shall frighten or harass migratory birds while at rest on the property of another by use of a rifle, shotgun or any other weapon, "	7 DE Code § 717	"shall be guilty of a class C environmental violation."	7 DE Code § 717	
				"(b) The State hereby adopts Title 50 of the Code of Federal Regulations pertaining to falconry, and the Department may promulgate such other regulations as may be necessary to govern the practice of falconry."	7 DE Code § 725		"(a) No person may take, transport or possess any raptor for falconry purposes in this State without first procuring a falconry permit from the Department." "Any person who shall frighten or harass migratory birds while at rest on the property of another by use of a rifle, shotgun or any other weapon, "	7 DE Code § 725			
							"No person shall catch, kill, have in possession (living or dead), purchase, sell or expose for sale, transport or ship any wild bird other than a game bird, or any part of the plumage, skin or body of any such bird, or any game bird, except as expressly permitted by law"	7 DE Code § 734			
							"No person shall take or needlessly destroy the nests or eggs of any wild bird, nor have such nests or eggs in that person's possession."	7 DE Code § 735			



"Sections 734, 735 and 736 of this title shall not apply to any person holding a license giving the right to take birds and their nests and eggs for scientific purposes."

7 DE Code § 737

"(a) Any person who disturbs, destroys or in any manner damages a bald eagle's nest or aerie [...] (b) Any person shooting, killing or attempting to kill a bald eagle or any person who removes, or attempts to remove eggs or eaglets from their nest or aerie [...] (c) Any person who barter, offers to barter, trades, offers to trade or possesses any bald eagle, bald eagle eggs or eaglets "

7 DE Code § 739

"shall be guilty of a class A environmental misdemeanor"

7 DE Code § 739

"The crow may be hunted in accordance with federal regulations."

7 DE Code § 740

environmental misdemeanor shall be fined not less than \$1000, nor more than \$10,000, plus the costs of prosecution and court costs, or such person shall be imprisoned for up to 60 days, or such person shall be both fined and imprisoned according to the foregoing limitations. Any person convicted of a class A environmental misdemeanor within 5 years of a prior conviction for a class A environmental misdemeanor shall be fined not less than \$2,000, nor more than \$20,000, plus the costs of prosecution and court costs, or such person shall be imprisoned for up to 120 days, or such person shall be both fined and imprisoned according to the foregoing limitations.

(e) Any person convicted of a class B environmental misdemeanor shall be fined not less than \$250, nor more than \$1,000, plus the costs of prosecution and court costs, or such person shall be imprisoned for up to 30 days, or such person shall be both fined and imprisoned according to the

7 DE Code § 1304

"Notwithstanding any other provision of this title, a person may hunt snow geese by any method, provided the individual complies with federal laws and regulations."

7 DE Code § 741

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-Inclusive reading of the MBTA?
Florida	<p>"In construing these statutes, where the context does not clearly indicate otherwise, the word, phrase, or term: [...]"</p> <p>(13) "Fish and game" means all fresh and saltwater fish, shellfish, crustacea, sponges, wild birds, and wild animals. [...]"</p> <p>(20) "Game" means deer, bear, squirrel, rabbits, and, where designated by commission rules, wild hogs, ducks, geese, rails, coots, gallinules, snipe, woodcock, wild turkeys, grouse, pheasants, quail, and doves." [...]"</p> <p>(38) "Take" means taking, attempting to take, pursuing, hunting, molesting, capturing, or killing any wildlife or freshwater or saltwater fish, or their nests or eggs, by any means, whether or not such actions result in obtaining possession of such wildlife or freshwater or saltwater fish or their nests or eggs."</p>	FL Stat § 379.101	N/A	N/A	N/A	N/A	<p>"(1) Any person owning land in this state may establish, maintain, and operate within the boundaries thereof, a private preserve and farm, not exceeding an area of 640 acres, for the protection, preservation, propagation, rearing, and production of game birds and animals for private and commercial purposes, provided that no two game preserves shall join each other or be connected. [...]" (3) It is unlawful for any common carrier to knowingly transport or receive for transportation any domestic game unless the package or container containing such shipment has attached thereto a permit for such shipment and such package or container shall be marked on the outside showing quantity and kind of game enclosed."</p> <p>(1) Any person owning land in this state may establish, maintain, and operate within the boundaries thereof, a private preserve and farm, not exceeding an area of 640 acres, for the protection, preservation, propagation, rearing, and production of game birds and animals for private and commercial purposes, provided that no two game preserves shall join each other or be connected"</p>	FL Stat § 379.302	<p>"(4) Any person violating this section for the first offense commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, and for a second or subsequent offense commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. Any person convicted of violating this section shall forfeit to the commission any license issued under s. 379.3711; and no further license shall be issued to such person for a period of 1 year following such conviction."</p>	FL Stat § 379.302	YES
							<p>"(1) Any person who operates a private hunting preserve commercially or otherwise shall be required to pay a license fee of \$70 for each such preserve; provided, however, that during the open season established for wild game of any species a private individual may take artificially propagated game of such species up to the bag limit prescribed for the particular species without being required to pay the license fee required by this section; provided further that if any such individual shall charge a fee for taking such game she or he shall be required to pay the license fee required by this section and to comply with the rules of the commission relative to the operation of private hunting preserves."</p>	FL Stat § 379.3712	<p>"(1) The prosecuting officers of the several courts of criminal jurisdiction of this state shall investigate and prosecute all violations of the laws relating to game, freshwater fish, nongame birds, and fur-bearing animals which may be brought to their attention by the commission or its conservation officers, or which may otherwise come to their knowledge."</p>	FL Stat § 379.332	
							<p>"(1) In order to provide humane treatment and sanitary surroundings for wild animals kept in captivity, no person, party, firm, association, or corporation shall have, or be in possession of, in captivity for the purpose of public display with or without charge or for public sale any wildlife, specifically birds, mammals, amphibians, and reptiles, whether native to Florida or not, without having first secured a permit from the commission authorizing such person, party, firm, association, or corporation to have in its possession in captivity the species and number of wildlife specified within such permit; however, this section does not apply to any wildlife not protected by law and the rules of the commission. No person, party, firm, association, or corporation may sell any wild animal life designated by commission rule as a conditional or prohibited species, Class I or Class II wildlife, reptile of concern, or venomous reptile in this state, regardless of the origin of the sale or the location of the initial transaction, unless authorized by the commission."</p>	FL Stat § 379.3761			

<p>"(2) The classifications of types of wildlife and fees to be paid for permits for the personal possession of wildlife shall be as follows: (a) Class I—Wildlife which, because of its nature, habits, or status, shall not be possessed as a personal pet. (b) Class II—Wildlife considered to present a real or potential threat to human safety, the sum of \$140 per annum. (c) Class III—All other wildlife not included in Class I or Class II, for which a no-cost permit must be obtained from the commission."</p>		<p>FL Stat § 379.3762</p>				<p>"(1) It is unlawful for any person or persons to possess any wildlife as defined in this act, whether native to Florida or not, until she or he has obtained a permit as provided by this section from the Fish and Wildlife Conservation Commission."</p>	<p>FL Stat § 379.3762</p>	<p>"(5) A person who violates this section is punishable as provided in s. 379.4015."</p>	<p>FL Stat § 379.3762</p>	
								<p>18, 19, 21, 23, 24, 25, 26, 27, and 28 and of subchapter I of Chapter 11 of this title or Department orders, rules or regulations promulgated to implement provisions of these chapters are designated as environmental misdemeanors and violations. [...] (1) LEVEL ONE VIOLATIONS.— (a) A person commits a Level One violation if he or she violates any of the following provisions: 1. Rules or orders of the commission relating to the filing of reports or other documents required to be filed by persons who hold any recreational licenses and permits issued by the commission. 2. Rules or orders of the commission relating to quota hunt permits, daily use permits, [...] 3. Rules or orders of the commission relating to daily use permits, [...] (b) A person who commits a Level One violation commits a noncriminal infraction and shall be cited to appear before the county court. [...]</p>	<p>FL Stat § 379.401</p>	
								<p>provided by law, the following classifications and penalties apply: (a) A person commits a Level One violation if he or she violates any of the following provisions: 1. Rules or orders of the commission requiring free permits or other authorizations to possess captive wildlife. 2. Rules or orders of the commission relating to the filing of reports or other documents required of persons who are licensed to possess captive wildlife. 3. Rules or orders of the commission requiring permits to possess captive wildlife for which a fee is charged, when the person being charged was issued the permit and the permit has expired less than 1 year prior to the violation. (b) Any person cited for committing any offense classified as a Level One violation commits a noncriminal infraction, punishable as provided in this section. (c) Any person cited for committing a noncriminal infraction specified in paragraph (a) shall be cited to appear</p>	<p>FL Stat § 379.4015</p>	

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?
Georgia	"As used in this title, the term: [...] (37) "Game species" means all game animals, game birds, and game fish. [...] (43) "Migratory game birds" means all the following birds: brant, coots, cranes, doves, ducks, gallinules, geese, rails, snipe, swans, and woodcock. Birds which are mutations of such birds and birds which are the result of hybridization between such birds or between such birds and other birds are included as migratory game birds. [...] (58) "Raptor" means a live migratory bird of the order Falconiformes or the order Strigiformes, other than the bald eagle (Haliaeetus leucocephalus) or the golden eagle (Aquila chrysaetos). [...] (67) "Small game" means all game animals and game birds other than big game" [...] "Take" means killing, capturing, destroying, catching, or seizing.	GA Code § 27-1-2	"For purposes of wildlife management and in accordance with sound principles of wildlife research and management, authorized personnel of the department and persons authorized by contract with the department are authorized to take, transport, possess, purchase, sell, band, and release wildlife at such times, by such methods, and in such quantities as are otherwise made unlawful by this title."	GA Code § 27-1-22	N/A	N/A	"Except as otherwise specifically provided, it shall be unlawful for any person in this state to sell or to purchase any game species or parts thereof, provided that authorized personnel of the department and of any federal agency may buy or sell such game species or parts thereof for the sole purpose of obtaining evidence of violations of the wildlife laws and regulations."	GA Code § 27-1-29			YES
							"Except as otherwise provided by law or regulation, it shall be unlawful to disturb, mutilate, or destroy the dens, holes, or homes of any wildlife; to blind wildlife with lights; or to use explosives, chemicals, electrical or mechanical devices, or smokers of any kind in order to drive such wildlife out of such habitats."	GA Code § 27-1-30	"Unless otherwise specifically provided, any person who violates any of the provisions of this title shall be guilty of a misdemeanor"	GA Code § 27-1-38	
			"The department may specify the effective dates and term of the following licenses or permits: (1) The Georgia waterfowl and migratory bird stamp to meet requirements of Code Section 27-2-20;"	GA Code § 27-2-3			"(c) It shall be unlawful for any person who has attained the age of 16 years to hunt ducks, geese, or swans unless such person has in his or her possession a Georgia waterfowl and migratory bird stamp in addition to the required hunting license; provided, however, that a Georgia waterfowl and migratory bird stamp or a landowner Georgia waterfowl and migratory bird stamp shall be required for any resident of this state to hunt migratory birds on premises owned by him or her or his or her immediate family."	GA Code § 27-2-6			
			"(b) The department is also authorized to enter into agreements, from time to time, with the proper authorities of the States of Alabama, Florida, South Carolina, North Carolina, and Tennessee whereby a valid hunting license issued by the State of Georgia will be accepted and honored, as and in lieu of a hunting license for the respective state so agreeing, for hunting waterfowl only, on the banks and in the waters of the lakes, rivers, and streams lying between the State of Georgia and such adjoining state or partly within the boundaries of both the State of Georgia and the adjoining state."	GA Code § 27-2-7			"It shall be unlawful for any person to hold or possess any game animal or game bird for the purpose of propagation or to hold such animal or bird as a pet without first obtaining a valid game-holding permit as provided in Code Section 27-2-23."	GA Code § 27-2-11			

"(d) In accordance with subsection (b) of this Code section and in accordance with the framework of open hunting season dates for migratory game birds established by the United States Fish and Wildlife Service and as may be appropriate based on sound wildlife management principles, the board is authorized to promulgate rules and regulations establishing methods of taking, daily and season bag limits, and open seasons for migratory game birds on a state-wide, regional, or local basis. The board is specifically authorized to promulgate such rules and regulations without complying with Chapter 13 of Title 50, the "Georgia Administrative Procedure Act"; and all rules and regulations promulgated by the board pursuant to this subsection shall be effective immediately upon adoption by the board."

GA Code § 27-3-15

"It shall be unlawful for any person to make use of any pitfall, deadfall, catch, snare, trap, net, salt lick, blind pig, baited hook, or other device for the purpose of taking any game animal or game bird or any other wildlife, except as otherwise provided in this title or by rule or regulation of the board."

GA Code § 27-3-8

"(a.1) It shall be unlawful for any person to place, expose, deposit, distribute, or scatter any corn, wheat, or other grains, salts, apples, or other feeds or bait so as to constitute a lure or attraction or enticement for any game bird or game animal on or over any area where hunters are or will be hunting. [...] (b)(1) Except as otherwise provided by law or regulation, it shall be unlawful for any person to hunt any game bird or game animal upon, over, around, or near any place where any corn, wheat, or other grains, salts, apples, or other feed or bait has been placed, exposed, deposited, distributed, or scattered so as to constitute a lure, attraction, or enticement to such birds or animals. It shall also be unlawful to hunt any game animal or game bird upon, over, around, or near any such place for a period of ten days following the complete removal of all such feed or bait."

GA Code § 27-3-9

"It shall be unlawful for any person to kill or cripple any game bird or game animal without making a reasonable effort to retrieve the same."

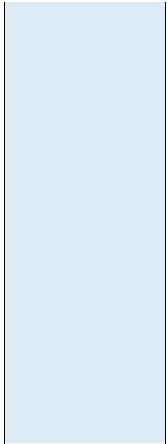
GA Code § 27-3-14

"It shall be unlawful for any person to hunt, trap, take, possess, sell, purchase, ship, or transport any hawk, eagle, owl, or any other bird or any part, nest, or egg thereof, except for the English or European house sparrow, the European starling, feral pigeons, and domestic fowl, and except as otherwise permitted by the game and fish laws of this state; provided, however, that any person may transport into this state feathers of birds, other than migratory game birds, for millinery purposes."

GA Code § 27-3-22

"It shall be unlawful for any person to remove, ship, or transport from any point within this state to another point within this state or from any point within this state to any point beyond the borders of this state, except as otherwise provided, any wildlife taken in this state unless the wildlife is in the personal possession of or is carried openly by the person who took such wildlife and unless the person has in his possession a proper license or permit as prescribed by the wildlife laws, rules, and regulations."

GA Code § 27-3-90



"It shall be unlawful for any person to ship or transport from any point within this state to any other point within this state, or to points beyond this state, any wildlife or parts thereof for propagation or scientific purposes unless the person has been issued and is holding a valid scientific collecting permit. "

GA Code § 27-3-93

"It shall be unlawful for any carrier to ship, transport, or receive for shipment or transportation any wildlife, except as otherwise provided by the wildlife laws, rules, or regulations, without having ascertained that the person offering the wildlife for shipment or transportation was then and there in possession of a proper license or permit duly issued for the period when the shipment was offered, or without receiving from the person a sworn statement as provided in paragraph (3) of Code Section 27-3-92. Any carrier who shall ship or transport the skins, hides, or pelts of fur-bearing animals shall be required to make reports of such shipments or transportation as may be required by the rules and regulations of the board."

GA Code § 27-3-94

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?
Hawaii	"As used in this chapter, unless the context indicates otherwise: [...] "Game birds" means birds designated by law or by rule for hunting. [...] "Wild birds" means birds, other than game birds, living in a wild and undomesticated state, and the young and eggs of those birds." [...] "Take" means to injure, hunt, shoot, wound, kill, trap, net, capture, or possess.	HI Rev Stat § 183D-1	"(b) Notwithstanding the provisions of any other law, the department may issue permits to any person to take wildlife in any part of the State, for scientific, educational, or propagation purposes, except as prohibited by chapter 195D and subject to the rules adopted by the department."	HI Rev Stat § 183D-6	N/A	N/A					YES
			" The department shall endeavor to secure the cooperation and assistance of and shall cooperate with the appropriate agency of the United States, or other governmental authorities having an interest in the subject matter of this chapter, in every way possible, for the promotion of the purposes of this chapter. More specifically the department may permit the appropriate agency of the United States to occupy any land or building and use any appliance, apparatus, or property held or controlled by the department, either independently or in conjunction with the department, upon such terms and conditions as the department and the agency may mutually agree. "	HI Rev Stat § 183D-8			" No person shall hunt, pursue, kill, or take any game bird or mammal without first procuring a hunting license; provided that section 183D-32 to the contrary notwithstanding, no license shall be required of persons who may be authorized in writing by the board to destroy game birds or game mammals injurious to forest growth or agriculture, or that constitute a nuisance or a health hazard. "	HI Rev Stat § 183D-21			
							"No person, other than the owner thereof, shall shoot, maim, kill, or detain any Antwerp, messenger, or homing pigeon."	HI Rev Stat § 183D-33			
							"(a) For the purpose of encouraging private and commercial shooting preserves, game bird farming, and the domestication and propagation of game birds, a license authorizing the licensee to engage in the business of conducting a private and commercial shooting game preserve, or breeding and selling game birds, as limited in this section, shall be issued by the department pursuant to rules as may be adopted by the department, to any responsible resident person duly applying therefor. "	HI Rev Stat § 183D-34			
			"(a) The department may declare, by rule adopted pursuant to chapter 91, any bird which has been or may be introduced into the State to be propagated for hunting purposes, to be a game bird within the meaning of this chapter."	HI Rev Stat § 183D-31			"(a) No person shall intentionally, knowingly, or recklessly take, kill, pursue, or have in possession any bird declared as a game bird by law or by rule of the department at any time, except during an open season duly established and designated by the department for taking, killing, or possessing"	HI Rev Stat § 183D-32			
							" (a) Any responsible resident of good character who is a holder of the license defined in section 183D-34 may bring within the State and have the custody of, for the purpose of conducting a private and commercial shooting preserve, domestication, propagation, or selling, as provided in this chapter, any game bird, except those prohibited by section 150A-6"	HI Rev Stat § 183D-35			

							<p>"After first having obtained a permit from the department, a licensee may obtain any number of game birds from any state game farm or from city park boards from another county, state, or foreign jurisdiction, or, with the consent of the department, transfer to another licensee any game bird taken or secured under this chapter. A licensee, after obtaining a permit may sell, give away, or dispose of the eggs of any game bird, lawfully in the licensee's possession, for propagation purposes only."</p>	<p>HI Rev Stat § 183D-40</p>			
			<p>"a) Notwithstanding the provisions contained in this chapter, the department may adopt rules pursuant to chapter 91:"</p>	<p>HI Rev Stat § 183D-61</p>		<p>"(1) Authorizing the taking and collecting of wild birds, game birds, and game mammals for scientific and educational purposes, or for the purpose of distributing wild birds to different localities in the State pursuant to this title; (2) Authorizing the keeping of wild birds in captivity for the protection, treatment for injury or disease, propagation, and other similar purposes consistent with the preservation, protection, and conservation of wild birds; (3) Authorizing the taking and destruction of those wild birds, game birds, and game mammals the department may have found after investigation to be destructive to crops or to other game birds and game mammals or otherwise harmful to agriculture or aquaculture, or to constitute a nuisance or a health hazard; or (4) Authorizing without requiring permits or reports, the destruction within a district of wild birds, game birds, and game mammals which are generally destructive to crops or otherwise harmful to agriculture or aquaculture, or constitute a nuisance or a health hazard within the district. (b) Except as provided in subsection (a)(4), the rules shall require the person or persons seeking authority to apply for and obtain a written permit from the department."</p>	<p>HI Rev Stat § 183D-61</p>				
						<p>"Except as provided in section 183D-61, no person shall intentionally, knowingly, or recklessly take, catch, injure, kill, or destroy, or attempt to take, catch, injure, kill, or destroy, any wild bird, or to keep or have possession of any wild bird, dead or alive, or to damage or destroy a nest of any wild bird."</p>	<p>HI Rev Stat § 183D-62</p>				
						<p>" Except as provided in section 183D-61, no person shall keep in captivity any wild bird unless the bird was lawfully imported into the State or was bred in captivity from birds lawfully imported."</p>	<p>HI Rev Stat § 183D-63</p>				
						<p>"No person shall transport or cause to be transported by any means any wild bird from any part of the State; provided that specimens of wild birds required for scientific or educational purposes may be exported from the State only when authorized under permits issued by the department."</p>	<p>HI Rev Stat § 183D-64</p>	<p>" (a) Any person violating section 183D-21, 183D-25, 183D-33, or 183D-63 or any rule adopted under this chapter shall be guilty of a petty misdemeanor, and upon conviction thereof, shall be punished as follows: (1) For a first conviction, by a mandatory fine of not less than \$100, or imprisonment of not more than thirty days, or both; [...] (b) Any person violating section 183D-66, 183D-25.5, 183D-26, 183D-27, 183D-32, 183D-62, or 183D-64 shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished as follows: (1) For a first conviction by a mandatory fine of not less than \$200, or by imprisonment of not more than one year, or both;"</p>	<p>HI Rev Stat § 183D-5</p>		

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-Inclusive reading of the MBTA?
Idaho			"With the exception of predatory animals, the Idaho fish and game commission is hereby authorized to define by classification or reclassification all wildlife in the state of Idaho. Such definitions and classifications shall include: [...] (b) Game birds [...] (e) Migratory birds [...] (g) Protected nongame species (h) Unprotected wildlife Predatory wildlife shall include: [...] 5. Starling"	ID Code § 36-201	N/A	N/A					INDETERMINATE
			" (h) Nonresident Bird of Prey Capture Permit. The commission may, under rules as it may prescribe, issue a nonresident bird of prey capture permit. This capture permit may be purchased by any licensed nonresident falconer for capturing birds of prey in Idaho. [...] (k) Migratory Bird Harvest Information Program Permit. The commission may, as provided by federal laws or regulations and under rules as it may prescribe, issue a migratory bird harvest information program permit that must be purchased by all persons prior to hunting migratory game birds as required by federal law or regulations. The fee for the permit shall be as specified in section 36-416, Idaho Code."	ID Code § 36-409							
			" (g) Commission May Permit Sales. The commission may, by rule, permit the sale of other parts of wildlife when such sale will not injuriously affect the species permitted."	ID Code § 36-501			"No person shall sell or buy any species of wildlife or parts thereof except as hereinafter provided. (a) Sale of Unprotected Wildlife. The sale of legally taken species of wildlife classified as unprotected by law shall be lawful. (b) Sale of Game Animals. The sale of legally taken hides, horns, or heads of game animals, when detached from the carcass, and mounted wildlife, where sale is not specifically prohibited by federal statute or regulation or state statutes, shall be lawful only when the wildlife to be sold is accompanied by a statement showing that the animals were lawfully taken. [...] (d) Sale of Seized Wildlife. The sale and purchase of court confiscated, abandoned, or unclaimed wildlife shall be lawful when made in accordance with the provisions of section 36-1304, Idaho Code. (e) Sale of Commercially Raised or Harvested Wildlife. The sale of wildlife legally raised or harvested commercially by properly licensed commercial operations, if required to be licensed, shall be lawful except as provided by rules promulgated pursuant to section 36-104(b)6., Idaho Code. The provisions of this section shall not apply to domestic fur-bearing animals as defined in chapter 30, title 25, Idaho Code."	ID Code § 36-501			

							<p>manner, or accept for transportation or shipment any wildlife except as hereinafter provided.</p> <p>(a) Possession and Transportation.</p> <p>1. The possession and transportation of any legally taken wildlife shall be lawful when the same is in the possession of or is being transported by the taker of said wildlife and is accompanied by the appropriate licenses, tags, and/or permits attached and/or validated in the manner prescribed by the provisions of sections 36-409(d) and 36-410(a), Idaho Code.</p> <p>2. Possession or transportation of any legally taken wildlife by any person other than the taker shall be lawful when such wildlife is accompanied by a written statement prepared and signed by the taker showing the number, kind, and date taken and the name, address and license number of the taker and other such information as may be specified by the commission. In addition to such statements said wildlife shall be accompanied by the appropriate validated tag therefor and/or such permits as may be required under the provisions of this title [...] Provided, however, that no person may lawfully claim, be granted or assume ownership of more game animals, game birds, or game fish taken within the state than allowed by possession limits established by the commission.</p>	ID Code § 36-502		
			"(c) All such wildlife shall be subject to the operation and effect of the laws of the state of Idaho to the same extent and in the same manner as though such wildlife had been produced in Idaho."	ID Code § 36-504			"(a) It shall be unlawful for any person to import, export, transport, sell, receive, acquire, purchase or possess any wildlife, as defined in section 36-202, Idaho Code, that is taken, possessed or sold on or after July 1, 1991, in violation of any law or regulation of the United States, any Indian law or regulation, or any law or regulation of any state other than Idaho, or laws or regulations of a foreign country."	ID Code § 36-504	"(b) Each violation shall be a separate offense and the offense shall be deemed to have been committed not only in the location where the violation first occurred, but also in any location in which the defendant may have been in possession of such wildlife within the state of Idaho. [...] (d) Any person who violates the provisions of this section shall be punished in accordance with the provisions of chapter 14, title 36, Idaho Code."	ID Code § 36-504
							"(a) No person shall engage in any propagation or hold in captivity any species of big game animal found wild in this state, unless the person has been issued a license or permit by the director as hereinafter provided. (b) All other species of mammals, birds or reptiles that are found in the wild in this state and are not species of special concern or threatened and endangered species, may be held in captivity without permit so long as the possessor retains proof that such wildlife was lawfully obtained. [...] No person shall import into this state or export out of this state or release in the wild any species of wildlife except by permit issued by the director and in accordance with rules promulgated by the commission."	ID Code § 36-701	"Any licensee or permittee who shall be convicted of violating any of the provisions of this chapter may have his license or permit revoked by the court for a period of not to exceed twelve (12) months next following such conviction. All wildlife held under said license or permit so revoked or held without proper records shall be disposed of as determined by the court."	ID Code § 36-710
			"(c) Falconry. The commission is authorized to establish a falconry program and to promulgate rules and proclamations governing same. As may be required by commission rule, the fees for a falconry permit, raptor captive breeding permit and raptor in-state transfer permit shall be as specified in section 36-416, Idaho Code.	ID Code § 36-1102			"(a) Game, Song, Insectivorous, Rodent Killing, and Innocent Birds Protected. Except for English sparrows and starlings, no person shall at any time of the year take any game, song, rodent killing, insectivorous or other innocent bird, except as provided by commission proclamations promulgated pursuant hereto, or for any person to intentionally disturb or destroy the eggs or nests of such birds at any time. 1. No person shall hunt, take or have in possession any migratory birds except as provided by federal regulations made pursuant to the federal migratory bird treaty act, as amended, and in accordance with related rules and proclamations promulgated by the commission."	ID Code § 36-1102	"(c) Any person convicted of violating any of the provisions of this chapter [11] for which no penalty is specified shall be subject to the penalty prescribed by section 36-1402, Idaho Code."	ID Code § 36-1120

			<p>"The director may delegate any of the authority conferred by this section to any other employee of the department. [...]</p> <p>1. Send a representative onto the premises to control, trap, and/or remove such protected wildlife as will stop the damage to said property. Any animals or birds so taken shall remain the property of the state and shall be turned over to the director.</p> <p>2. Grant properly safeguarded permission to the complainant to control, trap and/or remove such protected wildlife or to destroy any houses, dams, or other structures erected by said animals or birds. Any protected wildlife so taken shall remain the property of the state and shall be turned over to the director."</p>	ID Code § 36-1107			<p>" Other provisions of this title notwithstanding, any person may control, trap, and/or remove any wild animals or birds or may destroy the houses, dams, or other structures of furbearing animals for the purpose of protecting property from the depredations thereof as hereinafter provided."</p>	ID Code § 36-1107		
	<p>"Edible portions" are defined as follows: 1. Game birds. Breasts;"</p>	ID Code § 36-1202					<p>" It shall be unlawful to: (a) Waste. Through carelessness, neglect or otherwise, to allow or cause the waste of edible portions of any game animal, except for mountain lion, black bear, grizzly bear or gray wolf. "</p>	ID Code § 36-1202		
	<p>(j) "Take" means hunt, pursue, catch, capture, shoot, fish, seine, trap, kill, or possess or any attempt to so do.</p>	ID Code § 36-202					<p>(G) Hunt migratory waterfowl without having in possession a signed federal migratory bird hunting stamp as set forth in section 36-1102(b)2., Idaho Code. (H) Hunt migratory game birds without having in possession a license validated for the federal migratory bird harvest information program permit as set forth in section 36-409(k), Idaho Code. (I) Trap in or on, destroy or damage any muskrat house as provided in section 36-1103(c), Idaho Code. 2. Rules or Proclamations. (J) Hunt migratory game birds with a shotgun capable of holding more than three (3) shells as provided and incorporated in section 36-1102(b), Idaho Code. [...] (J) Fail to leave evidence of sex or species attached as required on game birds. (K) Hunt or take migratory game birds or upland game birds with shot exceeding the allowable size. [...] (v) Leave decoys unattended. Decoys cannot be put in place any earlier than two (2) hours prior to official shooting hours for waterfowl, and all decoys must be picked up and removed from the hunting site no later than two (2) hours after official shooting hours for waterfowl that particular day;</p>	ID Code § 36-1401(a)	<p>"(a) Infractions. Any person who pleads guilty to or is found guilty of a violation of the following provisions [36-1401(a)] of the fish and game code or the following rules or proclamations promulgated pursuant thereto is guilty of an infraction:"</p>	ID Code § 36-1401

pleads guilty to, is found guilty or is convicted of a violation of the provisions of this title or rules or proclamations promulgated pursuant thereto, or orders of the commission, except where an offense is expressly declared to be an infraction or felony, shall be guilty of a misdemeanor.

(c) Felonies. Any person who pleads guilty to, is found guilty or is convicted of a violation of the following offenses shall be guilty of a felony:

1. Knowingly and intentionally selling or offering for sale or exchange, or purchasing or offering to purchase or exchange, any wildlife, or parts thereof, which has been unlawfully killed, taken or possessed. [...]
3. Unlawfully killing, possessing or wasting of any combination of numbers or species of wildlife within a twelve (12) month period which has a single or combined reimbursable damage assessment of more than one thousand dollars (\$1,000), as provided in section 36-1404, Idaho Code.
4. Conviction within ten (10) years of

ID Code § 36-1401

"(c) Misdemeanor Penalty. Any person entering a plea of guilty for, found guilty of or convicted of a misdemeanor under the provisions of this title or rules or proclamations promulgated pursuant thereto shall, except in cases where a higher penalty is prescribed, be fined in a sum of not less than twenty-five dollars (\$25.00) nor more than one thousand dollars (\$1,000) and/or by commitment to jail for not more than six (6) months. The minimum fine, per animal, fish or bird, for the illegal taking, illegal possession or the illegal waste of the following animals, fish or birds shall be as indicated below: [...] Wild turkey, swan and sturgeon \$200 [...] Any other game bird, game fish or furbearer \$25"

ID Code § 36-1402

"(e) License Revocation. Any person entering a plea of guilty or being found guilty or convicted of violating any of the provisions of this title, or who otherwise fails to comply with the requirements of a citation in connection with any such offense, may, in addition to any other penalty assessed by the court, have his hunting, fishing, or trapping privileges revoked for such period of time as may be determined by the court not to exceed three (3) years [...]. Provided further, that the magistrate hearing the case shall forthwith revoke the hunting, fishing, or trapping privileges for a period of not less than one (1) year for any of the following offenses: 1. Taking or possessing upland game birds, migratory waterfowl, salmon, steelhead, sturgeon, or any big game animal during closed season. 2. Exceeding the daily bag or possession limit of upland game birds, migratory waterfowl or big game animals."

ID Code § 36-1402

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?
Illinois	"MIGRATORY GAME BIRDS- Waterfowl including brant, ducks, geese, and swans, Anatidae; wild species of the families Rallidae, Scolopacidae, Columbidae, and Corvidae that may be legally hunted as provided for in Section 2.18 of this Act. RESIDENT AND MIGRATORY NON-GAME BIRDS- Loons, Gaviidae; grebes, Podicipedidae; pelicans, Pelecanidae; gannets, Sulidae; cormorants, Phalacrocoracidae; anhingas, Anhingidae; frigatebirds, Fregatidae; herons, bitterns and egrets, Ardeidae; ibises and spoonbills, Threskiornithidae; storks, Ciconiidae; vultures, Cathartidae; kites, hawks, ospreys, and eagles, Accipitridae; falcons, merlins, and kestrels, Falconidae; rails, gallinules, and moorhens, which may not be legally hunted, Rallidae; cranes, Gruidae; all shorebirds that may not be legally hunted, of the families Charadriidae, Scolopacidae, and Recurvirostridae gulls, terns, jaegers, skimmers, and kittiwakes, Laridae; dovekeys and murrelets, Alcidae; doves and pigeons, which may not be legally hunted, Columbidae; cuckoos and anis, Cuculidae; owls, Tytonidae and Strigidae; whip-poor-wills, chuck-will's-widows, and nighthawks, Caprimulgidae; swifts, Apodidae; hummingbirds, Trochilidae, Kingfishers, Alcedinidae; woodpeckers, flickers, and sapsuckers, Picidae; kingbirds, pewees, phoebes, and flycatchers, Tyrannidae shrikes, Laniidae; vireos, Vireonidae; magpies, ravens, and jays, Corvidae; larks, Alaudidae; swallows and martins, Hirundinidae; chickadees and titmice, Paridae; nuthatches, Sittidae; creepers, Certhiidae; wrens, Troglodytidae; kinglets, Regulidae; gnatcatchers, Sylviidae; robins, bluebirds, solitaires, veerys, and thrushes, Turdidae; mockingbirds, catbirds, and thrashers, Mimidae; pipits, Motacillidae; waxwings, Bombycillidae; warblers, parulas, redstarts, ovenbirds, waterthrushes, yellowthroats, and chats, Parulidae; tanagers, Thraupidae; towhees, longspurs, sparrows, buntings, and juncos, Emberizidae; dickcissels, cardinals, buntings, and grosbeaks, Cardinalidae; blackbirds, meadowlarks, bobolinks, grackles, cowbirds,	520 ILCS 5/2.2 (from Ch. 61, par. 2.2)	"The Department is authorized to establish seasons for the taking of migratory birds within the dates established annually by Proclamation of the Secretary, United States Department of the Interior, known as the "Rules and Regulations for Migratory Bird Hunting" (50 CFR 20 et seq.). When the biological balance of any species is affected, the Director may with the approval of the Conservation Advisory Board, by administrative rule, lengthen, shorten or close the season during which waterfowl may be taken within the federal limitations prescribed. If the Department does not adopt an administrative rule establishing a season, then the season shall be as set forth in the current "Rules and Regulations for Migratory Bird Hunting". The Department shall advise the public by reasonable means of the dates of the various seasons."	520 ILCS 5/1.3	N/A	N/A	"The use of birds of prey for the hunting of game birds, migratory birds, game mammals, and furbearing mammals shall be lawful during falconry seasons, which shall be set by administrative rule."	520 ILCS 5/2.4 (from Ch. 61, par. 2.4)	commercial purposes, knowingly captures or kills, possesses, offers for sale, sells, offers to barter, barter, offers to purchase, purchases, delivers for shipment, ships, exports, imports, causes to be shipped, exported, or imported, delivers for transportation, transports or causes to be transported, carries or causes to be carried, or receives for shipment, transportation, carriage, or export any animal or part of animal of the species protected by this Act, contrary to the provisions of this Act, and such animals, in whole or in part, are valued at or in excess of a total of \$300, as per specie value specified in subsection (c) of this Section, commits a Class 3 felony. A person shall be guilty of a Class 4 felony if convicted under this Section for more than one violation within a 90-day period where the animals of each violation are not valued at or in excess of \$300, but the total value of the animals from the multiple violations is at or in excess of \$300. The prosecution for a Class 4 felony for	520 ILCS 5/2.36a	YES
			"The Director shall give due notice of any regulations, or any administrative rule, issued pursuant to said "Migratory Bird Treaty Act" and observe the provisions thereof in the enforcement of this Act."	520 ILCS 5/2.18 (from Ch. 61, par. 2.18)			"It shall be unlawful to take, possess, transport or use migratory game birds except during such periods of time, and only in such manner and numbers, as may be permitted pursuant to the Federal "Migratory Bird Treaty Act", and the "Migratory Bird Hunting Stamp Act", and further as permitted by this Act and State regulations made pursuant to this Act."	520 ILCS 5/2.18 (from Ch. 61, par. 2.18)			
			"(a) Migratory game birds, or any part or parts thereof, may be possessed only in accordance with the regulations of the Federal Government."	520 ILCS 5/2.35 (from Ch. 61, par. 2.35)			"(d) Failure to establish proof of the legality of the possession in another state or country and of importation into this State, shall be prima facie evidence that migratory game birds and game birds or any parts thereof, and fur-bearing mammals or any parts thereof, were taken within this State."	520 ILCS 5/2.35 (from Ch. 61, par. 2.35)			
			"The Department shall publish suitable prescribed regulations pertaining to registration by the migratory bird hunter in the U.S. Fish and Wildlife Service Migratory Bird Harvest Information Program."	520 ILCS 5/3.1			"(a) Before any person shall take or attempt to take any of the species protected by Section 2.2 for which an open season is established under this Act, he shall first have procured and possess a valid hunting license, except as provided in Section 3.1-5 of this Code. Before any person 16 years of age or older shall take or attempt to take any bird of the species defined as migratory waterfowl by Section 2.2, including coots, he shall first have procured a State Migratory Waterfowl Stamp. [...] (f) Registration in the U.S. Fish and Wildlife Migratory Bird Harvest Information Program shall be required for those persons who are required to have a hunting license before taking or attempting to take any bird of the species defined as migratory game birds by Section 2.2, except that this subsection shall not apply to crows in this State or hand-reared birds on licensed game breeding and hunting preserve areas, for which an open season is established by this Act. Persons registering with the Program must carry proof of registration with them while migratory bird hunting."	520 ILCS 5/3.1			

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?
Indiana	"Sec. 162. "Migratory birds", for purposes of IC 14-22, refers to the following birds: (1) Migratory game birds, including the following: (A) Anatidae, or waterfowl, including brant, wild ducks, wild geese, and swans. (B) Gruidae, or cranes, including little brown, sandhill, and whooping cranes. (C) Rallidae, or rails, including coot, gallinules, sora, and other rails. (D) Limicolae, or shorebirds, including avocets, curlews, dowitchers, godwits, knots, oyster catchers,	IN Code § 14-8-2-162			N/A	N/A	"Sec. 2. A person may not: (1) take, possess, sell, offer for sale, purchase, or offer to purchase; (2) ship, transport, or carry; or (3) deliver or receive for shipment, transportation, or carriage in any manner outside Indiana; a migratory bird designated in this article or a part, nest, or egg of a migratory bird, except as otherwise permitted by this article."	IN Code § 14-22-6-2	"Sec. 1. (a) Except as otherwise provided in this article and subject to subsection (b), a person who violates this article commits a Class C infraction. (b) Except as otherwise provided in this article, a person who knowingly or intentionally violates this article commits a Class C misdemeanor. (c) A person may not be charged with both: (1) a Class C misdemeanor; and (2) a Class C infraction; under this section for the same act or omission."	IN Code § 14-22-38-1	YES
	phalaropes, plovers, sandpipers, snipe, tilts, surf birds, turnstones, willet, woodcock, tattlers, and yellow legs. (E) Columbidae, or pigeons, including doves and wild pigeons. (2) Migratory insectivorous birds, including the following: (A) Cuckoos. (B) Flickers and other woodpeckers. (C) Nighthawks or bull-bats, and whippoorwills. (D) Swifts. (E) Hummingbirds and flycatchers. (F) Bobolinks, meadowlarks, and orioles. (G) Grosbeaks. (H) Tanagers. (I) Martins and other swallows. (J)						"Sec. 3. A person may not take or possess for any purpose, during the closed season, a migratory bird or the nest, eggs, or increase of a migratory bird without having a permit or license issued by the director under this article."	IN Code § 14-22-6-3	"Sec. 2. The: (1) taking, catching, killing, possession, or transportation of each animal or part of an animal; or (2) possession of each fishing, hunting, or trapping apparatus, appliance, or device; in violation of this article constitutes a separate offense. Each day's possession of an animal or each day's possession of a fishing, hunting, or trapping apparatus, appliance, or device the possession of which is prohibited by this article constitutes a separate offense."	IN Code § 14-22-38-2	
	"Sec. 1. As used in this chapter, "migratory waterfowl" means a wild goose, brant, or wild duck"	IN Code § 14-22-7-1 (Restated in IN Code § 14-8-2-163)					"Sec. 8. (a) As used in this section, "sell" includes serving as a part of a meal by a restaurant, a hotel, a boardinghouse, or an eating house keeper. (b) A person may not sell, offer to buy, trade, or offer to trade a wild bird or mammal, or meat from a wild bird or mammal, that: (1) is live or dead; and (2) is taken in: (A) Indiana; or (B) another state and brought into Indiana; except as otherwise provided in this article. (c) Proof that a bird or mammal was served constitutes prima facie evidence that the bird or mammal was served in violation of this article. However, a restaurant, a hotel, a boardinghouse, or an eating house keeper may prepare and serve during open season to: (1) a guest, patron, or boarder; and (2) the family of the guest, patron, or boarder; a bird or mammal legally taken by the guest, patron, or boarder during the open season."	IN Code § 14-22-6-8	"Sec. 5. (a) A person who takes or possesses a wild animal, except a deer or turkey, in violation of this article shall reimburse the state as follows: (1) Twenty dollars (\$20) for the first violation. (2) Thirty-five dollars (\$35) for each subsequent violation."	IN Code § 14-22-38-5	
	"Sec. 2. As used in this chapter, "game bird" means pheasant, quail, grouse, mourning dove, and wild turkey."	IN Code § 14-22-8-2 (Restated in IN Code § 14-8-2-111)					"Sec. 3. An individual may not hunt a migratory waterfowl within Indiana without having an electronically generated migratory waterfowl stamp issued by the department. The stamp must be in the possession of each individual hunting a migratory waterfowl."	IN Code § 14-22-7-3			
	"Sec. 11. (a) As used in this section, "raptor" means a live migratory bird of the order Falconiformes or the order Strigiformes, other than a bald eagle (Haliaeetus leucocephalus) or a golden eagle (Aquila chrysaetos)."	IN Code § 14-22-10-11	"(b) Except as provided in subsection (c), a unit of local government may not regulate in any way the ownership, possession, sale, transfer, or transportation of a raptor while Indiana is on the list of states meeting federal falconry standards maintained under 50 CFR 21.29(k)."	IN Code § 14-22-10-11			"Sec. 4. An individual may not hunt a game bird within Indiana without having an electronically generated game bird habitat restoration stamp issued by the department. The stamp must be in the possession of each individual hunting a game bird."	IN Code § 14-22-8-4			

							<p>"Sec. 6. (a) A person who, whether or not the person has been issued a certificate of approval, license, permit, or other document of approval authorized by this article or any other Indiana law, discharges, sprays, or releases waste materials, chemicals, or other substances: (1) either accidentally, negligently, or willfully; (2) in any quantity, concentration, or manner onto or in any water of Indiana, the boundary waters of the state, or onto or in public or private land; and (3) so that wild animals are killed as a result; is responsible for the kill."</p>	IN Code § 14-22-10-6	<p>"(b) The director shall, in the name of the state, recover damages, including the cost of restoration, from the person."</p>	IN Code § 14-22-10-6
							<p>"(c) Subsection (b) does not apply to raptors on or in land, buildings, or other real property, other than a highway or public highway, that is owned by a unit of local government."</p>	IN Code § 14-22-10-11	<p>"Sec. 6. (a) As used in this section, "guide services" means fishing or hunting guide or outfitter services that are offered or provided for money or other consideration. The term includes services by a person who for money or other consideration: [...] (e) A person who knowingly or intentionally: (1) sells or ships wild animals, nests, or eggs; or (2) provides guide services to take, acquire, receive, transport, or possess wild animals; that are protected by law and have an aggregate market value of less than five hundred dollars (\$500) commits a Class C misdemeanor. [...] (g) A person who knowingly or intentionally: (1) sells or ships wild animals, nests, or eggs; or (2) provides guide services to take, acquire, receive, transport, or possess wild animals; that are protected by law and have an aggregate market value of at least five hundred dollars (\$500) but less than five thousand dollars (\$5,000) commits a Level 6 felony."</p>	IN Code § 14-22-38-6
							<p>"Sec. 2. A license issued under this chapter authorizes the sale of nonmigratory game birds, game mammals, or furbearing mammals for breeding purposes, for release, or for food purposes. An individual who:(1) acquires a furbearing mammal alive, legally in open season; or (2) purchases the bird or mammal from a licensed game breeder; may apply for a breeder's license within five (5) days after acquiring the animal from the licensed game breeder or within five (5) days after the last day of the open season for the animal. Otherwise, the animal shall be released."</p>	IN Code § 14-22-20-2	<p>"(b) A license or permit may be revoked by the director at any time without refund for any of the following: (1) Failure to comply with or violation of the terms, conditions, rules, or restrictions incorporated in or attached to the license or permit when issued."</p>	IN Code § 14-22-11-15
			<p>"Sec. 1. The department may issue to a properly accredited individual a license authorizing the individual to collect and possess: (1) wild birds; (2) the nests and eggs of wild birds; or (3) other wild animals; in Indiana for scientific purposes only under rules adopted under IC 4-22-2."</p>				IN Code § 14-22-22-1			

			<p>" Sec. 1. (a) The: (1) laws of the United States; (2) migratory bird treaties of the United States with other countries; and (3) regulations issued and promulgated by a department of the United States government; concerning migratory birds in effect on January 1, 1979, have the force and effect of law in Indiana, except as otherwise provided in this chapter. [...] (c) At any time, the director may establish a season and bag limit for migratory birds identical to that established by: (1) federal law; (2) treaty of the United States with another country; or (3) regulation promulgated by a department of the United States government; concerning migratory birds. The director shall establish the season and bag limit by giving notice by publication in an Indianapolis newspaper of general circulation at least one (1) week before the season and bag limit are to take effect."</p>	<p>IN Code § 14-22-33-1 (2017)</p>		<p>"(b) Except as otherwise provided in this chapter, a: (1) person in Indiana may not violate; and (2) person may not hunt, shoot, take, kill or possess, sell or offer to sell, purchase or offer to purchase, ship or transport, carry or deliver, or receive for shipment, transportation, or carriage in Indiana a migratory bird in violation of; a law, a treaty, or a regulation described in subsection (a)."</p>	<p>IN Code § 14-22-33-1 (2017)</p>			
--	--	--	---	------------------------------------	--	--	------------------------------------	--	--	--

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-Inclusive reading of the MBTA?
Iowa			"The title and ownership of [...] all wild game, animals, and birds, including their nests and eggs, and all other wildlife, found in the state, whether game or nongame, native or migratory, except deer in parks and in public and private preserves, the ownership of which was acquired prior to April 19, 1911, are hereby declared to be in the state, except as otherwise provided in this chapter"	IA Code § 481A.2	N/A	N/A	"A person shall not keep or use any live pigeon or other bird as a target, to be shot at for amusement or as a test of skill in marksmanship, or shoot at a bird kept or used for such purpose, or be a party to such shooting, or lease any building, room, field, or premises, or knowingly permit the use thereof, for the purpose of such shooting. This section does not prevent any person from shooting at live pigeons, sparrows, and starlings when used in the training of hunting dogs. This section does not prevent any person from shooting at a game bird that is released a minimum of twenty-five yards from that person on a licensed hunting preserve. For the purposes of this section, "game bird" means the same as defined in section 484B.1."	IA Code § 481A.21	destroy, have in possession, buy, sell, ship, or transport any frogs, fish, mussels, birds, their nests, eggs, or plumage, fowls, game, or animals or their fur or raw pelt in violation of the provisions of this chapter or of administrative rules of the commission or whoever shall use any device, equipment, seine, trap, net, tackle, firearm, drug, poison, explosive, or other substance or means, the use of which is prohibited by this chapter, or use the same at a time, place, or in a manner or for a purpose prohibited, or do any other act in violation of the provisions of this chapter or of administrative rules of the commission for which no other punishment is provided, is guilty of a simple misdemeanor and shall be assessed a minimum fine of twenty dollars for each offense. Each fish, fowl, bird, bird's nest, egg, or plumage, and animal unlawfully caught, taken, killed, injured, destroyed, possessed, bought, sold, or shipped shall be a separate offense"	IA Code § 481A.32	NO
			"6. Except as otherwise provided by law, the commission shall: a. Establish policy and adopt rules, pursuant to chapter 17A, necessary to provide for the effective administration of chapter 321G, 321I, 456A, 456B, 457A, 461A, 462A, 462B, 464A, 465C, 481A, 481B, 483A, 484A, or 484B. b. Hear appeals in contested cases pursuant to chapter 17A on matters relating to actions taken by the director under chapter 321G, 321I, 456A, 456B, 457A, 461A, 462A, 462B, 464A, 465C, 481A, 481B, 483A, 484A, or 484B."	IA Code § 455A.5			"No person, except as otherwise provided, shall ship, carry or transport in any one day, game, fish, birds, or animals, except fur-bearing animals in excess of the number legally permitted to be in possession of such a person"	IA Code § 481A.26			
			commission shall exercise regulatory authority regarding seasons, bag limits, possession limits, locality, the method of taking, or the taking of fish and wildlife within the boundaries of the Sac and Fox tribe settlement in Tama county only to the extent provided in a written agreement between the tribal council of the Sac and Fox tribe of the Mississippi in Iowa and the department. The written agreement shall not be construed to supersede or impair the regulatory authority exercised by the commission pursuant to the federal Migratory Bird Treaty Act, the federal Migratory Bird Stamp Hunting Act, the federal Endangered Species Act, or other federal law, and shall not be construed to supersede or impair the regulatory authority exercised by the Sac and Fox tribe of the Mississippi in Iowa pursuant to any federal act, statute, or law. The department and the commission shall not unreasonably fail to enter into an agreement and shall pursue such an agreement in an expedient manner. This subsection shall	IA Code § 481A.38			"It shall be lawful for any person, firm, or corporation to have in possession any fish or game lawfully taken outside the state and lawfully brought into the state, but the burden of proof shall be upon the person in such possession to show that such fish or game was lawfully killed and lawfully brought into the state."	IA Code § 481A.31			

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?
Kansas	<p>"(g) "Game animal" means any big game animal, wild turkey or small game animal. (h) "Game bird" means any grouse, partridge, pheasant, prairie chicken or quail. [...] (r) "Small game" means any game bird, hare, rabbit or squirrel." [...] (t) "Take" means harass, harm, pursue, shoot, wound, kill, molest, trap, capture, collect, catch, possess or otherwise take, or attempt to engage in any such conduct.</p>	KS Stat § 32-701	<p>"The ownership of and title to all wildlife, both resident and migratory, in the state, not held by private ownerships, legally acquired, shall be, and are hereby declared to be in the state."</p>	KS Stat § 32-703	N/A	N/A					INDETERMINATE
			<p>"(f) A 48-hour waterfowl permit may be issued which authorizes hunting of waterfowl in this state subject to all other provisions of law and rules and regulations of the secretary. The fee for such permit shall be the amount prescribed pursuant to K.S.A. 32-988, and amendments thereto. Such permit is valid throughout the state, is valid from the time designated on the permit and expires 48 hours after such time. Purchase of such permit shall not affect the requirement to purchase any federal migratory bird hunting and conservation stamp or state migratory waterfowl habitat stamp."</p>	KS Stat § 32-919							
	<p>" (a) As used in this section, "migratory waterfowl" means any wild goose, duck or merganser."</p>	KS Stat § 32-939					<p>"(b) Except as otherwise provided by law or rules and regulations of the secretary and in addition to any other license, permit or stamp required by law or rules and regulations of the secretary, a valid state migratory waterfowl habitat stamp is required to hunt any migratory waterfowl in this state. (c) The provisions of subsection (b) do not apply to hunting, by legal means, by a person not required by K.S.A. 32-919 to hold a hunting license. (d) The stamp required by this section is valid throughout the state. (e) The stamp required by this section is valid from the date of issuance and expires at 12 midnight on June 30 following its issuance."</p>	KS Stat § 32-939			
							<p>" (a) A scientific, educational or exhibition permit is required to collect, for scientific, educational or exhibition purposes, any wildlife protected by law or rules and regulations of the secretary. [...] (c) Wildlife protected by law or rules and regulations of the secretary may be possessed at any time by a person holding a scientific, educational or exhibition permit and may be shipped or transported within or without the state, by permission of the secretary. Application for shipment or transportation shall state the name and address of the person causing the shipping or transporting, the purposes for shipping or transporting, the number and kinds of specimens to be shipped, whether living or dead, and the name and address of the person to whom shipped or transported."</p>	KS Stat § 32-952			

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?
Kentucky	"As used in this chapter, unless the context otherwise requires: [...] (18) "Migratory shore or upland game birds" means all species of migratory game birds except waterfowl; [...] (41) "Waterfowl" means all species of wild ducks, geese, swans, mergansers, and coots;"	KY Rev Stat § 150.010	"Notwithstanding any other provisions of this chapter, the commissioner may, with the approval of the commission, authorize conservation officers or any other persons to destroy or bring under control in such manner as he deems necessary any wild animal, fish or wild birds, protected or unprotected which are causing damage to persons, property or other animals, fish or birds or spreading diseases and which in his judgment should be eliminated or controlled to prevent further damage."	KY Rev Stat § 150.105	N/A	N/A	"The kinds of licenses and tags authorized by this chapter, and the acts authorized to be performed under the licenses and tags, subject to the other provisions of this chapter and subject to administrative regulations promulgated under this chapter, shall be as follows: [...] (23) A Kentucky migratory bird permit, which in combination with a valid statewide hunting license and compliance with applicable federal law, authorizes the holder to take or pursue waterfowl and migratory shore or upland game birds;"	KY Rev Stat § 150.175	"(1) Each bird, fish, or animal taken, possessed, bought, sold, or transported and each device used or possessed contrary to the provisions of this chapter or any administrative regulation promulgated by the commission thereunder shall constitute a separate offense. The penalties prescribed in this section shall be for each offense."	KY Rev Stat § 150.990	YES
	(38) "Take" includes pursue, shoot, hunt, wound, catch, kill, trap, snare, or capture wildlife in any way and any lesser act designed to lure, attract, or entice for these purposes; and to place, set, aim, or use any device, animal, substance, or agency which may reasonably be expected to accomplish these acts; or to attempt to do these acts; or to assist any other person in the doing of or the attempt to do these acts;	KY Rev Stat § 150.010	"(9) Federal and state regulations shall govern the transportation of all migratory wild birds."	KY Rev Stat § 150.180			"(1) No person shall take any wild bird except game birds or live raptors for which there is an open season, either under the laws of Kentucky and the regulations of the department or the laws of the United States, except those birds mentioned in subsection (2) of this section. (2) This chapter does not protect or in any way limit the taking of the starling or the English sparrow, but any persons taking any of them must have a hunting license. (3) No person shall take, disturb, or destroy the nest or eggs of any wild birds except for raptors as prescribed by regulation."	KY Rev Stat § 150.320	"(3) Any person who violates any of the provisions of KRS 150.120, 150.170, 150.280, 150.320, 150.355, 150.362, 150.400, 150.410, 150.415, 150.416, 150.445, 150.450, 150.470, 150.603, 150.235(1), 150.330(2), or 150.470, or any of the provisions of this chapter or any administrative regulation promulgated by the commission for which no definite fine or imprisonment is fixed shall be fined not less than fifty dollars (\$50) nor more than five hundred dollars (\$500)."	KY Rev Stat § 150.990	
			"(1) Kentucky consents to the acquisition by the United States by purchase, gift, devise or lease of such areas in Kentucky as the United States may deem necessary for the establishment of migratory bird reservations in accordance with the Migratory Bird Conservation Act, approved February 18, 1929 (45 Stat. 1222). (2) Kentucky reserves complete jurisdiction and authority in and over all such areas not incompatible with the administration, maintenance, protection, and control thereof by the United States under the terms of Acts of Congress. This section shall in no wise deprive the courts of Kentucky of jurisdiction to try and punish all violations of any of the criminal or penal statutes of Kentucky in such areas."	KY Rev Stat § 150.270			"(1) No person shall take, pursue, possess, transport, purchase or sell or attempt to do so, any migratory birds, except as authorized by the Migratory Bird Treaty Act (40 Stat. 755) as amended and regulations under it. (2) No person sixteen (16) years of age or older shall hunt any waterfowl unless, at the time, in addition to the appropriate state hunting license and Kentucky waterfowl stamp, he has on his person a valid migratory bird hunting stamp of current issue as required by the Migratory Bird Hunting Stamp Act (48 Stat. 451) as amended."	KY Rev Stat § 150.330 (Similar to KY Rev Stat § 150.603)	"(4) Any person who violates any of the provisions of KRS 150.290, 150.300, 150.340, 150.360, 150.362(1), 150.485, 150.600, 150.630, 150.660, the provisions of KRS 150.195(5) to (8), or KRS 150.660(3) shall be fined not less than fifty dollars (\$50) nor more than five hundred dollars (\$500) or be imprisoned for not more than six (6) months, or both. Also, any person violating the provisions of KRS 150.300 shall be assessed treble damages as provided in KRS 150.690 or 150.700. Damages assessed under this subsection shall be ordered to be paid directly to the department. The court shall not direct that the damages be paid through the circuit clerk."	KY Rev Stat § 150.990	
			"(3) Federal and state regulations shall apply to all migratory birds and waterfowl."	KY Rev Stat § 150.340			"(1) No person shall take more wildlife in any one (1) day than the bag or creel limit prescribed for the species by the department. (2) A person who has hunted two (2) or more days in succession may transport as personal baggage a total of not more than twice the bag limit as set by the regulations for any one (1) day."	KY Rev Stat § 150.340	"(6) Any person who violates any of the provisions of KRS 150.183, 150.305, 150.365, 150.370, 150.330(1), 150.235(2), (3), or (4), or 150.363 shall be fined not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) or imprisoned for not more than six (6) months, or both."	KY Rev Stat § 150.990	

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?
Louisiana	"(84) "Migratory waterfowl" means all species of wild ducks, geese, and coots."	LA Rev Stat § 56:8					"A. The department may, in its discretion and upon such terms and conditions as it may prescribe, issue to accredited representatives of any public park, museum, educational or scientific institution, or of the federal government or any state government, recognized scientist, representative of the entertainment industry or to any other responsible person a permit to take, possess, and transport at any time within and from this state wild birds or the plumage, skins, nests, eggs, or young thereof and wild quadrupeds, the skins or young thereof; if the department is satisfied that they are to be taken or possessed for scientific, educational, experimental, entertainment industry, or breeding purposes only and are not to be sold or otherwise disposed of by the permittee for profit, and if the permittee obligates himself to deliver to the department within sixty days after taking, and in any event before the removal thereof from the state, a detailed descriptive inventory of the wild birds, wild quadrupeds, and other things taken under the permit."	LA Rev Stat § 56:105			INDETERMINATE
	"(108) "Raptor" means a live migratory bird which is a member of the Accipitridae, except the bald eagle; or Falconidae; or a great horned owl."	LA Rev Stat § 56:8					"A. If any species of wild bird or wild quadruped shall become so destructive of private property as to be a nuisance, the secretary may direct any officer authorized to enforce the provisions of this Subpart, or any reputable citizen of this state, to take and dispose of such species of bird or quadruped in the manner and under the conditions specified by the secretary."	LA Rev Stat § 56:112			
	different tenses, the attempt or act of hooking, pursuing, netting, capturing, snaring, trapping, shooting, hunting, wounding, or killing by any means or device." [...] (143) "Wildbirds" means and includes any and all of the following (a) Migratory game birds: all species of ducks, geese, rails of all species, coots (poule d'eau), gallinules, snipe, woodcock, and wild doves of all species. (b) Resident game birds: wild turkey, black francolin, bobwhite quail, and pheasants of all species. (c) Outlaw birds: crows, red-wing blackbirds (rice birds), English sparrows, starlings, and when destructive to crops, grackles and other species of blackbirds. (d) Protected birds: all resident and migratory wild birds not described hereinbefore as game birds or outlaw birds are protected. Wild birds does not include birds taken, possessed, or transported	LA Rev Stat § 56:8					"No person shall take any wild bird or wild quadruped imported into this state by the state or federal government or by any person for the purpose of experimentation or propagation except under the supervision and consent of the secretary."	LA Rev Stat § 56:113			

			<p>"A. The commission is hereby specifically authorized, directed, and empowered to fix, approve, and adopt seasons and bag and possession limits and to establish other rules and regulations for the hunting, taking, possession, or protection of any species or sex of wild quadrupeds and wild birds, in any specified locality or localities of the state. Such rules and regulations shall have the full force and effect of law to the same extent as statutory laws.</p> <p>B. The commission may at any time declare any season closed or otherwise restrict hunting as it deems advisable in the interest of wildlife management."</p>	LA Rev Stat § 56:115			<p>"C. The open season for taking migratory game birds and the bag limit and other rules and regulations affecting migratory game birds shall conform to federal regulations promulgated under the treaty between the United States and Great Britain for a period of years in the case of certain species. No person shall take, even at the time and in the manner specified and fixed by said department, or in the aggregate during the open season, a greater number of migratory game birds than specified under federal and state regulations."</p>	LA Rev Stat § 56:115	<p>"D. Violation of any of the provisions of a rule or regulation adopted by the commission pursuant to the provisions of this Section constitutes a class two violation, except where a higher class of violation is specified for a violation by some other provision of this Chapter."</p>	LA Rev Stat § 56:115	
							<p>" B. No person shall do any of the following: [...] (5) Take or kill on any calendar day during the open season, or in the aggregate during the open season, a greater number of migratory or resident game birds, protected birds, wild quadrupeds, or protected quadrupeds than that set and specified in the rules and regulations of the commission. (6) Possess at any time any wild game bird or wild game quadruped or part thereof; or disturb or destroy any nest, or egg, or young of any such wild quadruped or wild bird, except as otherwise expressly provided in this Chapter."</p>	LA Rev Stat § 56:116.1	<p>" H. Violation of any of the provisions of this Section shall constitute a class three violation."</p>	LA Rev Stat § 56:116.1	
							<p>"A.(1) No person shall sell, purchase, trade, barter, or exchange or attempt to sell, purchase, trade, barter, or exchange any game quadruped, or any part or portion thereof, wild bird, or the plumage, aligrettes, skin, or body thereof, except as provided in R.S. 56:171 through 181 and except as provided in Subsection B [squirrels] of this Section."</p>	LA Rev Stat § 56:116.2	<p>Each sale, purchase, trade, barter, or exchange or attempt to sell, purchase, trade, barter, or exchange of each game quadruped or wild bird, or any part or portion thereof, constitutes a separate offense under the provisions of this Subsection.</p>	LA Rev Stat § 56:116.2	
							<p>anywhere during the open season the kinds of migratory and resident game birds permitted by law or commission regulation to be taken. However, no one person shall have in his possession at any one time or anywhere more than the number of such game birds which he may be lawfully entitled to take in two days. Such fact is prima facie evidence of violation of this Chapter. No licensee shall transport, cause to be transported, attempt to transport, or tender or deliver for transportation to another person or any agent thereof, nor shall any of them accept for transportation or transport any game birds beyond the limits of the state without a special permit issued by the secretary. However, a nonresident licensee may take with him beyond the limits of the state, tagged as provided for in this Section, an aggregate of no more of any kind of such game birds than the licensee may lawfully take in two days. No common carrier or agent thereof shall receive for transportation or transport any migratory or resident game birds unless the same or the package, container, or receptacle, open or closed, containing the game birds, has thereon or attached thereto a tag or tags having the actual signature and license number of the licensee who took the same, the number and species of the</p>	LA Rev Stat § 56:117			

					<p>"A. The hunting of migratory birds has long been a source of recreation and tourism in the state of Louisiana. The provisions of this Section are enacted in order to enhance the efforts of the Department of Wildlife and Fisheries to promote the wildlife laws of the state, to aid in the apprehension and prosecution of violators of the state's wildlife laws, to promote public interest and involvement in the prevention of violations of the wildlife laws, and to increase the efficiency of efforts to protect and preserve one of the state's most valuable assets. This Section is also enacted to create an effective and expedient system to handle violations, prosecutions, and adjudications of violations of the Migratory Bird Treaty Act of 1972, as amended."</p>	<p>LA Rev Stat § 56:118</p>	<p>"B. Notwithstanding any other provision of law to the contrary, any violation of the Migratory Bird Treaty Act of 1972, as amended, shall be a violation of the provisions of this Section and shall be enforced as such."</p>	<p>LA Rev Stat § 56:118</p>	<p>"C. Except for failure to sign a federal duck stamp and failure to possess a valid federal duck stamp, any violation of the provisions of this Section shall constitute a class four violation and shall be enforced according to the provisions of R.S. 56:34. The penalty for failure to possess a federal duck stamp or for failure to sign a federal duck stamp shall constitute a class two violation and shall be enforced according to the provisions of R.S. 56:32."</p>	<p>LA Rev Stat § 56:118</p>
							<p>"Except as provided in R.S. 56:171 through R.S. 56:181 and except as to live wild birds kept under permit issued by the secretary, no person shall possess in any year any migratory or resident game bird permitted hereby to be taken or possessed in the open season or have in his possession at any time any other kind of wild bird protected hereby. The legal possession limits of resident game birds and game quadrupeds may be possessed during the closed season, if they have been legally taken during open season."</p>	<p>LA Rev Stat § 56:119</p>		
							<p>"A. Whoever desires to engage in raising, selling, or raising and selling [...] pheasants, quail, doves, or other domesticated wild game birds; domesticated wild waterfowl, resident or migratory; or their parts, on breeding farms or propagating preserves of which he is the owner or lessee, shall apply to the secretary for a license to do so. Provided that commission requirements have been satisfied, including payment of a fee of twenty-five dollars, a license shall be issued permitting the applicant to breed and propagate such animals and sell them alive, or in the case of domesticated wild game birds, to sell their parts and to kill and transport them and sell their carcasses for food, as hereinafter provided in this Subpart. [...] C. In the case of a breeder of wild migratory game and other birds, the applicant shall have received a like license from the federal government under the Migratory Bird Treaty Act."</p>	<p>LA Rev Stat § 56:171</p>	<p>"D. Violation of any of the provisions of this Section constitutes a class two violation."</p>	<p>LA Rev Stat § 56:171</p>
							<p>"A. No person shall sell or offer for sale any birds killed and tagged as herein provided without first obtaining a license to do so from the secretary, and then only if the breeder's tags or seals remain affixed as aforesaid until the portions or carcasses of the birds have been wholly consumed."</p>	<p>LA Rev Stat § 56:175</p>		
							<p>"No person shall catch, kill, snare, or pursue any wild animal or bird imported into this state by the federal government, or by any person under the supervision and consent of the commission for the purpose of experimentation or propagation."</p>	<p>LA Rev Stat § 56:762</p>	<p>"Violation of the provisions of R.S. 56:761, R.S. 56:762, or R.S. 56:763 constitutes a class two violation."</p>	<p>LA Rev Stat § 56:764</p>

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?
Maine	"39. Migratory game bird. "Migratory game bird" means any of the following birds: A. Anatidae, or waterfowl, including brant, wild ducks, geese and swans; [2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF).] B. Columbidae, including doves, but not including rock doves, also known as rock pigeons; [2013, c. 280, §1 (AMD).] C. Gruidae, or cranes, including little brown and sandhill cranes; [2013, c. 280, §1 (AMD).] D. Limicolae, or shorebirds, including Wilson's snipe and American woodcock; and [2013, c. 280, §1 (AMD).] E. Rallidae, or rails, including coots, gallinules and sora or other rails. [2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF).]"	12 ME Rev Stat § 10001	N/A	N/A	N/A	N/A			"1. Duties. In addition to other duties set out in this Part, a game warden shall: A. Enforce: (1) This Part; (2) All rules adopted by the commissioner; and (3) The federal Migratory Bird Treaty Act, 16 United States Code, Chapter 7, subchapter II, section 703 as amended, and all rules and regulations promulgated in pursuance of that Act; and [2003, c. 414, Pt. A, §2 (NEW); 2003, c. 614, §9 (AFF).]"	12 ME Rev Stat § 10353	NO
	"40. Migratory waterfowl. "Migratory waterfowl" means anatidae, or waterfowl, including brant, wild ducks, geese and swans."	12 ME Rev Stat § 10001							"2. Powers. In addition to other powers granted in this Part, a game warden or other official described in section 10401 may: A. Arrest, summons and prosecute a violator of the following: (1) This Part; (2) Rules adopted by the commissioner; and (3) The federal Migratory Bird Treaty Act, 16 United States Code, Chapter 7, subchapter II, section 703 and all rules and regulations promulgated in pursuance of that Act."	12 ME Rev Stat § 10353	
	"52. Raptor. "Raptor" means a bird of the order Strigiformes and of the families Accipitridae and Falconidae commonly called buteos, accipiters, falcons and owls."	12 ME Rev Stat § 10001					"§11157. Migratory waterfowl permit 1. Permit required. Except as otherwise authorized pursuant to this Part, a person may not hunt migratory waterfowl unless that person has a valid permit issued pursuant to this section."	12 ME Rev Stat § 11157	"Each day a person violates this subsection that person commits a Class E crime for which a minimum fine of \$50 and an amount equal to twice the applicable license fee must be imposed."	12 ME Rev Stat § 11157	
							"§11158. Migratory game bird certification 1. Certification required; exception. A person may not hunt migratory game birds unless that person is certified under this section. This section does not apply to a resident of the State who is 70 years of age or older and who is issued a complimentary license pursuant to section 10853, subsection 1."	12 ME Rev Stat § 11158	"B. A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime. [2003, c. 655, Pt. B, §133 (NEW); 2003, c. 655, Pt. B, §422 (AFF).]"	12 ME Rev Stat § 11158	
							"§11159. Falconry hunting permit 1. Permit required. Except as otherwise authorized in this Part, a person may not engage in the practice of falconry unless that person has a valid permit issued under this section."	12 ME Rev Stat § 11159	"Each day a person violates this subsection that person commits a Class E crime for which a minimum fine of \$50 and an amount equal to twice the applicable license fee must be imposed."	12 ME Rev Stat § 11159	

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?
Maryland	"(i) Game birds or mammals. -- "Game birds or mammals" means the species defined as forest game birds and mammals, fur-bearing mammals, upland game birds and mammals, and wetland game birds or any part, egg, offspring, or dead body of any of them."	MD Nat Res Code § 10-101	"(b) Establishment of open season. -- The Department annually shall establish and publish the open season, excepting Sundays, for doves, mergansers, woodcock, and wetland game birds, including wild waterfowl, in conformity with the federal migratory bird rules and regulations adopted annually by the Secretary of Interior of the United States."	MD Nat Res Code § 10-407	N/A	N/A	"(a) Required in addition to hunter's license. -- In addition to any other requirement, a person hunting migratory game birds in the State first shall purchase a Maryland migratory game bird stamp. [...] (c) Proof of stamp purchase required. -- While hunting migratory game birds, a person must be in possession of proof of purchase of the Maryland migratory game bird stamp."	MD Nat Res Code § 10-308.1	illegally constitutes separate offense. -- For the purpose of this title, each game bird or mammal taken illegally, purchased, offered for purchase, sold, bartered, or exchanged in excess of the bag limit or possessed illegally constitutes a separate offense. (b) First offense. -- Any person who violates any provision of this title is guilty of a misdemeanor. Unless another penalty is specifically provided elsewhere in this title, the person, upon conviction, is subject to a fine not exceeding \$ 1,500, with costs imposed in the discretion of the court. (c) Second or subsequent offense. -- (1) Unless another penalty is specifically provided elsewhere in this title any person found guilty of a second or subsequent violation of any provision of this title, is subject to a fine not exceeding \$ 4,000, or imprisonment not exceeding 1 year, or both, with costs imposed in the discretion of the court. (2) For the purpose of this subsection, a second or subsequent violation is a violation	MD Nat Res Code § 10-1101	NO
	"(i) Migratory game bird. -- "Migratory game bird" means any wetland game bird, dove, or woodcock or any part, egg, offspring, or dead body of any of them."	MD Nat Res Code § 10-101					unprotected birds and game birds hunted during open season, a person may not hunt, destroy, or possess in any manner any wild bird within the State whether killed in the State or in any other state, territory, or country. (b) Exceptions. -- Unless prohibited by federal law, this section does not prohibit a landowner or his agent from shooting hawks or owls when considered necessary to protect poultry or game birds or mammals on the landowner's property from destruction. In addition, this section does not prohibit the Department from controlling birds or mammals which have become obnoxious in nature or habit or are damaging wildlife on any lands in the State. (c) Selling. -- (1) Except for the sale of captive breed birds of prey as permitted under federal and State propagation or federal and State falconry regulations, a person may not sell, offer for sale, offer to purchase, barter, or exchange the plumage, skin, or body of any nongame bird, whether caught within the State or in another state, territory, or country. (2) Except as otherwise provided, a person may not possess any game bird for sale whether caught within the State or in another state, territory, or	MD Nat Res Code § 10-401	convicted of violating any provision of this title and the violation causes or results in the injury, death, or destruction of any wildlife, including a protected species of animal, in addition to any other penalty provided in this title, the court may order the person to pay restitution to the State for the resource value of the wildlife, as determined by the court, taking into account regulations adopted by the Department under subsection (b) of this section. (b) Schedule of resource values. -- The Department, by regulation, shall establish a schedule of resource values for individual species or describe a system that a court may use in determining the resource value for the species. The Department may use, but not be limited to, known values to actually replace lost species or the Department may ascribe to a species a value which the individual wildlife or plant provides to the greater public good for the citizens of Maryland. (c) Joint liability; payment. -- (1) If 2 or	MD Nat Res Code § 10-1107	

	<p>"(n) Nongame birds and mammals" -- "Nongame birds and mammals" means every wild mammal and bird not classified as game birds and mammals or any part, egg, offspring, or dead body of any of them."</p>	<p>MD Nat Res Code § 10-101</p>				<p>"(a) Taking nests and eggs of wild birds prohibited. -- A person may not take or destroy or attempt to take or destroy the nest or eggs of any wild bird or possess the nest or eggs. (b) Taking nests and eggs of migratory birds prohibited. -- A person may not hunt or take any nest or egg of any bird regulated by the United States Department of the Interior pursuant to the Migratory Bird Treaty Act, 40 Stat. 755, except in the manner and by the means prescribed by the rules and regulations adopted by the Secretary of the Interior of the United States and approved by the President of the United States pursuant to the provisions of the Migratory Bird Treaty Act, 40 Stat. 755. (c) Exceptions. -- A person may take or possess any nest or egg of any wild bird regulated by the United States Department of the Interior pursuant to the Migratory Bird Treaty Act, 40 Stat. 755, for scientific purposes if the person first obtains a permit from the Secretary of the Interior of the United States and a scientific certificate from the Department."</p>	<p>MD Nat Res Code § 10-402</p>	<p>"(a) Authorized. -- In addition to any other penalty provided by this title, the Department or the court may suspend for a period not exceeding 5 years the hunting license or hunting privileges of a person who is convicted of a State or federal hunting violation."</p>	<p>MD Nat Res Code § 10-1108</p>	
	<p>"(r) Protected birds. -- "Protected birds" means any wild bird not included within the definition of "game bird" or "unprotected bird" or any part, egg, offspring, or dead body of any of them."</p>	<p>MD Nat Res Code § 10-101</p>				<p>"(a) Hunting, purchasing, or selling game birds. -- A person may not hunt, purchase, sell, barter, exchange, or attempt to hunt, purchase, sell, barter, or exchange any game bird except as provided by federal or State laws and rules and regulations. (b) Hunting and possessing wild waterfowl in excess of federal and State limits prohibited. -- A person may not hunt or possess any game bird in excess of the limits prescribed by federal or State laws and rules and regulations. (c) Hunting on federal or State bird refuges. -- A person may not hunt game birds at any time or in any manner on land or in waters within the boundary lines of any federal or State-owned or controlled migratory bird refuge unless permitted by federal or State laws or rules and regulations."</p>	<p>MD Nat Res Code § 10-403</p>			
	<p>"(x) Waterfowl processing operation. -- "Waterfowl processing operation" means receipt or possession of any wild waterfowl for the purpose of picking for a fee or other consideration."</p>	<p>MD Nat Res Code § 10-101</p>				<p>game birds or upland game birds, except quail and pheasant, by the aid of baiting, or on or over any baited area, if the person knows or reasonably should know that the area is a baited area. (c) Exceptions. -- This section does not prohibit: (1) The hunting of wetland and upland game birds on or over standing crops, flooded standing crops (including aquatics), flooded harvested croplands, grain crops properly shocked on the field where grown, or grains found scattered solely as the result of normal agricultural planting or harvesting; and (2) The hunting of all upland game birds on or over any lands where shelled, shucked, or unshucked corn, wheat or other grain, salt, or other feed has been distributed or scattered as the result of bona fide agricultural operations or procedures, or as a result of manipulation of a crop or other feed on the land where grown for wildlife purposes. Manipulation for wildlife management purposes does not include the distributing or scattering of grain or other feed once it has been removed from or stored on the field where grown. (d) Exemptions. -- By rule or regulation, the Department may exempt from this section captive raised mallard ducks which are released on a regulated shooting ground to be shot at immediately after release."</p>	<p>MD Nat Res Code § 10-412</p>			

	<p>"(y) Wetland game birds. -- "Wetland game birds" means brant, coots, ducks, gallinules, geese, mergansers, rails, snipe, and swan or any part, egg, offspring, or dead body of any of them, including birds raised in captivity and released to the wild or otherwise used for hunting purposes."</p>	<p>MD Nat Res Code § 10-101</p>	<p>"The Secretary may adopt regulations to implement the provisions of this subtitle."</p>	<p>MD Nat Res Code § 10-601.1</p>		<p>"(c) Waterfowl resting on land or water. -- (1) A person may not shoot a wild waterfowl resting on land or water. (2) A person who wounds and cripples a wild waterfowl may shoot the waterfowl."</p>	<p>MD Nat Res Code § 10-602</p>		
	<p>"(z) Wild birds. -- "Wild birds" means every bird wild by nature or any part, egg, offspring, or dead body of any of them."</p>	<p>MD Nat Res Code § 10-101</p>				<p>A person may ship or bring into the State by express or as baggage any game bird or game mammal the person legally killed in any other state, territory, or country. The game bird or game mammal shall be accompanied by a copy of the hunter's license and any necessary permit of the state, territory, or country in which the game bird or game mammal was killed. If the state, territory, or country does not require documentation, then the game bird or game mammal shall be accompanied by a statement indicating the owner of the specimen, the owner's address, and the state, territory, or country of origin. (e) Selling or exchange of game bird or mammal taken from wild. -- (1) Except as provided in paragraph (2) of this subsection or § 10-512(a)(2)(ii) of this title, a person may not sell, offer for sale, barter, or exchange, at any time within the State any game bird or game mammal taken from the wild, in the State or in another state, territory, or country. (2) The prohibitions of paragraph (1) of this subsection do not apply to the: [...] (iii) Feathers, skin, or feet, excluding a mounted specimen of upland and forest game birds legally acquired; (iv) Except as prohibited by federal law, feathers of wetland game birds legally acquired; or [...] (g) Purchase prohibited if sale prohibited. -- Except as</p>	<p>MD Nat Res Code § 10-404</p>		
	<p>"(cc) Wild waterfowl. -- "Wild waterfowl" means brant, coots, ducks, geese, mergansers, and swans or any part, egg, offspring, or dead body of any of them, including birds raised in captivity and released to the wild or otherwise used for hunting purposes."</p>	<p>MD Nat Res Code § 10-101</p>				<p>"(a) Game birds or mammals. -- A person may not export from the State any game bird or mammal, except wild waterfowl and fur-bearing mammals. However, a licensed hunter may take out as personal baggage in the open season only the prescribed possession limit as set by regulation. [...] (b) Wild waterfowl. -- A person desiring to export wild waterfowl from the State shall ship them in the open, tied by head or feet and tagged accordingly, or in a container, slatted so that the birds are visible. A person may not export from the State in 1 week more than the prescribed bag limit of wetland game birds the person kills. (c) Shipment of nongame birds prohibited. -- A person acting as a common carrier, or an officer, agent, or employee of a common carrier, may not ship, carry, take, or transport any nongame bird within or outside the State."</p>	<p>MD Nat Res Code § 10-417</p>		

<p>"(2) "Baited area" means any area where shelled, shucked, or unshucked corn, wheat or other grain, salt, or other feed capable of luring, attracting, or enticing birds is directly or indirectly placed, exposed, deposited, distributed, or scattered, and this area remains a baited area for 10 days following complete removal of all corn, wheat or other grain, salt, or other feed. (3) "Baiting" means the placing, exposing, depositing, distributing, or scattering of shelled, shucked, or unshucked corn, wheat or other grain, salt, or other feed so as to constitute for birds a lure, attraction, or enticement to, on, or over any areas where persons are attempting to hunt them."</p>	<p>MD Nat Res Code § 10-412</p>								<p>"(a) License required. -- (1) A person may not conduct a waterfowl processing operation unless the person has a waterfowl processing operation license issued by the Department under this section."</p>	<p>MD Nat Res Code § 10-425</p>		
---	---------------------------------	--	--	--	--	--	--	--	---	---------------------------------	--	--

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?
Massachusetts	""Birds", wild or undomesticated birds."	MA Gen L ch 131 § 1	"The director is hereby authorized to issue such stamp in such form as he may prescribe."	MA Gen L ch 131 § 13	N/A	N/A	"A person shall not hunt migratory waterfowl within the commonwealth or its coastal waters during the open season on waterfowl as established by the director unless he has first obtained from the director, his authorized agents or from a city or town clerk, a Massachusetts waterfowl stamp authorizing him so to hunt. Said stamp shall be signed across the face by the bearer, shall not be transferable and shall be carried at all times upon the person while hunting migratory waterfowl."	MA Gen L ch 131 § 13	provision of section five, ten, eleven, thirty-two, thirty-five, thirty-six, thirty-eight, forty-seven, forty-nine, fifty, fifty-one, fifty-three, fifty-four, fifty-seven, fifty-eight, fifty-nine, sixty-two, sixty-nine, seventy-one, seventy-two, eighty, eighty-two, eighty-three, eighty-four, or eighty-five, or any rule or regulation made under authority thereof, shall be punished by a fine of not less than fifty nor more than one hundred dollars, or by imprisonment for not more than thirty days, or both such fine and imprisonment; in addition, for each bird or mammal other than a deer, bear or turkey unlawfully killed, taken, held or possessed, or for each nest or egg unlawfully taken, molested, distributed or destroyed, by a fine of not less than ten nor more than fifty dollars; and for each deer unlawfully killed or unlawfully possessed, by a fine of not less than three hundred nor more than one thousand dollars, or by imprisonment for not more than six months, or both such fine and	MA Gen L ch 131 § 90	NO
	""Falcon", the female peregrine, but applied generally to the females of all long-winged hawks (Falconidae), and to all hawks trained to hunt game."	MA Gen L ch 131 § 1	"the director may issue such permit and may include therein reasonable conditions as to the importation, inspection, transportation, and liberation of such birds and mammals and other vertebrates if he determines that such importation is not detrimental to resident wildlife populations of the commonwealth and provided that any bird or mammal or other such vertebrates to be imported is certified by a person recognized by the director as qualified to diagnose wildlife diseases to be free of any infectious disease or parasites if in his judgment such certification is deemed necessary. "	MA Gen L ch 131 § 19A			"Section 19A. A person shall not bring or cause to be brought into the commonwealth any live bird or mammal protected by this chapter, [...] or any other member of the group vertebrata, wild by nature, unless he first obtains a permit so to do from the director, provided in the case of a dealer licensed both under clause (4) of section twenty-three and section thirty-nine A of chapter one hundred and twenty-nine that said dealer show evidence that he has secured a licensed buyer to purchase said bird or mammal, other than those listed in section five, or other such vertebrate, which are not excluded from the licensing provisions of said section twenty-three, and which are not on the special exemption list provided for in section twenty-three, nor shall he liberate any bird or mammal or other such vertebrates "	MA Gen L ch 131 § 19A	"Whoever violates any provision of section eighteen, nineteen, nineteen A, sixty, sixty-eight, or seventy-nine, or of any rule or regulation made under authority thereof, shall be punished by a fine of not less than one hundred nor more than five hundred dollars, or by imprisonment for not more than six months, or both."	MA Gen L ch 131 § 90	
	"Unless the context otherwise requires, any reference to the taking or having in possession of a fish, bird or mammal shall include the taking or having in possession of any part or portion thereof."	MA Gen L ch 131 § 1					"Section 23. Except as otherwise provided by this section or any rule or regulation made under the authority thereof, a person shall not engage in the propagation, cultivation, or maintenance of, or the dealing in, fish, birds, mammals, reptiles, or amphibians, or parts thereof, as provided in section twenty-four, twenty-five or forty-seven, without first having obtained a propagator's license or dealer's license, as the case may be, authorizing him so to do. For the purpose of this section, birds, mammals, reptiles and amphibians shall refer to undomesticated birds, mammals, reptiles and amphibians that are wild by nature. Nothing in this section shall be construed to prohibit the propagation, disposition, sale, possession or maintenance of domesticated species."	MA Gen L ch 131 § 23	"Whoever violates any provision of section sixty-five, sixty-six, sixty-seven or eighty-six shall be punished by a fine of not less than fifty nor more than one thousand dollars, or by imprisonment for not more than one year, or both."	MA Gen L ch 131 § 90	

							<p>"Section 25. Except as provided in sections four and twenty-three, a person shall not have in his possession at any time a live bird or mammal other than those named in section five, or a live reptile or amphibian. Birds and mammals had in possession under any license issued under clause (4) or (6) of section twenty-three may be sold at any time, except if sold for food they shall be killed, [...] A person licensed under the authority of section twenty-three shall not transfer any live bird, or the eggs thereof, or any live mammal, reptile or amphibian, to any person by means of sale, gift, donation or otherwise, unless such last mentioned person shall first be thereunto licensed under said section."</p>	<p>MA Gen L ch 131 § 25</p>	<p>"Whoever violates any provision of sections seventy-four or seventy-six shall be punished by a fine of not less than twenty nor more than fifty dollars, or by imprisonment for not more than thirty days, or both, for each bird or mammal taken, killed or removed, and for each nest or egg taken, disturbed, molested or destroyed."</p>	<p>MA Gen L ch 131 § 90</p>
							<p>"Section 37. An owner or tenant of land or, if authorized by such owner or tenant, any member of his immediate family or his employee, as defined pursuant to section one of chapter sixty-two B, may, upon such land: (1) kill or attempt to kill, by means other than poisoning or trapping, any wild bird damaging his property, including domesticated animals, poultry and game on game-rearing farms or preserves, provided that such killing is not contrary to any federal law, rule or regulation."</p>	<p>MA Gen L ch 131 § 37 (Similar to Section 38)</p>	<p>"Unless the context otherwise requires, a violation of any provision of this chapter, or of any rule or regulation made under authority thereof, for which no other penalty is provided, shall be punished by a fine of not less than twenty nor more than fifty dollars, or by imprisonment for not more than thirty days, or both."</p>	<p>MA Gen L ch 131 § 90</p>
							<p>"Section 74. A person shall not take, disturb or destroy a nest or eggs of any bird except an English sparrow, crow, jay or starling. A city, town, county or private organization shall not offer or pay bounties for the killing or taking of any bird."</p>	<p>MA Gen L ch 131 § 74</p>	<p>for in this section for violating any of the provisions of chapter one hundred and thirty-one, or any rule or regulation made under the authority thereof, any person convicted of the illegal taking or illegal possession of animals, birds, fur-bearing animals and fish, resulting in the injury, death or destruction of the same, may be required to make restitution to the commonwealth for the value of each animal, bird, fur-bearing animal or fish so taken or possessed as follows: [...] (e) Ruffed grouse, pheasant, quail, woodcock and migratory waterfowl: twenty-five dollars per bird illegally taken or illegally possessed. [...] (h) Other animals or birds: ten dollars per animal or bird. In every case of conviction for violating any of the provisions of this chapter, or any rule or regulation made under the authority thereof, the fines imposed by this section shall not be suspended or waived. In every case of conviction involving the illegal taking or illegal possession</p>	<p>MA Gen L ch 131 § 90</p>
							<p>"Section 85. Except as prohibited or limited by federal legislation or regulation, any person who holds a sporting, hunting, fishing or trapping license issued to him as a nonresident may carry from the commonwealth such fish, reptiles, amphibians, birds or mammals as have been lawfully taken within the commonwealth, but no person shall transport or cause to be transported into or out of the commonwealth any fish, reptiles, amphibians, birds or mammals protected by this chapter which have been unlawfully taken or killed therein, nor shall any person transport or cause to be transported into the commonwealth any fish, reptiles, amphibians, birds or mammals which have been taken or killed or are possessed contrary to the laws of any state or of any foreign nation."</p>	<p>MA Gen L ch 131 § 85</p>		

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?
Michigan	"(1) "Game" means any species of wildlife designated by the legislature or the commission as game under section 40110 and any of the following animals but does not include privately owned cervidae species located on a cervidae livestock facility registered under the privately owned cervidae producers marketing act, 2000 PA 190, MCL 287.951 to 287.969: [...] (e) Brant. (f) Coot. (g) Coyote. (h) Crow. (i) Deer. (j) Duck. [...] (m) Florida gallinule. (n) Fox. (o) Geese. [...] (q) Hungarian partridge. [...] (x) Pheasant. (y) Quail. [...] (bb) Ruffed grouse. [...] (ee) Snipe. (ff) Sora rail. [...] (hh) Virginia rail."	MI Comp L § 324.40103	"All animals found in this state, whether resident or migratory and whether native or introduced, are the property of the people of the state, and the taking of all animals shall be regulated by the department as provided by law."	MI Comp L § 324.40105	N/A	N/A	"A person shall not take, release, transport, sell, buy, or have in his or her possession game or any protected animal, whether living or dead, or parts of any game or protected animal, from this state or from outside of this state, except as provided for in this part or by an order of the department or an interim order of the department."	MI Comp L § 324.40106	"The department and any officer appointed by the department shall do all of the following: (a) Enforce the statutes and laws of this state for the protection, propagation, or preservation of wild birds, wild animals, and fish. (b) Enforce all other laws of this state that pertain to the powers and duties of the department or the commission. (c) Bring or cause to be brought or prosecute or cause to be prosecuted actions and proceedings in the name of the people of this state for the purpose of punishing any person for the violation of statutes or laws described in this section."	MI Comp L § 324.1601	NO
	"(3) "Waterfowl" means ducks, geese, gallinules, and mergansers."	MI Comp L § 324.43508	"(1) The department shall issue an order in the manner provided in section 40107(2) establishing a season or seasons for falconers to take live raptors for use in falconry. The order shall designate the numbers of raptors that may be taken and possessed and any other conditions pertaining to the taking and possession of raptors that the department considers advisable. (2) This section does not, and an order issued under this section shall not, designate any species of raptor as game. This section does not prohibit the department from determining that any species of raptor is a protected animal."	MI Comp L § 324.40107b			individual may possess game, other than badger, bobcat, brant, coot, crow, cub bear, duck, elk, fisher, Florida gallinule, geese, marten, moose, otter, snipe, sora rail, spotted fawn deer, Virginia rail, wild turkey, wolf, and woodcock, that is either killed by, or injured and euthanized as allowed under law following, a collision with a motor vehicle. The driver of the motor vehicle has first priority to take possession of the game. [...] (5) If an individual notifies 9-1-1, the department, or a local law enforcement agency under subsection (2) of his or her intent to legally maintain possession of the game under subsection (1), that individual shall provide 9-1-1, the department, or the local law enforcement agency with the following information: (a) The date and time the individual took possession of the game. (b) The location where the possession of the game occurred. (c) The type of game the individual seeks to possess. [...] (d) Whether the individual has requested a salvage tag under subsection (8). (e) The individual's full name, including middle initial, date of birth, mailing address, telephone number, and driver license number. (f) The intended purpose for obtaining possession of the game, including, but not limited to, human consumption, bait, or other uses. [...] (10) This section does not apply to an individual	MI Comp L § 324.40115	part, an order or interim order issued under this part, or a condition of a permit issued under this part, except for a violation specified in subsections (2) to (18), is guilty of a misdemeanor punishable by imprisonment for not more than 90 days, or a fine of not less than \$50.00 or more than \$500.00, or both, and the costs of prosecution. In addition, a permit issued by the department under this part must be revoked pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328. (2) An individual who violates a provision of this part or an order or interim order issued under this part regarding the possession or taking of any game, except deer, bear, wild turkey, wolf, waterfowl, moose, or elk, is guilty of a misdemeanor punishable by imprisonment for not more than 90 days, or a fine of not less than \$100.00 or more than \$1,000.00, or both, and the costs of prosecution. [...] (6) An individual who violates a provision of this part or an order or	MI Comp L § 324.40118	

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?
Minnesota	"Subd. 24. Game birds. "Game birds" means migratory waterfowl, ring-necked pheasant, ruffed grouse, sharp-tailed grouse, Canada spruce grouse, prairie chickens, gray partridge, bobwhite quail, wild turkeys, coots, gallinules, sora and Virginia rails, mourning dove, sandhill crane, American woodcock, and common snipe."	MN Stat § 97A.015			N/A	N/A	"Subdivision 1. Taking unprotected mammals and birds. Mammals that are unprotected wild animals and unprotected birds may be taken at any time and in any manner, except with artificial lights, or by using a motor vehicle in violation of section 97B.091. Poison may not be used to take unprotected mammals or unprotected birds unless the safety of humans and domestic livestock is ensured. Unprotected mammals and unprotected birds may be possessed, bought, sold, or transported in any quantity, except importation or exportation is restricted as provided in subdivision 2 [coyotes]."	MN Stat § 97B.651	"Subdivision 1. Misdemeanor. Unless a different penalty is prescribed, a person is guilty of a misdemeanor if that person: (1) violates the game and fish laws; (2) aids or assists in committing the violation; (3) knowingly shares in the proceeds of the violation; (4) fails to perform a duty or comply with a requirement of the game and fish laws; (5) knowingly makes a false statement related to an affidavit regarding a violation or requirement of the game and fish laws; or (6) violates or attempts to violate a rule under the game and fish laws. Subd. 2. Gross misdemeanor. Unless a different penalty is prescribed, a person convicted of violating a provision of the game and fish laws that is defined as a gross misdemeanor is subject to a fine of not less than \$100 nor more than \$3,000 and imprisonment in the county jail for not less than 90 days or more than one year."	MN Stat § 97A.301 (2017)	NO
	"Subd. 28. Migratory waterfowl. "Migratory waterfowl" means brant, ducks, geese, tundra swans, trumpeter swans, and whooper swans."	MN Stat § 97A.015					"Subdivision 1. Taking of birds, nests, and eggs must be authorized. Protected birds, their nests, and their eggs may be taken only as authorized under the game and fish laws. Subd. 2. Prohibited methods of taking. A person may not take protected birds: (1) with a trap, net, or snare; (2) using bird lime; (3) with a swivel or set gun; (4) by dragging a rope, wire, or other device across a field; or (5) by using fire. Subd. 4. Great horned owl. A person who is authorized to take a great horned owl under a federal permit does not need a state permit to take a great horned owl"	MN Stat § 97B.701	"Subdivision 1. Gross misdemeanor for sales of \$300 or more. (a) A person that buys or sells protected wild animals in violation of the game and fish laws where the sales total \$300 or more is guilty of a gross misdemeanor. The person is subject to the penalty in section 97A.301, subdivision 2, except that the fine may not be less than \$3,000 or more than \$10,000. (b) Licenses possessed by a person convicted under this subdivision are null and void and the person may not take wild animals for three years after the conviction. [...] Subd. 3. Small game and game fish. Except as provided in subdivision 1, a person that buys or sells small game or game fish in violation of the game and fish laws where the sales total \$50 or more is guilty of a gross misdemeanor."	MN Stat § 97A.325	

<p>"Subd. 38. Protected birds. "Protected birds" means all birds except unprotected birds. [...] Subd. 52. Unprotected birds. "Unprotected birds" means English sparrow, starling, cormorant, common pigeon, Eurasian collared dove, chukar partridge, quail other than bobwhite quail, and mute swan."</p>	<p>MN Stat § 97A.015</p>				<p>"(a) Except as provided in this section, a person may not take a bird with a steel jaw leg-hold trap mounted on a pole, post, tree stump, or other perch more than three feet above the ground. (b) A person that has a permit to take great horned owls issued under United States Code, title 16, section 704, may trap great horned owls from April 1 to October 15 if the person has a game farm license or is the owner or operator of a poultry farm. The trap must be a padded jaw trap mounted at a height so that the trapped owl may rest on the ground. The trap must be tended at least twice daily. Uninjured birds shall be released alive and injured birds shall receive appropriate veterinary treatment."</p>	<p>MN Stat § 97B.705</p>	<p>"(a) A person who takes, possesses, or transports wild animals over the legal limit, in closed season, or without a valid license, when the restitution value of the wild animals is over \$1,000 is guilty of a gross overlimit violation. Except as provided in paragraph (b), a violation under this paragraph is a gross misdemeanor. (b) If a wild animal involved in a gross overlimit violation is listed as a threatened or endangered wild animal, the penalty in paragraph (a) does not apply unless more than one animal is taken, possessed, or transported in violation of the game and fish laws."</p>	<p>MN Stat § 97A.338</p>	
<p>"Subd. 45. Small game. "Small game" means game birds, [...]"</p>	<p>MN Stat § 97A.015</p>	<p>"(b) The commissioner shall prescribe seasons, limits, and areas for migratory birds in accordance with federal law."</p>	<p>MN Stat § 97B.731</p>		<p>"Subdivision 1. Migratory game birds. (a) Migratory game birds may be taken and possessed. A person may not take, buy, sell, possess, transport, or ship migratory game birds in violation of federal law."</p>	<p>MN Stat § 97B.731</p>	<p>"Subdivision 1. Liability for restitution. A person who kills, injures, or possesses a wild animal in violation of the game and fish laws is liable to the state for the value of the wild animal as provided in this section. Species afforded protection include members of the following groups as defined by statute or rule: game fish, game birds, big game, small game, fur-bearing animals, minnows, and threatened and endangered animal species. Other animal species may be added by rule of the commissioner as determined after public meetings and notification of the chairs of the environment and natural resources committees in the senate and house of representatives. [...] Subd. 4. Amount of restitution. The amount of restitution shall be determined by the court by a preponderance of the evidence. In determining the amount of restitution, the court must consider the value of the wild animal under section 97A.345."</p>	<p>MN Stat § 97A.341</p>	
<p>"Subd. 49. Undressed bird. "Undressed bird" means: (1) a bird, including ducks, with a fully feathered wing intact; or (2) a pheasant, Hungarian partridge, or wild turkey with one leg and foot intact."</p>	<p>MN Stat § 97A.015</p>	<p>"(a) The commissioner may, by rules adopted under chapter 14, prescribe the dollar value to the state of species of wild animals. The value may reflect the value to other persons to legally take the wild animal, the replacement cost, or the intrinsic value to the state of the wild animals. Species of wild animals with similar values may be grouped together. (b) The value of a wild animal under the rules adopted by the commissioner is prima facie evidence of a wild animal's value under section 97A.341. (c) The commissioner shall report annually to the legislature the amount of restitution collected under section 97A.341 and the manner in which the funds were expended."</p>	<p>MN Stat § 97A.345</p>		<p>"(a) Except as provided in this section or section 97A.405, subdivision 2, a person required to possess a small-game license may not take migratory waterfowl without a migratory-waterfowl stamp validation. (b) Residents under age 18 or over age 65; resident disabled veterans with a license issued under section 97A.441, subdivision 6a; and persons hunting on their own property are not required to possess a stamp validation under this section. (c) Residents and nonresidents with licenses issued under section 97A.475, subdivision 2, clause (18); or 3, paragraph (a), clause (14), are not required to possess a stamp validation under this section."</p>	<p>MN Stat § 97B.801</p>			
					<p>"Except as provided in this section, a person required to possess a small-game license may not take Canada geese during a special season without a valid special-season Canada-geese license in possession. Residents under age 18 or over age 65 and persons hunting on their own property are not required to possess the license."</p>	<p>MN Stat § 97B.802</p>			

							<p>"Subdivision 1. License requirements. (a) A person may breed and propagate fur-bearing animals, game birds, bear, or mute swans only on privately owned or leased land and after obtaining a license. Any of the permitted animals on a game farm may be sold to other licensed game farms. [...] (b) A person may purchase live game birds or their eggs without a license if the birds or eggs, or birds hatched from the eggs, are released into the wild, consumed, or processed for consumption within one year after they were purchased or hatched. This paragraph does not apply to the purchase of migratory waterfowl or their eggs."</p>	MN Stat § 97A.105			
							<p>"(a) Nonprofit organizations may charge a fee for admission to fund-raising events when lawfully taken and possessed game, excluding migratory game birds, as defined in Code of Federal Regulations, title 50, section 20.11, that cannot be sold under federal law, is donated to the organization and is served for consumption on the premises where the fund-raising event is held."</p>	MN Stat § 97A.510			
							<p>"(a) Except as otherwise provided by the game and fish laws and as restricted in this section [bears], a person may possess, transport, buy, or sell the following inedible portions of lawfully taken or acquired big game animals, fur-bearing animals, fish, and game birds other than migratory waterfowl: bones, including skulls; sinews; hides and skins; hooves; teeth; claws; and antlers."</p>	MN Stat § 97A.512			
	<p>Subd. 47. Taking. "Taking" means pursuing, shooting, killing, capturing, trapping, snaring, angling, spearing, or netting wild animals, or placing, setting, drawing, or using a net, trap, or other device to take wild animals. Taking includes attempting to take wild animals, and assisting another person in taking wild animals.</p>	MN Stat § 97A.015					<p>"Subd. 4. Game birds taken outside of this state. (a) A person may transport into the state game birds that are lawfully taken and possessed outside of this state. (b) A resident may ship the game birds by common carrier within the state. A nonresident may ship the game birds out of the state by common carrier. Each shipment must be tagged or sealed by a conservation officer as prescribed by the commissioner. Subd. 5. Birds must be in undressed condition; exceptions. (a) Except as provided in paragraph (b), a person may ship or otherwise transport game birds in an undressed condition only. (b) Paragraph (a) does not apply if the birds being shipped or otherwise transported: (1) were taken on a shooting preserve and are marked or identified in accordance with section 97A.121, subdivision 5; (2) were taken, dressed, and lawfully shipped or otherwise transported in another state; (3) are migratory game birds that were lawfully tagged and packed by a federally permitted migratory bird preservation facility; or (4) are doves shipped or transported in accordance with federal law."</p>	MN Stat § 97A.545			

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?
Mississippi	"As used in Sections 49-5-11 to 49-5-19, the term "game" shall also include waterfowl."	MS Code § 49-5-9	"The commission may issue a permit, revocable at pleasure, to any person authorizing the holder to collect and possess wild animals or wild birds, or birds' nests or eggs for scientific purposes, but no permit shall authorize the collection, possession, purchase or sale of migratory birds, or their nests or eggs, included in the terms of the Migratory Bird Treaty Act of July 3, 1918, and the federal regulations thereunder, for scientific exhibition, or propagating purposes, contrary to the provisions of said act and/or regulations. "	MS Code § 49-1-41	N/A	N/A	"It shall be unlawful for any person to hunt with gun or dog on any sanctuary or preserve for bird and game, or to rob or destroy the nests of any birds, or to catch, snare, trap, or net any birds within any such prescribed limits, and any person, found with gun or dog on or within such prescribed limits, shall be prima facie presumed to be hunting in violation of this section."	MS Code § 49-5-5	5 the person so offending shall be punished by a fine of not less than One Hundred Fifty Dollars (\$ 150.00) or more than Three Hundred Dollars (\$ 300.00), and by imprisonment in the county jail not less than ten (10) days or more than thirty (30) days. For every subsequent violation of Section 49-5-5, the person so offending shall be punished by a fine of not less than Three Hundred Dollars (\$ 300.00) or more than Five Hundred Dollars (\$ 500.00), and by imprisonment in the county jail not less than ten (10) days or more than thirty (30) days, which sentence shall be served and not suspended. No person convicted of violating the above section shall for two (2) years thereafter be allowed to hunt or receive license to hunt for birds or game in the county of his conviction and in the management area within which the refuge, sanctuary or preserve is located. No person convicted of any subsequent violation of the above section shall for two (2) years thereafter be allowed to	MS Code § 49-5-39	NO
			"The federal conservation acts for the protection of game and fish and applicable regulations are hereby made a part of this chapter."	MS Code § 49-5-31			introduced pheasants which are hereby classified as domestic fowl shall be pursued, taken, wounded, killed, captured, possessed or exported at any time, dead or alive. No part of the plumage, skin or body of any bird protected by this section or of any birds coming from without the state, the importation of which is prohibited into the United States, shall be sold or had in possession for sale in this state. No person shall molest, take or destroy or attempt to molest, take or destroy the nests or eggs of any wild bird, or have such nests or eggs in his possession, except under the authority of a permit duly issued for scientific purposes. (2) This section shall not apply to game birds for which there is an open season under state law or introduced pheasants; birds, or parts thereof collected or possessed under the authority of a certificate duly issued for scientific purposes; or to the English sparrow (<i>Passer domesticus</i>), red-winged blackbird (<i>Agelaius phoeniceus</i>), rusty blackbird (<i>Euphagus carolinus</i>), Brewer's blackbird (<i>Euphagus cyanocephalus</i>), grackles (<i>Quiscalus sp.</i>), brown-headed cowbird (<i>Molothrus ater</i>), European starling (<i>Sturnus vulgaris</i>) or crows (<i>Corvus sp.</i>) or to the nests or eggs of such unprotected birds. Nor	MS Code § 49-5-7	"(1) Any violation or attempt to violate any of the provisions of this chapter, or any law or regulation for the protection of wild animals, birds or fish, shall constitute and is hereby declared a misdemeanor. All sheriffs, deputy sheriffs, constables and peace officers of this state are hereby made ex-officio special conservation officers and it shall be their duty to aid in the enforcement of such laws or regulations. (2) It shall be the duty of the conservation officer, sheriff, constable and city, town and village officers within the county to arrest, with or without process, any person whom they may know or have good reason to believe is violating the provisions of Section 49-5-5 and shall take them before the proper justice of the peace or other officer to be dealt with according to law. Any private person may arrest any person violating the above section in his presence."	MS Code § 49-5-43	

									<p>"It shall be the duty of each district attorney in this state and county prosecuting attorney in each county to prosecute and defend, for the state, in all courts of the county or counties in his district or county, all causes, criminal or civil, arising under the provisions of this chapter, or any law or regulation for the protection of wild animals, birds or fish, in which the state may be a party or may be interested or concerned. Circuit judges shall give the grand juries, when organized, the provisions of the laws relating to wild animals, birds and fish strictly in charge and shall urge strict inquiry into all violations thereof."</p>	MS Code § 49-5-45	
	<p>"For the purposes of this chapter, the following definitions and interpretations shall govern unless otherwise provided: [...] (e) The following are classed as game birds: geese, brant ducks, rails, coots, snipe, gallinules, moorhens, woodcock, crow, mergansers, wild turkey, quail and doves. All other species of wild resident or migratory birds are classed as nongame birds."</p>	MS Code § 49-7-1	<p>"The open season for game birds shall be as follows: [...] (d) On migratory birds: The open season for migratory birds shall be the season prescribed by the Federal Migratory Bird Treaty regulations."</p>	MS Code § 49-7-31.2			<p>"(1) It is unlawful to hunt, trap or kill any wild bird or wild animal of any kind with the aid of bait, recordings of bird or animal calls, or electrically amplified imitations of calls of any kind, except a person: (a) May use electrically amplified sound devices for hunting crow; (b) May use liquid scents for any animal or bird;"</p>	MS Code § 49-7-33			
							<p>"(1) It is unlawful for any person: (a) (i) To hunt, chase, kill or to pursue with the intent to take, kill or wound any wild animal or wild bird in violation of this chapter; [...] (f) To hunt or trap any birds, game or wild animals during the closed season."</p>	MS Code § 49-7-45	<p>"(g) Any person violating paragraphs (b), or (f) [of 49-7-45] is guilty of a Class II offense and shall be punished as provided in Section 49-7-143."</p>	MS Code § 49-7-45	
							<p>"(1) (a) It is unlawful for any person to buy or sell or to offer for sale, exchange for merchandise, or other consideration, within this state, any game birds, game animals, or game fish, or parts thereof, named in this chapter, whether taken within or coming from without the state, except as specifically permitted by law or regulation."</p>	MS Code § 49-7-51	<p>"(d) A violation of this subsection [49-7-51] is a Class I violation and is punishable as provided in Section 49-7-141."</p>	MS Code § 49-7-51	
							<p>or common carrier to knowingly receive for shipment or to ship any game animals, birds, or fish named in this chapter; except that a railroad, express company or common carrier may receive and carry game animals, birds or fish when accompanied by the hunter killing same and as provided otherwise in this chapter. (2) No person or corporation may ship, transport or carry, cause to be shipped, transported or carried, or receive for shipment, transportation or carriage, or have in his possession with intent to ship, transport or carry, or secure the shipment, transportation or carriage beyond the limits of this state, any game animal, bird or fish, except for the following in accordance with rules and regulations promulgated by the commission: [...] (3) The offering or reception by any person or corporation within this state of any such birds, animals or fish for shipment from this state shall be prima facie evidence that such birds, animals or game fish were killed, captured or taken within the state. Each game animal, bird or fish in possession, received for shipment or transportation, or shipped or transported in violation of this section is a separate offense. (4) A nonresident licensee during the open season may ship, transport or carry from this state any</p>	MS Code § 49-7-53	<p>"(5) A violation of this section [49-7-53] is a Class I violation and is punishable as provided in Section 49-7-141."</p>	MS Code § 49-7-53	

						"Any game animal, bird or fish lawfully taken may be possessed during the open season and during the closed season. Any game animal, bird or fish unlawfully taken may not be possessed at any time."	MS Code § 49-7-57			
						"It shall be unlawful for any person at any time to capture wild fowl or game birds by the use of traps, nets or other contrivances, except as provided by this chapter."	MS Code § 49-7-63			
						"It shall be unlawful to needlessly disturb or to destroy the nests of birds or their eggs."	MS Code § 49-7-73	"A violation of this section [49-7-73] is a Class II violation and is punishable as provided in Section 49-7-143."	MS Code § 49-7-73	
								or punishment is specially prescribed, a person who violates any of the provisions of this chapter or any law or regulation for the protection of wild animals, birds, or fish, or who fails to perform any duty imposed by such laws or regulations, or who violates or fails to comply with any lawful order, rule or regulation adopted by the commission is guilty of a Class III violation and, upon conviction thereof, shall be punished by a fine of not less than Twenty-five Dollars (\$ 25.00) nor more than One Hundred Dollars (\$ 100.00). In addition thereto, such person is liable, in the discretion of the court, to an additional penalty of Twenty-five Dollars (\$ 25.00) for each animal, bird, or fish, or part thereof, or each nest or egg of any bird taken, possessed, or transported in violation of such law or regulation. [...]		
								(5) Any person unlawfully trapping quail or any other game bird within this state is guilty of a Class II violation and shall be punished as provided in Section 49-7-143.	MS Code § 49-7-101	
								"(1) Any person who has been convicted of a Class I violation shall be fined not less than Two Thousand Dollars (\$ 2,000.00) nor more than Five Thousand Dollars (\$ 5,000.00) and shall be imprisoned in the county jail for five (5) days. The person shall also forfeit all hunting, trapping and fishing privileges for a period of not less than twelve (12) consecutive months from the date of conviction. (2) In addition to the penalty provided in subsection (1) of this section, any person convicted of a violation of Section 49-7-51 or 49-7-53, Mississippi Code of 1972, may, in the discretion of the court, be fined One Hundred Dollars (\$ 100.00) for each game animal, game bird or game fish, or part thereof, bought, sold, offered for sale, exchanged for merchandise or other consideration, received for shipment, shipped, transported, carried or possessed with the intent to ship, transport or carry."	MS Code § 49-7-141	
								"Any person who has been convicted of a Class II violation shall be punished by a fine of not less than One Hundred Dollars (\$ 100.00) nor more than Five Hundred Dollars (\$ 500.00) or by imprisonment in the county jail for not less than sixty (60) days nor more than six (6) months, or by both such fine and imprisonment."	MS Code § 49-7-143	

"For purposes of Sections 49-7-161 through 49-7-173, unless the context otherwise requires, the following terms shall have the meaning described herein:
(a) "Migratory waterfowl" means any wild goose, brant or wild duck."

MS Code § 49-7-161

"The commission may enter into reciprocal agreements with other states having a state migratory waterfowl stamp."

MS Code § 49-7-169

"It is unlawful for any person sixteen (16) years of age or older to hunt or take any migratory waterfowl within this state without first procuring a state migratory waterfowl stamp or its electronic equivalent and having the stamp or proof of purchase of the electronic equivalent in his possession while hunting or taking any migratory waterfowl."

MS Code § 49-7-163

"Any person violating any of the provisions of Sections 49-7-161 through 49-7-173 shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than Twenty-five Dollars (\$ 25.00) nor more than One Hundred Dollars (\$ 100.00)."

MS Code § 49-7-173

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?
Missouri	" As used in sections 252.010 to 252.240, unless the context otherwise requires: [...] (3) The word "wildlife" shall mean and include all wild birds, mammals, fish and other aquatic and amphibious forms, and all other wild animals, regardless of classification, whether resident, migratory or imported, protected or unprotected, dead or alive; and shall extend to and include any and every part of any individual species of wildlife."	MO Rev Stat § 252.020	"The ownership of and title to all wildlife of and within the state, whether resident, migratory or imported, dead or alive, are hereby declared to be in the state of Missouri. Any person who fails to comply with or who violates this law or any such rules and regulations shall not acquire or enforce any title, ownership or possessory right in any such wildlife; and any person who pursues, takes, kills, possesses or disposes of any such wildlife or attempts to do so, shall be deemed to consent that the title of said wildlife shall be and remain in the state of Missouri, for the purpose of control, management, restoration, conservation and regulation thereof."	MO Rev Stat § 252.030	N/A	N/A	"No wildlife shall be pursued, taken, killed, possessed or disposed of except in the manner, to the extent and at the time or times permitted by such rules and regulations; and any pursuit, taking, killing, possession or disposition thereof, except as permitted by such rules and regulations, are hereby prohibited. "	MO Rev Stat § 252.040	"Any person violating this section shall be guilty of a misdemeanor except that any person violating any of the rules and regulations pertaining to record-keeping requirements imposed on licensed fur buyers and fur dealers shall be guilty of an infraction and shall be fined not less than ten dollars nor more than one hundred dollars."	MO Rev Stat § 252.040	NO
			"1. Individual hunting, fishing and trapping permit records maintained by the department of conservation, including address, telephone number, personal identifying characteristics, date of birth and unique identification numbers shall be available to: (1) Any court; (2) Any law enforcement agency; (3) The U.S. Fish and Wildlife Service or its successor agency as provided by federal regulation for migratory bird surveys;"	MO Rev Stat § 252.228			"It shall be unlawful for any person to solicit by correspondence, printed cards, circulars, shipping tags, advertisement or otherwise, any illegal shipments, consignments or delivery of wildlife, contrary to the laws and rules and regulations of this state, or in any manner to aid or abet a conspiracy to violate this law or any of such laws, rules and regulations."	MO Rev Stat § 252.170	"Any person violating this section shall upon conviction thereof be deemed guilty of a misdemeanor and shall be fined not less than ten dollars nor more than one hundred dollars."	MO Rev Stat § 252.170	
									"Any person who shall have in his possession or under his control any wildlife, except in the manner, to the extent and at the time or times permitted by the provisions of this chapter and the rules and regulations of the commission, shall be deemed guilty of a misdemeanor"	MO Rev Stat § 252.190	
									"1. Except as provided in subsection 2 of this section, any person violating any of the provisions of sections 252.010 to 252.240 wherein other specific punishment is not provided, and any person violating any of such rules and regulations relating to wildlife, shall be guilty of a class A misdemeanor. 2. Any person violating any rules and regulations relating to wildlife shall be guilty of a class B misdemeanor unless such rules and regulations pertain to the provisions of sections 252.010 to 252.043 or sections 252.050 to 252.241."	MO Rev Stat § 252.230	

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?
Montana	"(7) "Migratory game birds" means waterfowl, including wild ducks, wild geese, brant, and swans; cranes, including little brown and sandhill; rails, including coots; Wilson's snipes or jacksnipes; and mourning doves."	MT Code § 87-2-101; MT Code § 87-6-101	"[...] subject to any applicable state or federal law or regulation. (4) The department may charge a fee for issuing an avicultural permit, if necessary, not to exceed the cost of issuing the permit. (5) The department shall adopt rules implementing this section."	MT Code § 87-2-807	N/A	N/A	for taking, capturing, and possessing migratory game birds, as defined in 87-2-101, for the purpose of propagation. Before issuing an avicultural permit, the department shall determine that the applicant has been issued the appropriate federal permit or that the applicant will receive the appropriate federal permit subject to concurrence by the department. (2) An avicultural permit issued under this section must specify: (a) the species of migratory game birds allowed to be taken under the permit; (b) whether eggs or hatched birds, or both, may be taken; (c) the number of eggs or hatched birds, or both, that may be taken; (d) areas in which collection may be made; (e) means by which collection may be made; (f) the time period for which the permit is valid; and (g) any other conditions imposed by the department under rules adopted pursuant to subsection (5). (3) Hatched migratory game birds or their eggs taken under an avicultural permit issued in accordance with this section remain the property of the state and may be disposed of only with the permission of the department. Progeny of hatched migratory game birds taken under permit as provided in this section become the private property of the holder of the permit who	MT Code § 87-2-807	"A person who purposely, knowingly, or negligently violates a provision of this title or any other state law pertaining to fish and game is guilty of a misdemeanor unless a felony is expressly provided by law."	MT Code § 87-6-102	YES
			"Powers and duties. (1) Except as provided in subsection (12), the department shall supervise all the wildlife, fish, game, game and nongame birds, waterfowl, and the game and fur-bearing animals of the state and may implement voluntary programs that encourage hunting access on private lands and that promote harmonious relations between landowners and the hunting public. The department possesses all powers necessary to fulfill the duties prescribed by law and to bring actions in the proper courts of this state for the enforcement of the fish and game laws and the rules adopted by the department. (2) Except as provided in subsection (12), the department shall enforce all the laws of the state regarding the protection, preservation, management, and propagation of fish, game, fur-bearing animals, and game and nongame birds within the state."	MT Code § 87-1-201			"(1) It is unlawful for a person to hunt, capture, kill, possess, purchase, offer or expose for sale, ship, or transport any wild bird, other than a game bird, or any part of the plumage, skin, or body of the bird, irrespective of whether the bird was captured or killed within the state, or to take or destroy the nest or eggs of a wild bird, except under a certificate, falconer's license, or permit issued by the director. (2) This section does not apply to: (a) the hunting, trapping, or killing of house sparrows, crows, starlings, rock doves, blackbirds, magpies, and other birds the department designates or to the taking or destruction of their nests and eggs; (b) the possession or transportation of parts or plumage of eagles used for religious purposes by a member of an Indian tribe when possessed or transported as permitted by 16 U.S.C. 668a."	MT Code § 87-5-201	"A person who violates any provision of 87-3-403 related to migratory game birds shall be fined not less than \$50 or more than \$1,000 or be imprisoned in the county detention center for not more than 6 months, or both. In addition, the person, upon conviction or forfeiture of bond or bail, may be subject to forfeiture of any current hunting, fishing, or trapping license issued by this state and the privilege to hunt, fish, or trap in this state or to use state lands, as defined in 77-1-101, for recreational purposes for a period of time set by the court."	MT Code § 87-6-410	

			<p>"(12) The department may not regulate the use or possession of firearms, firearm accessories, or ammunition, including the chemical elements of ammunition used for hunting. This does not prevent: [...] (d) the regulation of migratory game bird hunting pursuant to 87-3-403; or (e) the restriction of the use of rifles for bird hunting pursuant to 87-6-401(1)(g) or (1)(h)."</p>	<p>MT Code § 87-1-201</p>			<p>" (1) Except as provided in 87-2-311 and subsection (2) of this section, a person may not: [...] (e) hunt migratory game birds without first having obtained a valid migratory game bird license from the department."</p>	<p>MT Code § 87-6-301</p>	<p>" (1) A person who violates any provision of Title 87, chapter 5, part 2, pertaining to the regulation of wild birds, raptors, and falconry, shall be fined not less than \$50 or more than \$1,000 or be imprisoned in the county detention center for not more than 6 months, or both. In addition, the person, upon conviction or forfeiture of bond or bail, may be subject to forfeiture of any current hunting, fishing, or trapping license issued by this state and the privilege to hunt, fish, or trap in this state or to use state lands, as defined in 77-1-101, for recreational purposes for a period of time set by the court. (2) A violation of this section may also result in an order to pay restitution pursuant to 87-6-905 and 87-6-906."</p>	<p>MT Code § 87-6-801</p>
			<p>" (1) Except as provided in subsections (6) and (7), the commission: (a) shall set the policies for the protection, preservation, management, and propagation of the wildlife, fish, game, furbearers, waterfowl, nongame species, and endangered species of the state and for the fulfillment of all other responsibilities of the department related to fish and wildlife as provided by law; [...] (6) The commission may not regulate the use or possession of firearms, firearm accessories, or ammunition, including the chemical elements of ammunition used for hunting. This does not prevent: [...] (d) the regulation of migratory game bird hunting pursuant to 87-3-403; or (e) the restriction of the use of rifles for bird hunting pursuant to 87-6-401(1)(g) or (1)(h)."</p>	<p>MT Code § 87-1-301</p>			<p>"(1) A person may not possess, ship, or transport all or part of any game fish, bird, game animal, or furbearing animal that was unlawfully killed, captured, or taken, whether killed, captured, or taken in Montana or outside of Montana. (2) This section does not prohibit the possession, shipping, or transportation of: (a) hides, heads, or mounts of lawfully killed, captured, or taken game fish, birds, game animals, or furbearing animals, except that the sale or purchase of a hide, head, or mount of a grizzly bear is prohibited, except as provided by federal law; [...] (e) captive-reared migratory waterfowl;"</p>	<p>MT Code § 87-6-202</p>	<p>"(3) A person convicted of a violation of this section shall be fined not less than \$50 or more than \$1,000 or be imprisoned in the county detention center for not more than 6 months, or both. In addition, the person, upon conviction or forfeiture of bond or bail, may be subject to forfeiture of any current hunting, fishing, or trapping license issued by this state and the privilege to hunt, fish, or trap in this state or to use state lands, as defined in 77-1-101, for recreational purposes for a period of time set by the court. (4) A person convicted of hunting without a license may be subject to the additional penalties provided in 87-6-901 and 87-6-902. (5) A violation of this section may also result in an order to pay restitution pursuant to 87-6-905 through 87-6-907."</p>	<p>MT Code § 87-6-301</p>
			<p>"Laws relating to migratory birds are prescribed by the regulations of the United States department of interior and the fish and wildlife service. Open season, bag limit, and other rules and regulations are announced each year by proclamation by the president of the United States. After each proclamation, the department by proper action will adopt, advertise, and enforce any proclaimed regulations as may be applicable to the state of Montana. A person who violates a provision of this section is subject to the provisions of 87-6-410."</p>	<p>MT Code § 87-3-403</p>			<p>"(1) A person may not hunt or attempt to hunt: (a) any game animal or game bird or fish for or catch any fish during the closed season on any species of game animal, game bird, or fish; or (b) an upland game bird until the commission provides an open season on that upland game bird. The open season on mourning doves is restricted to the open season on upland game birds."</p>	<p>MT Code § 87-6-204</p>	<p>"(a) If a person is convicted or forfeits bond or bail after being charged with unlawful possession, shipping, or transportation of a game fish or bird and if the value of all or part of the game fish or bird or combination thereof does not exceed \$1,000, the person shall be fined not less than \$50 or more than \$1,000 or be imprisoned in the county detention center for not more than 6 months, or both. In addition, the person may be subject to forfeiture of any current hunting, fishing, or trapping license issued by this state and the privilege to hunt, fish, or trap in this state or to use state lands, as defined in 77-1-101, for recreational purposes for a period of time set by the court."</p>	<p>MT Code § 87-6-202</p>

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?	
Nebraska	"For purposes of this subsection, migratory bird has the definition found in 50 C.F.R. part 10, subpart B, section 10.12, and migratory game bird has the definition found in 50 C.F.R. part 20, subpart B, section 20.11(a)."	NE Code § 37-405	"(5) The commission shall adopt and promulgate rules and regulations necessary to carry out this section."	NE Code § 37-405	N/A	N/A	"(2) If the holder of a hunting permit is a hunter of migratory game birds, he or she shall be required to declare himself or herself as such and provide information regarding his or her migratory game bird hunting activity to the commission. Documentation of such a declaration shall be made on the hunting permit or a separate document which shall become a part of the permit."	NE Code § 37-405	"Any person violating any of the provisions of the Game Law or any provisions of the rules or regulations adopted and promulgated by the commission, where a penalty is not otherwise fixed, shall be guilty of a Class III misdemeanor and shall be subject to a mandatory fine of at least fifty dollars upon conviction."	NE Code § 37-248	NO	
	"Game means all game fish, bullfrogs, snapping turtles, tiger salamanders, mussels, crows, game animals, fur-bearing animals, game birds, protected birds, and all other creatures protected by the Game Law."	NE Code § 37-227	with the Game Law, other provisions of law, and lawful rules and regulations, fix, prescribe, and publish rules and regulations regarding the methods or type, kind, and specifications of hunting, fur-harvesting, or fishing gear used in the taking of any game, game fish, nongame fish, game animals, fur-bearing animals, or game birds. Such rules and regulations may be amended, modified, or repealed from time to time and shall be based upon investigation and available but reliable data relative to such limitations and standards. (2) The commission may, in accordance with the Game Law, other provisions of law, and lawful rules and regulations, pass and publish commission orders regarding (a) conservation orders authorized by the United States Fish and Wildlife Service, (b) open seasons and closed seasons, either permanent or temporary, (c) bag limits, including the age, sex, species, or area of the state in which any game, game fish, nongame fish, game animals, fur-bearing animals, or game birds may be	NE Code § 37-314			"(1) Except as provided in subsection (4) of this section: [...] (c) No resident of Nebraska sixteen years of age or older and no nonresident of Nebraska regardless of age shall hunt, harvest, or possess any migratory waterfowl unless, at the time of such hunting, harvesting, or possessing, such person has an unexpired Nebraska migratory waterfowl stamp as prescribed by the rules and regulations of the commission prior to the time of hunting, harvesting, or possessing such migratory waterfowl. [...] (4) Habitat stamps are not required for holders of limited permits issued under section 37-455. Aquatic habitat stamps are not required (a) when a fishing permit is not required, (b) for holders of permits pursuant to section 37-424, or (c) for holders of lifetime fishing permits or lifetime combination hunting and fishing permits purchased prior to January 1, 2006. Nebraska migratory waterfowl stamps are not required for hunting, harvesting, or possessing any species other than ducks, geese, or brant."	NE Code § 37-426	"(5) Any person violating the rules and regulations adopted and promulgated or commission orders passed pursuant to this section shall be guilty of a Class III misdemeanor and shall be fined at least one hundred dollars upon conviction."	NE Code § 37-314		
	"Game birds means coots, cranes, curlew, doves, grouse, partridges, pheasants, plovers, prairie chickens, quail, rails, snipes, swans, woodcocks, wild turkeys, and all migratory waterfowl."	NE Code § 37-229	"(3) The commission may pass, by majority vote, commission orders which govern (a) conservation orders, (b) seasons, (c) open and closed areas, and (d) bag limits as described in section 37-314."	NE Code § 37-304			"The licensee of any licensed game breeding and controlled shooting area may take or authorize to be taken, within the season fixed and designated and in such numbers as provided in sections 37-484 to 37-496, game birds as specified in rules and regulations of the commission and released on licensed areas during the shooting season as provided in such sections."	NE Code § 37-488				
	"Migratory game birds means all doves, ducks, geese, rails, snipes, cranes, woodcocks, coots, and swans."	NE Code § 37-233	"(1) The commission may take such steps as it deems necessary to provide for the protection and management of raptors. (2) The commission may issue falconry permits for the taking and possession of raptors for the purpose of practicing falconry."	NE Code § 37-497			"No person shall hunt any upland game birds and mallard ducks upon such breeding and controlled shooting area except between September 1 and April 15 of each year, except that turkeys may be hunted throughout the open season and dog training or dog trial activities may be permitted as prescribed by rules and regulations of the commission or commission orders."	NE Code § 37-490				

						<p>"It shall be unlawful to use any club, rifle, pistol, revolver, swivel gun, or shotgun larger than ten gauge in hunting any game birds or to trap, snare, net, or attempt to trap, snare, or net any game birds except as otherwise provided in section 37-483."</p>	<p>NE Code § 37-536</p>	<p>"Any person violating this section shall be guilty of a Class III misdemeanor and shall be fined at least fifty dollars."</p>	<p>NE Code § 37-536</p>						
<p>"Take means to harass, wound, hunt, trap, fish, harvest fur, or attempt to harass, wound, hunt, trap, fish, or harvest fur."</p>	<p>NE Code § 37-242</p>	<p>given to the acquisition by the United States by purchase, gift, devise, or lease of such areas of land or water, or of land and water, in the State of Nebraska, as the United States may deem necessary for the establishment of migratory bird reservations in accordance with the Act of Congress approved February 18, 1929, entitled An Act to more effectively meet the obligations of the United States under the Migratory Bird Treaty with Great Britain by lessening the dangers threatening migratory game birds from drainage and other causes by the acquisition of areas of land and of water to furnish in perpetuity reservations for the adequate protection of such birds; and authorizing appropriations for the establishment of such areas, their maintenance and improvement and for other purposes, reserving, however, to the State of Nebraska full and complete jurisdiction and authority over all such areas not incompatible with the administration, maintenance,</p>	<p>NE Code § 37-902</p>	<p>NE Code § 37-537</p>	<p>"It shall be unlawful to hunt any game birds by attracting them to the place where hunted by the distribution of grain or other feed, commonly called baiting."</p>	<p>"It shall be unlawful to take or needlessly destroy the nests or eggs of any game birds."</p>	<p>NE Code § 37-539</p>	<p>"Any person violating this section shall be guilty of a Class III misdemeanor and shall be fined at least fifty dollars."</p>	<p>NE Code § 37-537</p>						
								<p>NE Code § 37-242</p>	<p>to the State of Nebraska full and complete jurisdiction and authority over all such areas not incompatible with the administration, maintenance,</p>	<p>NE Code § 37-902</p>	<p>NE Code § 37-539</p>	<p>"It shall be unlawful to take or needlessly destroy the nests or eggs of any game birds."</p>	<p>NE Code § 37-539</p>	<p>"Any person violating this section shall be guilty of a Class III misdemeanor and shall be fined at least fifty dollars."</p>	<p>NE Code § 37-539</p>
								<p>NE Code § 37-563</p>	<p>"The commission may adopt, promulgate, and publish rules and regulations for the control of individual nuisance birds or populations of such birds to reduce or avert depredation upon ornamental or shade trees, agricultural crops, livestock, or wildlife or when concentrated in such numbers and manner as to constitute a health hazard or other nuisance. Such rules and regulations shall specify the species which may be controlled, the circumstances under which control is to be permitted, and the control methods which may be employed."</p>	<p>NE Code § 37-563</p>	<p>NE Code § 37-540</p>	<p>"(1) Any person who sells, purchases, takes, or possesses contrary to the Game Law any wildlife shall be liable to the State of Nebraska for the damages caused thereby. Such damages shall be: [...] (k) Twenty-five dollars for each dove; (l) Seventy-five dollars for each other game bird, other game animal, other fur-bearing animal, raw pelt thereof, or nongame wildlife in need of conservation as designated by the commission pursuant to section 37-805, not otherwise listed in this subsection; (m) Fifty dollars for each wild bird not otherwise listed in this subsection; (n) Seven hundred fifty dollars for each swan or paddlefish;"</p>	<p>NE Code § 37-540</p>	<p>"(1) Any person who sells, purchases, takes, or possesses contrary to the Game Law any wildlife shall be liable to the State of Nebraska for the damages caused thereby. Such damages shall be: [...] (k) Twenty-five dollars for each dove; (l) Seventy-five dollars for each other game bird, other game animal, other fur-bearing animal, raw pelt thereof, or nongame wildlife in need of conservation as designated by the commission pursuant to section 37-805, not otherwise listed in this subsection; (m) Fifty dollars for each wild bird not otherwise listed in this subsection; (n) Seven hundred fifty dollars for each swan or paddlefish;"</p>	<p>NE Code § 37-613</p>

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?
Nevada	"Migratory game birds" means any birds so classified by Commission regulation."	NV Rev Stat § 501.055			N/A	N/A	"1. Except as otherwise provided in subsection 2, it is unlawful for any person to hunt any migratory game bird, except jacksnipe, coot, gallinule, western mourning dove, white-winged dove and band-tailed pigeon unless at the time the person is hunting he or she carries on his or her person: (a) An unexpired state duck stamp validated by the person's signature in ink across the face of the stamp; or (b) Such documentation as the Department provides as proof that the person has paid to the Department, for the licensing period that includes the time the person is hunting, the same fee as that required pursuant to subsection 3 for the purchase of an unexpired state duck stamp for that period. 2. The provisions of subsection 1 do not apply to a person who: (a) Is under the age of 12 years; or (b) is 65 years of age or older."	NV Rev Stat § 502.300	"1. Every game warden, sheriff and other peace officer of this State and its political subdivisions shall enforce the provisions of this title and seize any wildlife taken or held in possession in violation of those provisions."	NV Rev Stat § 501.375	NO
							"1. It is unlawful for any person to cause through carelessness, neglect or otherwise any edible portion of any game bird, game mammal, game fish or game amphibian to go to waste needlessly. [...] 3. For the purposes of subsection 1, "game bird" does not include a raven, crow or magpie even if classified as a game bird pursuant to NRS 501.110."	NV Rev Stat § 503.050	specific statute: 1. Any person who: (a) Performs an act or attempts to perform an act made unlawful or prohibited by a provision of this title; (b) Willfully fails to perform an act required of the person by a provision of this title; [...] (d) Violates any order issued or regulation adopted by the Commission under the provisions of this title; or (e) Having been granted a privilege or been licensed or permitted to do any act under the provisions of this title, exercises the grant, license or permit in a manner other than as specified, <input type="checkbox"/> is guilty of a misdemeanor. An officer, employee or agent of the Department may not obtain or attempt to obtain biological samples of wildlife, hunting, fishing or trapping data, or any other biological data or information relating to wildlife on private property without the consent of the owner of the property. 2. Every person who is guilty of a misdemeanor under this title shall be punished by a fine of not less than \$50	NV Rev Stat § 501.385	

	<p>The words "to take" and their derivatives, "took," "taken" and "taking," when used in reference to wildlife, mean to kill, capture, shoot, trap, catch, wound, possess, collect, seine, snare or net, and every attempt to do so.</p>	<p>NV Rev Stat § 501.088</p>				<p>"1. Except as otherwise provided in this section, it is unlawful for any person to have in his or her control any wildlife or any part thereof, the killing of which is at any time prohibited, during the time when such killing is prohibited, and the possession of such wildlife shall be prima facie evidence that it was the property of the State at the time it was caught, taken or killed in this State when the killing was unlawful, and that such taking or killing occurred in the closed season."</p>	<p>NV Rev Stat § 503.030</p>	<p>provided for the violation of any of the provisions of this title, every person who: [...] (b) Except as otherwise provided in paragraph (a), unlawfully kills or possesses a big game mammal, moose, bobcat, swan or eagle is liable for a civil penalty of not less than \$250 but less than \$5,000. 2. For the unlawful killing or possession of fish or wildlife not included in subsection 1, a person is liable for a civil penalty of not less than \$25 nor more than \$1,000. 3. For hunting, fishing or trapping without a valid license, tag or permit, a person is liable for a civil penalty of not less than \$50 nor more than the amount of the fee for the license, tag or permit required for the activity in which the person engaged. 4. Every court, before whom a defendant is convicted of unlawfully killing or possessing any wildlife, shall order the defendant to pay the civil penalty in the amount stated in this</p>	<p>NV Rev Stat § 501.3855</p>	
						<p>unlawful for any person at any time to transport or offer for transportation to any place within or outside of this State any game mammal, raw furs, wild mammal taken by trapping, game bird or game fish taken within this State. 2. Any person who has legally taken any game mammal, raw furs, wild mammal taken by trapping, game bird or game fish within this State may use his or her hunting license, trapping license or fishing license or tag or stamp, when required, as a permit to transport one possession limit to points within or outside the State. 3. Any person who legally acquires ownership or custody of any game mammal, raw furs, wild mammal taken by trapping, game bird or game fish not taken by the person through hunting, trapping or fishing may transport such mammal, furs, bird or fish within the State without a transportation permit if such shipment does not exceed one possession limit and if such shipment is labeled with the name, address, number and class of license of the hunter, trapper or angler who legally took such mammal, furs, bird or fish and date taken, if the mammal, furs, bird or fish is not required by law or regulation to be tagged. Unless otherwise permitted by a regulation of the Commission, when tagged shipments are involved,</p>	<p>NV Rev Stat § 503.040</p>	<p>"1. Except as otherwise provided by specific statute, upon a conviction of a violation of any provision of this title, or any regulation adopted pursuant to this title, in addition to the penalty provided for the violation, the court may require the immediate surrender of all licenses issued under the provisions of this title and held by the convicted person. Upon receipt of a surrendered license, the court shall forward it to the Commission. 2. In addition to the penalty provided for the violation of any of the provisions of this title, the court may cause to be confiscated all wildlife taken or possessed by the convicted person. All confiscated wildlife must be disposed of as directed by the court."</p>	<p>NV Rev Stat § 501.387</p>	
						<p>"It is unlawful to hunt game mammals or game birds at any time during the year other than during an open season designated by the Commission pursuant to the provisions of this title."</p>	<p>NV Rev Stat § 503.090</p>			
						<p>"Except as otherwise authorized by federal law, it is unlawful for any person subject to the federal migratory bird hunting stamp tax to hunt any migratory waterfowl unless at the time of such hunting the person carries on his or her person an unexpired federal migratory bird hunting stamp validated by his or her signature written by the person in ink across the face of the stamp prior to the person's hunting such birds."</p>	<p>NV Rev Stat § 503.135</p>			

							<p>"1. Unless otherwise specified by Commission regulation, it is unlawful to hunt: (a) Any game bird or game mammal with any gun capable of firing more than one round with one continuous pull of the trigger, or with any full steel, full steel core, full metal jacket, tracer or incendiary bullet or shell, or any shotgun larger than number 10 gauge. [...] (d) Game birds with any rifle or handgun, or in any manner other than with a shotgun held in the hand, with a longbow and arrow or by means of falconry. (e) Migratory game birds with any shotgun capable of holding more than three shells. (f) Any game bird or game mammal with the aid of any artificial light. [...] 3. Nothing in this section prohibits the use of dogs in the hunting of game birds or small game mammals."</p>	NV Rev Stat § 503.150			
			<p>"The Commission may adopt regulations: 1. Covering the hunting, trapping, possession or sale of any of those species. 2. Authorizing a person to hunt, trap, possess or sell any of those species without obtaining a permit pursuant to the provisions of this section."</p>	NV Rev Stat § 503.582			<p>"Except as otherwise provided in this section, it is unlawful for any person to hunt, trap, possess or sell any species, native or otherwise, of owl, hawk or other birds of prey, including all raptors or the parts thereof, without first obtaining a permit from the Department."</p>	NV Rev Stat § 503.582			
							<p>"Except as otherwise provided by this title or a regulation adopted pursuant thereto, it is unlawful for any person to hunt or take any dead or alive birds, nests of birds or eggs of birds protected by that certain Act of Congress commonly known and referred to as the Migratory Bird Treaty Act of July 3, 1918, as amended, 16 U.S.C. §§ 703 et seq., or protected by a regulation of the Commission."</p>	NV Rev Stat § 503.620			
							<p>"1. Except as otherwise provided in this section: (a) It is unlawful for any person to sell or expose for sale, to barter, trade or purchase or to attempt to sell, barter, trade or purchase any species of wildlife, or parts thereof, except as otherwise provided in this title or in a regulation of the Commission. (b) The importation and sale of products made from the meat of game mammals, game birds or game amphibians raised in captivity is not prohibited if the importation is from a licensed commercial breeder or commercial processor."</p>	NV Rev Stat § 501.379			
							<p>"1. It is unlawful for any person to possess in Nevada any wildlife that was acquired, hunted, taken or transported from another state or country in violation of any law or regulation of that state or country."</p>	NV Rev Stat § 501.384			

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?
New Hampshire	<p>title shall be construed as follows: [...] IX. Game: Game birds and game animals. [...] XI. Game Birds: Ruffed grouse or partridge, spruce grouse, commonly called spruce partridge, pheasant, quail, European partridge, chukar partridge and turkeys. [...] XVI. Migratory Birds: See federal regulations. [...] XXII. Protected Birds: All wild birds not included within the terms Game Birds and Unprotected Birds. [...] XXIX. Unprotected Birds: English sparrows, European starlings, and the common feral pigeon commonly known as the rock dove, Columba liva, except such birds as are protected by the laws of the federal government. [...] XXVII. Take or Taking: Includes pursuing, shooting, hunting, killing, capturing, trapping, snaring, and netting wildlife, and all lesser acts, such as disturbing, harrying, worrying, wounding, or</p>	NH Rev Stat § 207:1	<p>"I. The fish and game department shall be exempt from the provisions of RSA 541-A when setting the seasons and bag limits for migratory birds as permitted in RSA 209:6 when federal regulations require that a rule be adopted sooner than permitted by RSA 541-A. Such rules may be adopted after whatever notice and hearing the agency finds to be practicable. The agency shall make reasonable efforts to ensure that such rules are made known to persons who may be affected by them."</p>	NH Rev Stat § 209:6-b	N/A	N/A	<p>"I. No person shall hunt, capture, kill, take, possess, buy or sell any migratory game bird or part thereof, except during such time and in such manner and numbers as may be prescribed by regulations promulgated under the Migratory Bird Treaty Act, an act of Congress approved July 3, 1918, which regulations are hereby made a part of the game law of the state.</p> <p>II. No person who has attained the age of 16 years shall take any migratory waterfowl (brant, wild ducks, geese and swans) unless at the time of such taking he has on his person an unexpired federal migratory bird stamp (commonly called a duck stamp) validated by his signature written across the face of said stamp in ink. A person who has not attained the age of 16 years is not required to have a duck stamp. Said duck stamp shall be required in addition to a valid New Hampshire hunting license obtained pursuant to RSA 214:1. Regulations promulgated under the Federal Migratory Bird Hunting Stamp Act of 1934 are hereby made a part of the game law of the state."</p>	NH Rev Stat § 209:6	"Any person who violates any provision of RSA 209 shall be guilty of a violation."	NH Rev Stat § 209:13	INDETERMINATE
	<p>"Anatidae or waterfowl, including wild ducks and geese; Rallidae or rails, including coot and gallinules; Limicolae or shore birds, including plover, snipe and yellow legs; and Scolopacidae or woodcock are declared to be migratory game birds."</p>	NH Rev Stat § 209:5	<p>accordance with any applicable federal regulations, the executive director may issue falconry permits for the capture and possession of raptors for falconry purposes, raptor propagation, or for salvage or rehabilitation purposes. No person shall engage in the sport of falconry without a valid falconry permit and applicable license to hunt issued under RSA 214. The initial fee for a falconry permit shall be \$50 and renewal fees and procedures for issuance of permits shall be established under rules adopted by the executive director, with the approval of the fish and game commission, pursuant to RSA 541-A.</p> <p>III. The executive director, with the consent of the commission, may establish, by rules under RSA 541-A, an open season or closed season for the taking of certain game animals, game birds, and small game by the use of raptors in falconry in any county of the state, or any portion thereof. Such rules shall include, but not be limited to, the length of the season, bag limits, and</p>	NH Rev Stat § 209-A:3			<p>"No person shall hunt, capture, kill, take, possess, buy, or sell any protected bird or part thereof."</p>	NH Rev Stat § 209:8	"Any person who violates any provision of this chapter shall be guilty of a violation."	NH Rev Stat § 209-A:4	

							<p>" A depredation permit is required before any person may kill migratory birds for depredation control purposes. Depredation permit applications for depredation permits shall be submitted to the executive director of the fish and game department and the appropriate special agent in charge, U.S. fish and wildlife service. Any person may take protected birds for educational or scientific purposes provided such person shall first obtain a written permit from the executive director of fish and game for such purpose. Such permit shall be in such form as the executive director of fish and game shall prescribe and may be suspended or revoked by him at any time. The provisions of RSA 214:30 to 33 inclusive shall apply to the permits granted under the provisions of this section."</p>	<p>NH Rev Stat § 209:8-a</p>	<p>" I. Any person who violates the provisions of this chapter where another specific penalty is not provided shall be guilty of a violation if a natural person or guilty of a misdemeanor if any other person. "</p>	<p>NH Rev Stat § 214:37</p>
							<p>"No person shall take, or have in possession or under control, or wantonly interfere with or destroy, any nest or eggs of any game birds or protected birds."</p>	<p>NH Rev Stat § 209:10</p>		
							<p>"No wild bird or bird for which a closed season is provided shall be trapped or snared or, if so taken, possessed. Any trap, snare, or other device in which any bird may be taken is declared to be a public nuisance, and may be summarily destroyed or abated by any person. The provisions of this section shall not apply to the setting of a trap on a pole for the purpose of taking unprotected birds under a permit issued by the executive director."</p>	<p>NH Rev Stat § 209:11</p>		
							<p>"The dead bodies of birds for which a closed season is provided shall not be sold, offered for sale, or possessed for sale, within this state, whether taken within or without the state, except as permitted to duly authorized game breeders."</p>	<p>NH Rev Stat § 209:12</p>		
							<p>" I. No person shall at any time hunt, shoot, pursue, kill, or take migratory waterfowl without first procuring, in addition to the applicable hunting license required by RSA 214 and the federal duck stamp required by RSA 209:6, a license to do so under RSA 214:9, XII, for the same period. A person under the age of 16 years may hunt, shoot, pursue, kill, or take migratory waterfowl without such a license, provided that, while so doing, he or she is accompanied by an adult who has procured such a license. For the purpose of this section "migratory waterfowl" shall mean ducks, mergansers, coots, geese, and brant."</p>	<p>NH Rev Stat § 214:1-d</p>	<p>"II. Any person who violates any provision of this section or RSA 214:9, XII shall be guilty of a violation and shall be guilty of a separate offense for each migratory waterfowl bird taken."</p>	<p>NH Rev Stat § 214:1-d</p>
							<p>" I. The executive director shall adopt rules, pursuant to RSA 541-A, relative to the opening and closing of the season for the practice of baiting for coyote, furbearing animals, game birds, or game animals with the exception of gray squirrel. "</p>	<p>NH Rev Stat § 207:3-d</p>	<p>" I. Any person who violates a provision of this chapter, or any rule or regulation of the executive director, shall be guilty of a violation, except where otherwise provided, and an additional violation for each fish, bird or animal, or part thereof bought, sold, offered for sale or transported contrary to the provisions thereof. "</p>	<p>NH Rev Stat § 207:46</p>

" IV. "Raptor" means a live migratory bird of the family Accipitridae or of the family Falconidae."

NH Rev Stat § 209-A:1

									<p>" I. In addition to the penalties provided for violating any of the provisions of RSA title LXII or title XVIII or any rule made under the authority thereof, any person convicted of the illegal taking or illegal possession of game animals, game birds, or fur-bearing animals, resulting in the injury, death, or destruction of the same, may be sentenced to make restitution to the state for the value of each game animal, game bird, or fur-bearing animal so taken or possessed as follows: [...] (e) Ruffed grouse, spruce grouse, pheasant, woodcock, ducks or geese: \$15 per bird illegally taken or illegally possessed. "</p>	<p>NH Rev Stat § 207:55</p>	
--	--	--	--	--	--	--	--	--	--	-----------------------------	--

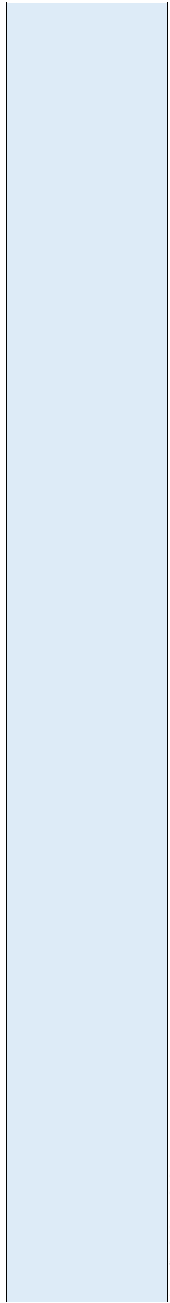
	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?
New Jersey	<p>"As used in sections 23:3-29 to 23:3-39 of this Title: [...] d. "Pheasant" means the species Phasianus colchicus, commonly known as English Ringneck, Melanistic Mutant, Mongolian, Formosan, Chinese or artificially propagated variety thereof. e. "Partridge" means the species Perdix perdix, commonly known as Hungarian partridge and the species Alectoris chukar, commonly known as Chukar partridge. f. "Quail" means the species Colinus virginianus, commonly known as the "bobwhite quail." g. "Mallard" means the species Anas platyrhynchos, commonly known as "mallard," that has been captive bred in conformance with the appropriate federal regulation."</p>	NJ Rev Stat § 23:3-28	"6. For the purpose of meeting the costs of complying with information collection activities mandated by the United States Fish and Wildlife Service Migratory Bird Harvest Information Program, the division is authorized to charge a fee of \$2.00 to any person who hunts migratory birds, which fee shall be in addition to any other fees charged for licenses, permits, or stamps required by law to hunt migratory birds."	NJ Rev Stat § 23:3-1g	N/A	N/A	"A person desiring to engage in the business of raising and selling game birds or game animals, or both, in a wholly enclosed area of which he is the owner or lessee, or to have in captivity game birds or game animals, shall apply in writing to the division for a license to do so."	NJ Rev Stat § 23:3-29			NO
	<p>"As used in this article, "game bird" includes the following: The anatidae, commonly known as geese, brant and river and sea ducks but excepting swans; rallidae, commonly known as rails, gallinules, coots and mud hens; limicolae, commonly known as shore birds, plovers, surf birds, snipe, woodcock, sandpipers, tattlers and curlews; and the gallinae, commonly known as wild turkeys, grouse, prairie chickens, pheasants, partridges and quails."</p>	NJ Rev Stat § 23:4-49					"No pheasants, partridge or quail propagated in a semiwild state shall be sold. No such pheasants, partridge or quail shall be taken, possessed or transported unless each bird shall have been tagged with the special tag prescribed by R.S.23:3-28 to 23:3-39. [...] No pheasants, mallard, quail or partridge shall be taken, possessed or transported, unless each bird shall have been tagged with a suitable tag or seal supplied by the division, and no licensee shall receive from the division, during any year of operation, more tags to be affixed to the bodies of pheasants, mallard, quail and partridge than one tag for each pheasant, mallard, quail and partridge liberated during the shooting period hereinbefore specified."	NJ Rev Stat § 23:3-32			
	<p>"a. As used in this section, except as otherwise noted: [...] "Wild bird" means any bird other than a native, introduced, or feral game bird as defined in R.S.23:4-49 and other than a domesticated bird such as a chicken, turkey, guinea fowl, goose, duck, pigeon, or peafowl. "Wild bird" also means the egg of a wild bird."</p>	NJ Rev Stat § 23:4-50					"Game birds or animals so killed in a wholly inclosed preserve, and tagged as herein prescribed, may be possessed, bought or sold at any time. Common carriers shall receive and transport game birds and animals so tagged, but to every package containing them shall be affixed a tag or label upon which shall be plainly printed or written the name of the person to whom the license was issued, the name of the person to whom they are to be transported, the number of each kind contained therein, and a statement to the effect that they were killed and tagged in accordance with the provisions of sections 23:3-28 to 23:3-39 of this title."	NJ Rev Stat § 23:3-33	"Any person who violates any of the provisions of this act or of any rules or regulations promulgated pursuant hereto shall be liable to a penalty of not less than \$25.00 nor more than \$500.00 for each offense, to be recovered pursuant to the provisions of chapter 10 of Title 23 of the Revised Statutes."	NJ Rev Stat § 23:3-74	

							<p>"2. a. No person over the age of 16 shall at any time hunt, pursue, kill, take, possess, or attempt to take with a firearm, bow and arrow, or any other method any ducks, geese, brant, or other waterfowl without procuring a New Jersey Waterfowl Stamp, as hereinafter provided, in addition to any other licenses or permits required under Title 23 of the Revised Statutes.</p> <p>b. The stamp issued pursuant to this act shall be designated the New Jersey Waterfowl Stamp, shall be required to be in the possession of any person engaged in hunting, pursuing, killing, taking, possessing, or attempting to take with a firearm, bow and arrow, or any other method any ducks, geese, brant, or other waterfowl, and shall be exhibited upon the request of any conservation officer, deputy conservation officer, or other law enforcement official.</p> <p>c. This section shall not apply to any person engaged in hunting, pursuing, killing, taking, possessing, or attempting to take captive-reared mallard ducks, properly marked in accordance with federal regulations, on a commercial shooting preserve."</p>	<p>NJ Rev Stat § 23:3-76</p>	<p>"Any person violating any provision of this act shall be liable to a penalty of not less than \$25.00 nor more than \$1,000.00 for each offense, to be collected in a civil action by a summary proceeding under "the penalty enforcement law," N.J.S. 2A:58-1 et seq. If any violation of the act is of a continuing nature, each day during which it continues shall constitute an additional, separate and distinct offense. The Department of Environmental Protection is authorized to compromise and settle any claim for a penalty under this section in any amount which, in the discretion of the Department of Environmental Protection, may appear appropriate and equitable under the circumstances."</p>	<p>NJ Rev Stat § 23:3-80</p>
							<p>"No person shall capture, kill, injure, destroy or have in possession or hunt, hunt for, or attempt to capture, kill, injure or destroy any reedbird, wild swans, wood duck, wild geese, brant, wild ducks, rails or marsh hens, gallinules, coot (commonly known as crow duck), upland plover, black-bellied plover, golden plover, greater or lesser yellowlegs, willets, sandpipers, dowitchers or robin snipe, brown backs, curlews, turnstones or calico backs, godwits or marlin, tattlers, Wilson snipe or jacksnipe, woodcock or any other birds commonly known as shore birds, surf snipe or bay snipe, unless an open season is prescribed therefor by the regulations of the United States Department of the Interior, made under the provisions of an Act of Congress relating to migratory birds, and then only during the respective open seasons fixed for such birds by such regulations."</p>	<p>NJ Rev Stat § 23:4-1</p>	<p>"Except as otherwise specifically provided by this act or any other law, for capturing, killing, injuring, destroying, or having in possession or hunting, hunting for, or attempting to capture, kill, injure or destroy any of the game birds or game animals mentioned in this section, or any other game bird or game animal, other than during the respective open seasons, if any, and at the times, if any, fixed therefor by the respective provisions of the State Fish and Game Code, or, in the absence of any such provisions in said code, fixed therefor by this section, or for violating any other provision of this section, a person shall be liable to a penalty of not less than \$20.00 and not more than \$100.00 for each bird or animal or part thereof unlawfully captured, killed, injured, destroyed, had in possession, or hunted, hunted for, attempted to be captured, killed, injured or destroyed;"</p>	<p>NJ Rev Stat § 23:4-1</p>
							<p>"It shall be unlawful to capture, kill, injure, destroy or have in possession in any one day, any wild ducks, geese, brant, sora, woodcock, coots (commonly known as crow duck), rails (including marsh hens and gallinules), Wilson snipe or jacksnipe, except and in accordance with the bag limits fixed for such birds by the regulations of the United States bureau of biological survey, made under the provisions of an act of congress relating to migratory birds."</p>	<p>NJ Rev Stat § 23:4-3</p>	<p>" under a penalty of twenty dollars for each offense."</p>	<p>NJ Rev Stat § 23:4-3</p>

"Take" means to harass, hunt, capture, kill, or attempt to harass, hunt, capture, or kill, wildlife;

NJ Rev Stat § 23:2A-3

							<p>"No person shall sow, deposit or place any rye, wheat, oats, corn or other cereal, except wild celery and wild rice, within four hundred feet of a gunning point in any of the salt or fresh waters of this state, or cause the same to be done, for the purpose of luring, decoying or baiting any goose, duck, swan, brant or other kind of waterfowl, so that the same may be shot at, killed or captured while feeding or attempting to feed thereon; or shoot at, kill or capture any goose, duck, swan, brant or other waterfowl while feeding or attempting to feed where any rye, wheat, oats, corn or other cereal, except wild celery and wild rice, is known to have been sown, deposited or placed in violation of this section,"</p>	<p>NJ Rev Stat § 23:4-15</p>	<p>"under a penalty of fifty dollars for each offense."</p>	<p>NJ Rev Stat § 23:4-15</p>
							<p>"No person hunting or gunning after geese, duck, brant or other migratory waterfowl shall place a boat, sinkbox, seaweed, or other vessel or construction in which he may lie in wait to kill the same, at a distance of more than one hundred feet from ice, marsh or meadow, bar or bank, not covered with water, or shall, with intent to capture or kill the same, hunt after or pursue the same in any manner except between the hours as fixed by regulations under the provisions of an Act of Congress relating to migratory birds"</p>	<p>NJ Rev Stat § 23:4-18</p>	<p>"under a penalty of twenty dollars (\$20.00) for each offense."</p>	<p>NJ Rev Stat § 23:4-18</p>
							<p>"No person shall pursue any goose, duck, brant or other kind of game bird, or shoot, shoot at, kill or wound the same from a boat or vessel propelled by any means, other than by oars or paddles, or from a boat, vessel or other structure anchored or staked upon the waters of any of the bays, sounds, coves, ponds, rivers, creeks or streams of the state at a greater distance than one hundred feet from ice, marsh or meadow, bar or bank, or naturally heaped seaweed not covered with water, "</p>	<p>NJ Rev Stat § 23:4-19</p>	<p>", under a penalty of twenty dollars for each offense."</p>	<p>NJ Rev Stat § 23:4-19</p>
							<p>"No person shall, while in an airplane, hydroplane or other device propelled in any manner through the air, pursue, shoot, shoot at, kill or injure any of such game birds "</p>	<p>NJ Rev Stat § 23:4-19</p>	<p>"under a penalty of one hundred dollars for each offense."</p>	<p>NJ Rev Stat § 23:4-19</p>
									<p>"2. Any person who violates the provisions of this act shall be liable to a civil penalty of up to \$500 for each offense, to be collected in a civil action by a summary proceeding under the "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.). If the violation is of a continuing nature, each day during which it continues shall constitute an additional, separate and distinct offense."</p>	<p>NJ Rev Stat § 23:4-24.6</p>



""Wild bird" means any bird other than a native, introduced, or feral game bird as defined in R.S.23:4-49 and other than a domesticated bird such as a chicken, turkey, guinea fowl, goose, duck, pigeon, or peafowl. "Wild bird" also means the egg of a wild bird." NJ Rev Stat § 23:4-50

as authorized pursuant to this section or any other law or as may be authorized by rule or regulation adopted by the division pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq).
 b. The provisions of subsection a. of this section shall not apply to the sale or purchase of wildlife authorized or regulated by chapter 2A or 2B of this title, R.S.23:3-28 through R.S.23:3-39, section 4 of P.L.1970, c.247 (C.23:3-65), R.S.23:4-50, R.S.23:5-2, or Title 50 of the Revised Statutes, or any rule or regulation adopted pursuant thereto, provided that the wildlife was taken and possessed in a lawful manner.
 c. Unless prohibited or restricted by rule or regulation adopted by the division, the raw or processed hide of the white-tailed deer (Odocoileus virginianus), the tail of the white-tailed deer, the portion of the front leg of a white-tailed deer limited to the carpal, metacarpal, and phalange bones, or the portion of the hind leg of a white-tailed deer limited to the tarsus, metatarsus, and phalange bones may be sold or purchased, provided that those parts or products are from a white-tailed deer that was taken and possessed in a lawful manner.
 d. Notwithstanding the provisions of subsection a.

NJ Rev Stat § 23:4-27

may be prescribed by any other applicable law:
 (1) a person who violates this section shall be:
 (a) subject to a civil penalty of not less than \$200 and not more than \$1,000 for the first offense, and not less than \$500 and not more than \$3,000 for each subsequent offense. If the violation involves the sale or purchase of a black bear (Ursus americanus), turkey (Meleagris gallapavo), white-tailed deer (Odocoileus virginianus), bobcat (Felis rufus), or illegally taken river otter (Lutra canadensis), the civil penalty shall be not less than \$1,000 and not more than \$2,000 for the first offense, and not less than \$1,500 and not more than \$3,000 for each subsequent offense; and
 (b) assessed the replacement value of the animal, as prescribed by section 10 of P.L.1990, c.29 (C.23:3-22.2); and
 (2) a person who purposely violates this section when the total value of the sale or purchase is:
 (a) less than \$200 shall be guilty of a

NJ Rev Stat § 23:4-27

"When by the laws of any other state or country it is lawful to take out of the confines thereof any game, whether the same is fowl or animal, that game may be brought within this state, but nothing herein contained shall permit the sale or exposure for sale of any such game. Cottontail rabbits, Belgian hares and jack rabbits legally killed in another state may be brought into this state at any time for possession, sale and consumption."

NJ Rev Stat § 23:4-28

"A person violating this section shall be liable to a penalty of twenty dollars for each fowl or animal so sold or exposed for sale."

NJ Rev Stat § 23:4-28

from this State an animal or bird, other than deer, protected by the provisions of the State Fish and Game Code, or, in the absence of any provision in said code to the contrary, protected by this Title. A nonresident holding a nonresidents' and aliens' hunting license may, however, in any one day, remove from the State the number of animals or birds that may be taken under the provisions of the State Fish and Game Code in one day by one person, or, in the absence of such provisions in said code, the number of animals or birds that may be taken under the laws of this State in one day by one person, but not more birds or animals may be removed by one person in one calendar week than the number that may be taken under the provisions of the State Fish and Game Code in two days by one person, or, in the absence of such provisions in said code, than the number that may be taken under the laws of this State in two days by one person. No removal shall be made unless the animals or birds are exposed to open view. [...] This section shall not apply to common carriers carrying from beyond the confines of this State in unbroken packages to some point beyond the confines of this State any such protected animal or bird, nor shall it apply to English or ring-necked pheasants, mallard, black or wood ducks, Canada

NJ Rev Stat § 23:4-29

"A person violating this section shall be liable to a penalty of twenty dollars (\$20.00) for each animal or bird removed or sought to be removed."

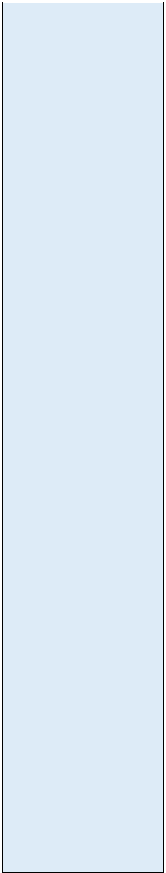
NJ Rev Stat § 23:4-29

"No person shall rob the nests or take or destroy the eggs of any wild bird other than the English sparrow, "

NJ Rev Stat § 23:4-51

"under a penalty of twenty dollars for each nest robbed and each egg so removed or destroyed"

NJ Rev Stat § 23:4-51



"The Division of Fish, Game and Shellfisheries may grant to a properly accredited person, 18 years of age or over, a certificate permitting him to collect mammals, reptiles, amphibians, fish, and birds and their nests or eggs, for strictly scientific purposes only."

NJ Rev Stat § 23:4-52

rule, or regulation, or by the State Fish and Game Code, no person shall within this State pursue, hunt, take, capture, kill, attempt to take, capture, or kill, or have in possession, living or dead, a wild bird.

c. (1) Except pursuant to a permit issued by the department for scientific, zoological, or educational purposes or to a licensed wild bird breeder for the purpose of obtaining new stock to increase genetic variety, no person shall within this State offer for sale, sell, offer to barter, barter, offer to purchase, purchase, deliver for shipment, ship, export, import, transport or cause to be transported, carry or cause to be carried, or receive or cause to be received for shipment, transportation, carriage, or export, living or dead, any wild bird, unless the wild bird was raised, and came from an egg produced by captive parents and hatched, in captivity.

(2) The fact that a wild bird belongs to a species not native to this State shall not constitute a defense to a violation of this subsection.

(3) Any wild bird that enters or is brought into the State from another state or from a point outside the territorial limits of the United States, and which is transported without significant delay but within not more than 48 hours across the State destined for a point beyond the State, may be so entered or

NJ Rev Stat § 23:4-50

"Upon proof that a holder of the certificate has collected a mammal, reptile, amphibian, fish, bird or taken the nest or eggs of a bird, mammal, reptile, amphibian or fish for any purposes other than those named in this section, the certificate shall become void and the holder shall be further subject to the penalties provided therefor in this article,"

provision of this section, the department may institute a civil action in a court of competent jurisdiction for injunctive relief to prohibit and prevent such violation, and the court may proceed in the action in a summary manner.

NJ Rev Stat § 23:4-52

(2) A person violating any provision of this section shall be subject to:

(a) a penalty of not less than \$200 nor more than \$1000 for each offense;

(b) a penalty of \$500 for each bird or part thereof that is a subject of the violation; and

(c) forfeiture of any such bird or part thereof that is a subject of the violation, which penalties may be collected in a civil action by a summary proceeding pursuant to "the penalty enforcement law" (N.J.S.2A:58-1 et seq.), or in any case before a court of competent jurisdiction wherein injunctive relief has been requested. The Superior Court and the municipal court shall have jurisdiction to enforce "the penalty enforcement law." If the violation is of a continuing nature,

NJ Rev Stat § 23:4-50

"All provisions contained in this Title, in any law supplementary thereto and in the State Fish and Game Code for the protection of fish, game and birds, or in any manner prohibiting or regulating the taking or possession of the same, shall, except as otherwise specifically provided, be enforced and all penalties for the violations thereof shall be recovered in accordance with the provisions of this chapter."

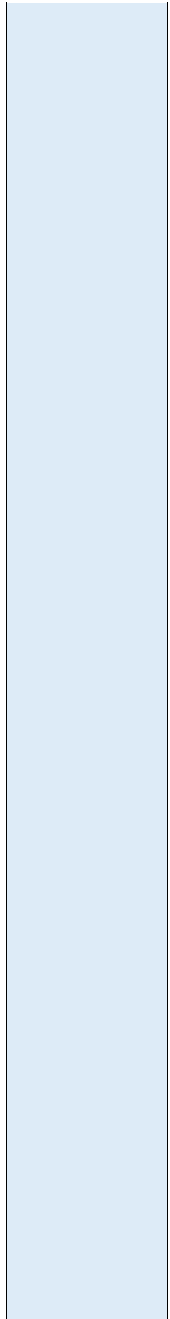
NJ Rev Stat § 23:10-1

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-Inclusive reading of the MBTA?
New Mexico	"B. The following birds are game birds: (1) all of the family Anatidae (waterfowl); (2) all of the family Tetraonidae (grouse and ptarmigans); (3) all of the family Phasianidae (quail, partridges and pheasants); (4) all of the family Meleagridae (wild turkeys) except for the domestic strains of turkeys; (5) all of the family Percididae (francolins); (6) all of the family Gruidae (cranes); (7) all of the family Rallidae (rails, coots and gallinules); (8) all of the family Charadriidae (plovers, turnstones and surfbirds); (9) all of the family Scolopaciidae (shorebirds, snipe, sandpipers and curlews); (10) all of the family Recurvirostridae (avocets and stilts); (11) all of the family Phalaropodidae (phalaropes); and (12) all of the family Columbidae (wild pigeons and doves) except for the domestic strains of pigeons."	NM Stat § 17-2-3	"The game animals and quadrupeds, game birds and fowl, and game fish as herein defined shall be protected and hunting, taking, capturing, killing or possession, or attempt to hunt, take, capture or kill of any or all species named herein shall be regulated by the state game commission under the authority of Chapter 117 of the 1931 Session Laws of the state of New Mexico."	NM Stat § 17-2-2	N/A	N/A	"A. Except as permitted by regulations adopted by the state game commission or as otherwise allowed by law, it is unlawful to: (1) hunt, take, capture, kill or attempt to take, capture or kill, at any time or in any manner, any game animal, game bird or game fish in the state; or (2) possess, offer for sale, sell, offer to purchase or purchase in the state all or any part of any game animal, game bird or game fish."	NM Stat § 17-2-7	"A. A person violating any of the provisions of Chapter 17 NMSA 1978, except for the felony provision of Section 17-2-8 NMSA 1978, or any rules adopted by the state game commission that relate to the time, extent, means or manner that game animals, birds or fish may be hunted, taken, captured, killed, possessed, sold, purchased or shipped is guilty of a misdemeanor and upon conviction shall be sentenced pursuant to Section 31-19-1 NMSA 1978."	NM Stat § 17-2-10	NO
			"B. The state game commission shall have authority to: [...] (7) designate certain areas as rest grounds for migratory birds, in which hunting shall be forbidden at all times or at such times as the state game commission shall provide, it being the purpose of this provision not to interfere unduly with the hunting of waterfowl but to provide havens in which they can rest and feed without molestation;"	NM Stat § 17-1-14			"It shall be unlawful for any person to shoot, ensnare or trap for the purpose of killing or in any other manner to injure or destroy any songbird, or birds whose principal food consists of insects, comprising all the species and varieties of birds represented by the several families of bluebirds, including the western and mountain bluebirds; also bobolinks, catbirds, chickadees, cuckoos, which includes the chaparral bird or roadrunner (Geococcyx novo mexicanus), flickers, flycatchers, grosbeaks, humming birds, kinglets, martins, meadowlarks, nighthawks or bull bats, nuthatches, orioles, robins, shrikes, swallows, swifts, tanagers, titmice, thrushes, vireos, warblers, waxwings, whippoorwills [whippoorwills], woodpeckers, wrens, and all other perching birds which feed entirely or chiefly on insects. This section does not prohibit the killing of such birds for scientific purposes under permits from the department of game and fish."	NM Stat § 17-2-13	"In order to protect game animals, birds and fish against importation of undesirable species and introduction of infectious or contagious diseases, it is a misdemeanor to import any live animals, birds or fish into this state, except domesticated animals or domesticated fowl or fish from government hatcheries, without first obtaining a permit from the department of game and fish."	NM Stat § 17-3-32	

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?
New York	game birds; (b) big game; (c) small game. a. "Game birds" are classified as (1) migratory game birds and (2) upland game birds. (1) "Migratory game birds" means the Anatidae or waterfowl, commonly known as geese, brant, swans and river and sea ducks; the Rallidae, commonly known as rails, American coots, mud hens and gallinules; the Limicolae or shorebirds, commonly known as woodcock, snipe, plover, surfbirds, sandpipers, tattlers and curlews; the Corvidae, commonly known as jays, crows and magpies. (2) "Upland game birds" (Gallinae) means wild turkeys, grouse, pheasant, Hungarian or European gray-legged partridge and quail. Grouse means ruffed grouse and every member of the grouse family. Pheasant means the ring-necked, dark-necked and	NY Env Cons L § 11-0103	** 1. Open seasons and bag limits with respect to migratory game birds shall be those fixed by the department in regulations pursuant to section 11-0307, to conform with federal regulations made under authority of the Migratory Bird Treaty Act of July 3, 1918 (16 U.S.C. §§ 703 - 711). * NB Effective starting December 31, 2018 // ** 1. Open seasons and bag limits with respect to migratory game birds shall be those published annually in the federal register by the U.S. Department of the Interior, unless the department adopts regulations pursuant to section 11-0307. Notice of such open seasons and bag limits shall be provided by department press release and any other means that the department determines to be appropriate and effective, including posting on the department's public website. * NB Effective until December 31, 2018	NY Env Cons L § 11-0903	* 1. The department shall adopt rules and regulations in relation to migratory game birds, provided such regulations are no less restrictive than federal regulations made under authority of the Migratory Bird Treaty Act of July 3, 1918, (16 U.S.C. secs. 703-711), as may be amended from time to time. * NB Effective until December 31, 2018	NY Env Cons L § 11-0307	"1. No dyestuffs, coal tar, refuse from a gas house, cheese factory, creamery, condensary or canning factory, sawdust, shavings, tan bark, lime, acid, oil or other deleterious or poisonous substance shall be thrown or allowed to run into any waters, either private or public, in quantities injurious to fish life, protected wildlife or waterfowl inhabiting those waters or injurious to the propagation of fish, protected wildlife or waterfowl therein."	NY Env Cons L § 11-0503	employee of the department as may be designated by the commissioner, shall enforce the provisions of this chapter, and the rules, and regulations and orders enacted or promulgated thereunder. Such officers shall be authorized to issue an appearance ticket or, in lieu thereof, a uniform appearance ticket or, in lieu thereof, a uniform appearance ticket and simplified information as provided in section 71-0203, for any violation of this chapter or rule, regulation or order adopted thereunder. Law enforcement officers of the Fish and Wildlife Service of the United States Department of the Interior or the National Marine Fisheries Service of the United States Department of Commerce may enforce the provisions of articles 11 and 13 of this chapter and shall be authorized to issue an appearance ticket or, in lieu thereof, a uniform appearance ticket and simplified information as provided in section 71-0203, for any violation of article 11,	NY Env Cons L § 71-0201	YES
	means ducks, geese, brant, swans, pheasants, quail, wild turkey, ruffed grouse, Chukar partridge and Hungarian or European gray-legged partridge, propagated under a domestic game bird breeder's license pursuant to section 11-1901 or a shooting preserve license pursuant to section 11-1903, or propagated on preserve or island outside the state under a law similar in principle to title 19 of this article.[...] c. To qualify as such domestic game bird or domestic game animal, (1) live game must be held in private ownership, on such licensed premises, and in the case of deer must be held on a preserve which is fenced, or is an island, as provided in section 11-1905, or must be held in confinement in course of transportation, and (2) the carcasses or flesh of such game coming from outside the state	NY Env Cons L § 11-0103	** 1. Open seasons and bag limits with respect to migratory game birds shall be those fixed by the department in regulations pursuant to section 11-0307, to conform with federal regulations made under authority of the Migratory Bird Treaty Act of July 3, 1918 (16 U.S.C. 703-711). * NB Effective December 31, 2018"	NY Env Cons L § 11-0903		NY Env Cons L § 11-0307	"5. No person shall rob or wilfully destroy a nest of any protected birds unless a permit shall first be obtained from the department."	NY Env Cons L § 11-0505	"1. Possession of any fish, shell-fish, crustacea or game, or parts thereof, at a time when there is no open season anywhere in the state for the species possessed, shall be presumptive evidence that it was taken unlawfully. 2. Possession of any fish, shell-fish, crustacea, wildlife or protected insect shall be presumptive evidence that it was taken by the possessor."	NY Env Cons L § 71-0917	
	"6. a. "Wildlife" means wild game and all other animal life existing in a wild state, except fish, shellfish and crustacea. b. "Wild bird" means birds which are "wildlife"."	NY Env Cons L § 11-0103				NY Env Cons L § 11-0901	"3. a. Migratory game birds shall be taken only as permitted by regulations of the department adopted pursuant to section 11-0307."				

	<p>"(1) "Raptors" means all species of the orders Strigiformes and Falconiformes and shall include but not be limited to falcons, hawks, owls and eagles except the golden eagle (Aquila chrysaetor) and bald eagle (Haliaeetus leucocephalus) and all birds listed as endangered or threatened pursuant to section 11-0535 of this article. However, properly banded peregrine falcons which are the progeny of birds lawfully acquired prior to 1978 are raptors within the meaning of this section."</p>	NY Env Cons L § 11-1001				<p>state, and parts thereof, may, if lawfully taken, be a. possessed. b. transported within the state and from within to without the state, and c. bought and sold, as provided in this section and in the sections of the Fish and Wildlife Law and regulations of the department to which this section refers, and not otherwise. It shall not be possessed, transported, bought or sold unless lawfully taken, nor transported, bought or sold unless lawfully possessed. Nothing in this section applies to any game which is not wild game, as defined in subdivision 2 of section 11-0103. [...]</p> <p>3. Game for propagation purposes may be transported without restriction except as provided in subdivision 8 or subdivision 10.</p> <p>4. The carcasses, flesh, head, hide, feet or fur of wildlife, except birds, may be bought and sold without restriction, except as provided in subdivisions 8, 9 or 10. The head, skin plumage, hide, feet or fur of wildlife may be possessed and transported without restriction except (a) as provided in section 11-0911 with respect to deer, (b) as provided in subdivision 9 with respect to birds, and (c) as provided in subdivision 8 or subdivision 10.</p> <p>5. Game taken and possessed in one part of the state may be transported as provided in this</p>	NY Env Cons L § 11-0917	<p>"1. Any person who violates any provision of the Fish and Wildlife Law or any lawful order, rule or regulation of the department promulgated pursuant thereto or the terms of any permit issued thereunder, and any person, including a public officer, who fails to perform any duty thereby imposed on him: a. In the case of offenses specified in section 71-0921 of this chapter, is guilty of a misdemeanor, punishable as provided in that section, and b. In the case of any other offense, is guilty of a violation, punishable as provided in section 71-0923 of this chapter, and c. In addition thereto is liable in either case to the penalties provided in the schedule set forth in section 71-0925 or provided elsewhere in this chapter;"</p>	NY Env Cons L § 71-0919	
						<p>" A falconry license shall authorize the licensee to obtain, buy, sell, barter, possess and train raptors for falconry and to engage in falconry, provided that no game shall be taken or killed except during an open season therefor, and further provided that such licensee shall also possess a license pursuant to this chapter which authorizes the holder to hunt wildlife."</p>	NY Env Cons L § 11-1003	<p>"1. Any offense specified in section 71-0919 of this article, unless made a misdemeanor by section 71-0921 of this article or another provision of such chapter, shall be a violation, punishable, except as otherwise provided in this section, by imprisonment for not more than fifteen days, or by a fine of not more than two hundred fifty dollars, or by both such fine and imprisonment."</p>	NY Env Cons L § 71-0923	
						<p>"(1) Raptors for use in falconry shall not be bought, sold or bartered, or offered for sale or barter, except that this section shall not apply to the captive bred progeny of lawfully acquired raptors.</p> <p>(2) No person shall possess or maintain in captivity any raptor or raptors, except as otherwise provided by law, unless he shall first obtain a falconry license."</p>	NY Env Cons L § 11-1009	<p>of this chapter, when a violation involves the sale, trade or barter of fish, shellfish, crustaceans, wildlife, or parts thereof, the following additional penalties shall be imposed:</p> <p>1. where the value of fish, shellfish, crustaceans, wildlife, or parts thereof, is two hundred fifty dollars or less, the offense shall be a violation punishable by a fine of five hundred dollars and/or not more than fifteen days of imprisonment;</p> <p>2. where the value of fish, shellfish, crustaceans, wildlife, or parts thereof, is more than two hundred fifty dollars but does not exceed one thousand five hundred dollars, the offense shall be a misdemeanor punishable by a fine of five thousand dollars and/or not more than one year of imprisonment;</p> <p>3. where the value of fish, shellfish, crustaceans, wildlife, or parts thereof, exceeds one thousand five hundred dollars, the offense shall constitute a</p>	NY Env Cons L § 71-0924	
						<p>"1. Except as provided in title 5 or in sections 11-1901 or 11-1903, no wild bird shall be trapped, netted or snared, or if so taken, possessed."</p>	NY Env Cons L § 11-1101	<p>"10. A violation of subdivision twelve of section 11-1101 of this chapter is punishable by imprisonment of not more than ten days, or by a fine of not more than one hundred dollars, or by both such fine and imprisonment."</p>	NY Env Cons L § 71-0923	

							<p>"Wildlife taken by trapping may be possessed, transported, bought and sold as provided in section 11-0917, and shall not be possessed, transported, bought or sold except as so provided."</p>	<p>NY Env Cons L § 11-1107</p>	<p>"The penalties referred to in section 71-0919, to which a person is liable upon violation of provisions of the Fish and Wildlife Law or any order, rule or regulation of the department, shall be: 1. Unless another penalty is specifically provided for in this subdivision or elsewhere in the Fish and Wildlife Law, two hundred dollars and an additional penalty of one hundred dollars for each fish, bird or animal or part thereof, other than shellfish or crustacea, involved in the violation; [...] 5. If the violation was any act prohibited by subdivision 1 of section 11-0503, not less than five hundred dollars nor more than one thousand dollars for each offense and an additional penalty of ten dollars for each fish killed in violation thereof;"</p>	<p>NY Env Cons L § 71-0925</p>
							<p>"3. Game for propagation purposes and the plumage or skin of game birds may be imported and transported at any time, without license or permit. Such plumage or skin shall not be sold or offered for sale or possessed for sale except as permitted by section 11-1729 or 11-1731. [...] 10. The dead bodies of birds belonging to all species or subspecies native to this state, defined in subdivision 5 of section 11-0103, as protected birds, or belonging to any family, any species or subspecies of which is native to this state and is so defined, shall not be sold, offered for sale or possessed for sale for food purposes within this state. They may be imported, transported and possessed, except for sale, as provided in section 11-1707."</p>	<p>NY Env Cons L § 11-1705</p>		
			<p>" 1. c. Importation of migratory game birds is governed by regulation of the department pursuant to section 11-0307.</p>	<p>NY Env Cons L § 11-1707</p>			<p>(other than migratory game birds), sale of which without license or permit is not authorized by section 11-1705, may be imported during the open season as provided in subdivision 2, and may be imported during the closed season as provided in subdivision 3 or subdivision 4. [...] 3. During the closed season, the taker may transport carcasses or parts thereof of any fish or wildlife (other than migratory game birds), from without to within the state, provided he accompanies them and has with him a license issued by the department permitting such transportation; or he may ship such carcasses or parts thereof by carrier except parcel post if he has obtained a license issued by the department permitting such transportation and if the carcasses or the package containing them has attached thereto a card or label showing the name and address of the taker, the name and address of the consignee, and if the shipment is a package, the nature of its contents; [...] 4. From September 1 to February 10 any resident of the state may cause to be transported, from without to within the state, in any manner except parcel post, (a) carcasses of fish and wildlife described in paragraph a of subdivision 1, or (b) carcasses of other fish and wildlife (other than migratory game birds) for which there is no</p>	<p>NY Env Cons L § 11-1707</p>		
							<p>"Except as permitted by rule and regulation of the department, no person shall sell live wild birds, as defined in paragraph b of subdivision six of section 11-0103 of this chapter, unless such birds were born and raised in captivity."</p>	<p>NY Env Cons L § 11-1728</p>		



"1. The department may direct any environmental conservation officer, or issue a permit to any person, to take any wildlife at any time whenever it becomes a nuisance, destructive to public or private property or a threat to public health or welfare, [...] Wildlife so taken shall be disposed of as the department may direct. " NY Env Cons L § 11-0521

"1. The department may issue to any person a license revocable at its pleasure to collect or possess fish, wildlife, shellfish, crustacea, or aquatic insects, birds' nests or eggs for propagation, banding, scientific or exhibition purposes." NY Env Cons L § 11-0515

"Any person, agency, corporation or municipality who obtains a migratory bird depredation permit or order issued by the federal department of the interior pursuant to 50 C.F.R. 13 and 50 C.F.R. 21, as may be amended from time to time, shall not be required to obtain a permit from the department to conduct the authorized activities. [...]

3. Nothing in this section shall be construed as requiring or obligating the department to issue a permit to take wildlife or to direct the taking of any wildlife when in its opinion the nuisance, destruction of property or threat to public health and welfare will not be effectively abated thereby." NY Env Cons L § 11-0521

an owner or lessee of wholly enclosed lands, or an entire island, a domestic game bird breeder's license permitting him to possess and propagate such species of domestic game birds as, in its opinion, he has facilities for propagating on the licensed premises. [...] a. Class A license, two hundred dollars. This license shall allow the holder thereof to purchase, possess, propagate, transport and sell domestic game birds, dead or alive, and their eggs. b. Class B license, forty dollars. This license shall allow the holder thereof to purchase, possess and propagate domestic game birds for his own use. Birds may be killed for food or released to the wild for restocking. No live birds or their eggs or carcasses may be sold, exchanged or given away.

3. Only domestic game birds legally propagated or acquired shall be possessed under these licenses.

4. On the licensed premises the licensee may kill domestic game birds at any time in any manner except by shooting. Nothing in this section shall be construed to prohibit the shooting of domestic game birds liberated on the licensed premises if such shooting is done during the open season for such species or pursuant to a license under section 11-1903.

"2. The department may revoke the license of any licensee convicted of a violation of this section, and no license shall be issued to him for the ensuing two years."

NY Env Cons L § 11-1901

NY Env Cons L § 11-1901

an owner or lessee of wholly enclosed lands or an entire island a shooting preserve license permitting him or her to purchase, possess, rear and transport, and to release and take by shooting therein, domestic game birds legally possessed or acquired. No birds may be held for propagation after April 15 unless the owner or lessee also has a domestic game bird breeder's license as provided for in section 11-1901 of this title. [...] a. Class A license, two hundred dollars. This license shall allow the holder thereof to operate a commercial club or membership shooting preserve with a minimum of one hundred acres and charge a daily fee for hunting or charge a fee for each bird killed or a combination thereof. Birds may be killed by the licensee for his or her own use and may be sold dead or alive. b. Class B license, sixty dollars. This license shall allow the holder thereof to operate a shooting preserve with use restricted to the licensee, his or her family and invitees, provided no fees are charged for the privilege of hunting or for birds shot. Birds may be killed by the licensee for his or her own use but no live birds, or their eggs, or carcasses may be sold unless the licensee holds a Class A game bird breeder's license. [...]

"3. The department may revoke the license of any licensee convicted of a violation of this section, and no license shall be issued to him or her for the ensuing two years. The licensee, unless he or she shall waive such right, shall have an opportunity to be heard. Notice of hearing shall be given by mailing the same in writing to the licensee at the address contained in his or her license. Attendance of witnesses may be compelled by subpoena. Revocation shall be deemed an administrative act reviewable by the supreme court as such."

NY Env Cons L § 11-1903

NY Env Cons L § 11-1903

7. Domestic game birds may not be killed, by

13. "Taking" and "take" include pursuing, shooting, hunting, killing, capturing, trapping, snaring and netting fish, wildlife, game, shellfish, crustacea and protected insects, and all lesser acts such as disturbing, harrying or worrying, or placing, setting, drawing or using any net or other device commonly used to take any such animal. Whenever any provision of the Fish and Wildlife Law permits "taking", the taking permitted is a taking by lawful means and in a lawful manner. NY Env Cons L 11-0103

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-Inclusive reading of the MBTA?
North Carolina	<p>their cognates apply in the description of the various marine and estuarine and wildlife resources: [...] (1c) Birds. - Wild birds, except when the context clearly indicates a contrary interpretation. [...] (7d) Game Birds. - Migratory game birds and upland game birds. [...] (11a) Migratory Birds. - All birds, whether or not raised in captivity, included in the terms of conventions between the United States and any foreign country for the protection of migratory birds and the Migratory Bird Treaty Act, as defined and listed in Part 10 of Title 50 of the Code of Federal Regulations. (11b) Migratory Game Birds. - Those migratory birds for which open seasons are prescribed by the United States Department of the Interior and belonging to the following families: a. Anatidae (wild ducks, geese, brant, and swans); b. Columbidae (wild</p>	NC Gen Stat § 113-129	"11b. The Wildlife Resources Commission is authorized to modify this definition from time to time by regulations only as necessary to keep it in conformity with governing federal laws and regulations pertaining to migratory game birds."	NC Gen Stat § 113-129	N/A	N/A	"(a) The Department, the Wildlife Resources Commission, and agencies of the United States with jurisdiction over fish and wildlife are hereby granted the right to take marine, estuarine, and wildlife resources within the State, to conduct fish cultural operations and scientific investigations in the several waters of North Carolina, to survey fish and wildlife populations in the State, to conduct investigations to determine the status and requirements for survival of resident species of fish and wildlife, to propagate animals, birds, and fish, and to erect fish hatcheries and fish propagating plants without regard to any licensing or permit requirements of this Subchapter."	NC Gen Stat § 113-261	<p>permittee under this Article of a violation of any law or rule administered by the Wildlife Resources Commission under the authority of this Subchapter, the court in its discretion may order surrender of that license or permit plus any other license or permit issued by the Wildlife Resources Commission. The court may order suspension of any license or permit for some stipulated period or may order revocation of any license or permit for the remainder of the period for which it is valid. A period of suspension may extend past the expiration date of a license or permit, but no period of suspension longer than two years may be imposed. During any period of suspension or revocation, the licensee or permittee is not entitled to purchase or apply for any replacement, renewal, or additional license or permit regulating the same activity covered by the suspended or revoked license or permit. The Wildlife Resources Commission may by administrative</p>	NC Gen Stat § 113-277	NO
	"(7) To Take.--All operations during, immediately preparatory, and immediately subsequent to an attempt, whether successful or not, to capture, kill, pursue, hunt, or otherwise harm or reduce to possession any fisheries resources or wildlife resources."	NC Gen Stat § 113-130	"(a) In the interest of the orderly and efficient conservation of wildlife resources, the Wildlife Resources Commission may provide for the licensing of qualified individuals to take any of the wildlife resources of the State under a collection license that may serve in lieu of any other license required in this Article."	NC Gen Stat § 113-272.4			"(a) The combination hunting and inland fishing licenses set forth in subsection (b) of this section entitle the licensee to take, except on game lands, all wild birds and wild animals, other than big game and waterfowl, by all lawful methods and in all open seasons,"	NC Gen Stat § 113-270.1C	<p>sells, possesses for sale, or buys any wildlife is guilty of a Class 2 misdemeanor, punishable by a fine of not less than two hundred fifty dollars (\$250.00), unless a greater penalty is prescribed for the offense in question. [...]</p> <p>(g) Any person who unlawfully takes wild animals or birds from or with the use of a vessel equipped with a motor or with motor attached is guilty of a Class 2 misdemeanor, unless a greater penalty is prescribed for the offense in question. [...]</p> <p>(i) Any person who violates any provision of G.S. 113-291.6, regulating trapping, is guilty of a Class 2 misdemeanor, unless a greater penalty is prescribed for the offense in question. [...]</p> <p>(l) Any person who unlawfully takes, possesses, transports, sells or buys any bald eagle or golden eagle, alive or dead, or any part, nest or egg of a bald eagle or golden eagle is guilty of a Class 1 misdemeanor, unless a greater penalty is prescribed for the</p>	NC Gen Stat § 113-294	
			"(a) In the interests of humane treatment of wild animals and wild birds that are lawfully taken, crippled, tame, or unfit for immediate release into their natural habitat, the Wildlife Resources Commission may license qualified individuals to hold at a specified location one or more of any particular species of wild animal or wild bird alive in captivity for scientific, educational, exhibition, or other purposes."	NC Gen Stat § 113-272.5			"(a) Annual Sportsman License - \$50.00. This license shall be issued only to an individual resident of the State and entitles the licensee to take all wild animals and wild birds, including waterfowl, by all lawful methods in all open seasons, including the use of game lands, [...] (b) Lifetime Sportsman Licenses. Except as provided in subdivision (7) of this subsection, lifetime sportsman licenses are valid for the lifetime of the licensees. Lifetime sportsman licenses entitle the licensees to take all wild animals and wild birds by all lawful methods in all open seasons."	NC Gen Stat § 113-270.1D			

						<p>"(a) The hunting licenses set forth in subdivisions (1), (3), and (6) of subsection (c) of this section entitle the holder to take, except on game lands, wild birds and wild animals, other than big game and waterfowl, by all lawful methods and in all open seasons. The comprehensive hunting licenses of subdivisions (2) and (5) of subsection (c) of this section further entitle the holder to take big game and waterfowl and to use game lands. [...]</p> <p>(c) The hunting licenses issued by the Wildlife Resources Commission are as follows: (1) Resident State Hunting License [...] (2) Lifetime Resident Comprehensive Hunting License [...] (3) Repealed by Session Laws 2013-283, s. 3, effective August 1, 2014. (4) Controlled Hunting Preserve Hunting License - \$20.00. This license shall be issued to an individual resident or nonresident to take only foxes and domestically raised game birds, other than wild turkey, only within a controlled hunting preserve licensed and operated in accordance with G.S. 113-273(g) and implementing rules of the Wildlife Resources Commission. (5) Resident Annual Comprehensive Hunting License [...] (6) Nonresident State Hunting License."</p>	<p>NC Gen Stat § 113-270.2</p>			
			<p>"The Wildlife Resources Commission may issue classes of falconry licenses necessary to participate in the federal/State permit system, require necessary examinations before issuing licenses or permits to engage in various authorized activities related to possession and maintenance of raptors and the sport of falconry, and regulate licenses as required by governing federal law and rules. To defray the costs of administering required examinations, the Wildlife Resources Commission may charge reasonable fees upon giving them. To meet minimum federal standards plus other State standards in the interests of conservation of wildlife resources, the Wildlife Resources Commission may impose all necessary controls, including those set out in the sections pertaining to collection licenses and captivity licenses, and may issue permits and require reports, but no collection license or captivity license is needed in addition to the falconry license."</p>	<p>NC Gen Stat § 113-270.3</p>		<p>"(a) In addition to any hunting, trapping, or fishing license that may be required pursuant to G.S. 113-270.1B(a), individuals engaging in specially regulated activities must have the appropriate special activity license and stamp prescribed in this section before engaging in the regulated activity. (b) The special activity licenses and stamp issued by the Wildlife Resources Commission are as follows: [...] (4) Falconry License - \$10.00. This license shall be issued to an individual resident or nonresident of the State and must be procured before: a. Taking, importing, transporting, or possessing a raptor; or b. Taking wildlife by means of falconry. [...] (5) Migratory Waterfowl Hunting License - \$13.00. This license shall be issued to an individual resident or nonresident of the State and entitles the holder to take migratory waterfowl in accordance with applicable laws and regulations."</p>	<p>NC Gen Stat § 113-270.3</p>			

			<p>may by rule prescribe the activities to be covered by the propagation license, which species of game birds may be propagated, and the manner of keeping and raising the birds, in accordance with the overall objectives of conservation of wildlife resources. [...] Migratory game bird operations authorized under this subsection must also comply with any applicable provisions of federal law and rules. The Wildlife Resources Commission may impose requirements as to shipping, marking packages, banding, tagging, or wrapping the propagated birds and other restrictions designed to reduce the change of illicit game birds being disposed of under the cover of licensed operations. The Wildlife Resources Commission may make a reasonable charge for any bands, tags, or wrappers furnished propagators. The game bird propagation license is issued by the Wildlife Resources Commission upon payment of a fee of five dollars (\$5.00). It authorizes a person or individual to propagate and sell game birds</p>	<p>NC Gen Stat § 113-273</p>			<p>"(h) Game Bird Propagation License. - No person may propagate game birds in captivity or possess game birds for propagation without first procuring a license under this subsection. [...] Except as limited by this subsection [(1) wild turkey and grouse may not be sold for food], propagated game birds may be raised and sold for purposes of propagation, stocking, food, or taking in connection with dog training as authorized in G.S. 113-291.1(d)."</p>	<p>NC Gen Stat § 113-273</p>		
			<p>provisions respecting migratory game birds in substantial conformity with applicable federal law and rules, the Wildlife Resources Commission may by rule, or as provided in subsection (f1) of this section, expand or modify provisions of this Article if necessary to achieve such conformity, including allowing the use of electronic calls. In particular, the Commission may prohibit the use of rifles, unplugged shotguns, live decoys, and sinkboxes in the taking of migratory game birds; vary shooting hours; adopt specific distances, not less than 300 yards, hunters must maintain from areas that have been baited, and fix the number of days afterwards during which it is still unlawful to take migratory game birds in the area; and adopt similar provisions with regard to the use of live decoys. In the absence of rules of the Wildlife Resources Commission to the contrary, the rules of the United States Department of the Interior prohibiting the use of rifles, unplugged shotguns, toxic shot and sinkboxes in taking</p>	<p>NC Gen Stat § 113-291.1</p>			<p>"(k) Taxidermy License. - Any individual who engages in taxidermy involving wildlife for any compensation, including reimbursement for the cost of materials, must first procure a taxidermy license. This license is an annual license issued by the Wildlife Resources Commission"</p>	<p>NC Gen Stat § 113-273</p>		
							<p>"Except as specifically permitted in this Subchapter or in rules made under the authority of this Subchapter, no person may take, possess, buy, sell, or transport any wildlife - whether dead or alive, in whole or in part. Nor may any person take, possess, buy, sell, or transport any nests or eggs of wild birds except as so permitted. No person may take, possess, buy, sell, or transport any wildlife resources in violation of the rules of the Wildlife Resources Commission."</p>	<p>NC Gen Stat § 113-291</p>		

		<p>"(f) The Commission is authorized to issue proclamations to set seasons, shooting hours, bag limits, and possession limits that are congruent with the season framework established by the United States Department of Interior or any successor agency. The Commission may delegate this authority to the Executive Director. Each proclamation shall state the hour and date upon which it becomes effective and shall be issued at least 48 hours prior to the effective date and time."</p>	<p>NC Gen Stat § 113-291.2</p>		<p>"(b) No wild animals or wild birds may be taken: [...] (2) With the use or aid of any artificial light, net, trap, snare, electronic or recorded animal or bird call, or fire, except as may be otherwise provided by statute[;] provided, however, that the Wildlife Resources Commission may adopt rules prescribing seasons and the manner of taking of wild animals and wild birds with the use of artificial light and electronic calls. No wild birds may be taken with the use or aid of salt, grain, fruit, or other bait. "</p>	<p>NC Gen Stat § 113-291.1</p>		
		<p>"Unless modified by rules of the Wildlife Resources Commission or as provided in subsection (f) of this section, the seasons, shooting hours, bag limits, and possession limits fixed by the United States Department of Interior or any successor agency for migratory game birds in North Carolina must be followed,"</p>	<p>NC Gen Stat § 113-291.2</p>		<p>"and a violation of the applicable federal rules is hereby made unlawful."</p>	<p>NC Gen Stat § 113-291.2</p>		
		<p>"When the applicable federal rules require that the State limit participation in seasons and/or bag limits for migratory game birds, the Wildlife Resources Commission may schedule managed hunts for migratory game birds. Participants in such hunts shall be selected at random by computer, and each applicant 16 years of age or older shall have the required general hunting license and the waterfowl hunting license prior to the drawing for the managed hunt"</p>	<p>NC Gen Stat § 113-291.2</p>		<p>no one may engage in any activity for which a permit is required without having first procured a current and valid permit. (c) The Wildlife Resources Commission may issue the following permits: (1a) Depredation Permit. - Authorizes the taking, destruction, transfer, removal, transplanting, or driving away of undesirable, harmful, predatory, excess, or surplus wildlife or wildlife resources. [...] (1b) Captivity Permit. - Authorizes the possession of live wildlife that may lawfully be permitted to be retained alive, in accordance with governing rules of the Wildlife Resources Commission. This permit may not substitute for any required collection license or captivity license, but may be temporarily issued for possession of wild animals or wild birds for scientific, educational, exhibition, or other purposes pending action on a captivity license or following its denial or termination. [...] (1c) Possession Permit. - Authorizes the possession of dead wildlife or other wildlife resources lawfully acquired. [...] (2) Transportation Permit. - The Wildlife Resources Commission may require the use of transportation permits by persons required to be licensed under this Article, or by persons and</p>	<p>NC Gen Stat § 113-274</p>		

"The Wildlife Resources Commission may impose necessary reporting, permit, and tagging requirements in regulating activities involving live wildlife and the nests and eggs of wild birds. "

NC Gen Stat § 113-291.3

"To the extent that the Wildlife Resources Commission is granted authority under this Chapter or under any other provision of law, including Chapter 75A of the General Statutes, over subject matter as to which there is concurrent federal jurisdiction, the Wildlife Resources Commission in its discretion may by reference in its rules adopt relevant provisions of federal law and regulations as State rules. To prevent confusion or conflict of jurisdiction in enforcement, the Wildlife Resources Commission may provide for an automatic incorporation by reference into its rules of future changes within any particular set of federal laws or regulations relating to some subject clearly within the jurisdiction of the Wildlife Resources Commission."

NC Gen Stat § 113-307

the declaration, any wild animal or bird may be declared a pest by: (1) The Commissioner of Agriculture under the Structural Pest Control Act of North Carolina of 1955, as amended, in Article 4C of Chapter 106 of the General Statutes, in accordance with any regulations or restrictions imposed by the Structural Pest Control Committee; or (2) The Pesticide Board under the North Carolina Pesticide Law of 1971, as amended, in Article 52 of Chapter 143 of the General Statutes.

(b) When a wild animal or bird is declared a pest, the Commissioner of Agriculture or the Pesticide Board, as the case may be, must notify the Wildlife Resources Commission in writing of the action taken; the areas in which the declaration is effective; the type, amount, and mode of application of any poison or pesticide proposed for use against the pest; and other information pertinent to the declaration.

(c) Upon receiving notification under subsection (b), the Wildlife

NC Gen Stat § 113-300.2

birds may be taken, possessed, transported, bought, sold, imported, exported, or otherwise acquired or disposed of only as specifically authorized in this Subchapter or its implementing rules. [...]

(b) With respect to dead wildlife:

(1) Lawfully taken wildlife may be possessed and transported as provided in G.S. 113-291.2.

Wildlife possessed under any dealer license may be possessed and transported in accordance with the provisions of law and rules applicable to the license, and wildlife may be sold to qualified persons if authorized under provisions governing the license. In other situations, except as this Subchapter may expressly provide, possession and transportation of wildlife may be regulated by the Wildlife Resources Commission.

(2) Unless there is a specific restriction on the transfer of the species in question, an individual may accept the gift of wildlife lawfully taken within North Carolina if taking possession does not cause him to exceed applicable possession limits. [...]

(3) A licensed taxidermist or other licensed dealer taking temporary possession of wildlife of another may possess the wildlife that he is authorized to handle under his license in

NC Gen Stat § 113-291.3

"(1) Annual Resident Unified Sportsman/Coastal Recreational Fishing License. - \$65.00. This license is valid from the date of issue for a period of 12 months as defined by G.S. 113-270.1B(b) and G.S. 113-270.1B(c). This license shall be issued only to an individual who is a resident of the State. This license authorizes the licensee to take all wild animals and wild birds, including waterfowl, by all lawful methods in all open seasons, including the use of game lands; [...]

(3) Lifetime Unified Sportsman/Coastal Recreational Fishing Licenses. - Except as provided in sub-subdivision f. of this subdivision, a license issued under this subdivision is valid for the lifetime of the licensee. A license issued under this subdivision authorizes the licensee to take all wild animals and wild birds, including waterfowl, by all lawful methods in all open seasons, including the use of game lands; "

NC Gen Stat § 113-351

"(a) Each day in which poisons or pesticides are used unlawfully in taking wild animals or birds constitutes a separate offense.

(b) Any taking of a wild animal or bird in willful violation of this Article or in willful violation of any restrictions imposed by the Commissioner of Agriculture, the Structural Pest Control Committee, the Pesticide Board, or the Wildlife Resources Commission is punishable under G.S. 113-262(a). For the purposes of prosecutions under that subsection, the term "poison" includes pesticides.

(c) Any person taking a wild animal or bird declared a pest with the use of poison or pesticide who neglects to observe applicable restrictions imposed by the Commissioner of Agriculture, the Structural Pest Control Committee, the Pesticide Board, or the Wildlife Resources Commission is guilty of a Class 3 misdemeanor, unless a greater penalty is prescribed for the offense in question. "

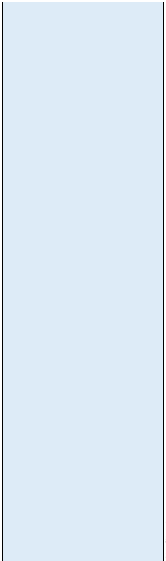
"No one may take any wild animal or bird with the use of any poison or pesticide except as provided in this Article."

NC Gen Stat § 113-300.1

NC Gen Stat § 113-300.3

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?
North Dakota	"19. "Game birds" includes all varieties of geese, brant, swans, ducks, plovers, snipes, woodcocks, grouse, sagehens, pheasants, Hungarian partridges, quails, partridges, cranes, rails, coots, wild turkeys, mourning doves, and crows [...] 22. "Harmful wild birds" includes blackbirds, magpies, English sparrows, and starlings. 23. "Harmless wild birds" includes all wild birds not defined herein as "harmful wild birds" or "game birds" [...] 49. "Small game" includes all game birds and tree squirrels. [...] 55. "Waterfowl" includes all varieties of geese, brant, swans, ducks, rails, and coots"	20.1-01-02	"North Dakota consents, subject to the approval of the governor for each proposed acquisition, along with the conditions of sections 20.1-02-18.1 and 20.1-02-18.2, to the United States acquiring, by purchase, gift, devise, or lease, land or water in this state as the United States may deem necessary to establish migratory bird reservations in accordance with the federal Migratory Bird Conservation Act [Pub. L. 70-770; 45 Stat. 1222; 16 U.S.C. 715 et seq.]. North Dakota reserves such full and complete jurisdiction and authority over all such areas of land or water so acquired by the United States as is not incompatible with the administration, maintenance, protection, and control of such areas by the United States under the terms of said Act of Congress"	20.1-02-18	N/A	N/A	"Except as otherwise provided in this title, no person, for the purpose of catching, taking, killing, or raising any game birds or game animals may: 1. Set, lay, or prepare any trap, snare, artificial light, net, birdlime, swivel gun, or any other device, except that the use of snares for taking coyotes is allowed under section 20.1-07-03.1; 2. Drag, in any manner, any wire, rope, or other contrivance; or 3. Use or cause to be used, except for transportation, any floating device or apparatus operated by electricity, steam, or gasoline, or any other floating vessel."	20.1-01-05	"Any person violating a provision of this chapter for which a penalty is not specifically provided is guilty of a class B misdemeanor."	20.1-01-01; 20.1-03-01; 20.1-04-01; 20.1-09-01; 20.1-14-01	NO
			"The department shall implement a web-based online application process for Canada goose kill permits, publicize in select agricultural publications and trade journals the availability of Canada goose kill permits, and implement a program to match volunteers with agricultural producers with kill permits."	20.1-02-32			"Except as provided in this title, or when necessary for the protection of life or property except as provided in section 20.1-02-05, no person operating or controlling the operation of any aircraft or motor vehicle in this state may intentionally kill, chase, or harass any wild animal or wild bird, protected or unprotected. No person, while operating a snowmobile in this state, may intentionally kill, chase, flush, or harass any wild animal or wild bird, protected or unprotected."	20.1-01-11	"In addition to the penalty provided upon conviction under this title, the court may suspend the defendant's hunting, trapping, or fishing privileges for up to three years"	20.1-01-26	
							"Possession or control by any person of any wildlife, or any part thereof, the killing, taking, or possessing of which is unlawful, is prima facie evidence the wildlife was caught, taken, or killed in this state in violation of this title"	20.1-01-14			
							"No transportation company or common carrier may receive for transportation, transport, or attempt to transport any protected game birds, animals, or fish, except during the open season on such birds, animals, or fish."	20.1-01-16			
							"No person may hunt birds resting on utility lines or fixtures adjacent to such lines"	20.1-01-22.1			
							"Except as provided in section 20.1-03-07.3, a person may not: [...] 2. Hunt, catch, take, trap, or kill any small game or big game animal unless that person has in that person's possession an annual general game license together with the specific license required."	20.1-03-02			
							"1. Except as provided in sections 20.1-02-05, 20.1-03-07.2, and 20.1-03-07.3, a nonresident may not hunt waterfowl unless that individual first obtains a nonresident waterfowl hunting license. However, a nonresident may hunt cranes after first obtaining a nonresident waterfowl hunting license or a nonresident small game hunting license."	20.1-03-07.1			
							"A nonresident may purchase a nonresident spring white goose license to hunt white geese during a spring season as determined by the governor by proclamation"	20.1-03-07.3			

							"A resident or nonresident may purchase an early Canada goose license to hunt geese during an early season as determined by the governor by proclamation"	20.1-03-11.3			
							"No person may hunt, take, kill, possess, convey, ship, or cause to be shipped, by common or private carrier, sell, or barter any game bird or any part thereof taken in this state, except as provided in this title."	20.1-04-02			
							"Nothing in this title prohibits the use of any part of a legally taken game bird for decorative purposes or in the making of art works for private use or sale, except that any part of any legally taken migratory bird may not be sold or bartered except as provided under federal regulations."	20.1-04-02.1			
							"No person, without a permit issued by the director, shall kill, catch, take, ship, cause to be shipped, purchase, offer, or expose for sale, sell, have in that person's possession or under that person's control, any harmless wild bird, or any part thereof, irrespective of whether the harmless wild bird was captured or killed in or out of this state. Imported songbirds used and to be used as domestic pets may be bought, sold, shipped, or possessed at any time."	20.1-04-03			
							"No person, without a permit issued by the director, may take, have in that person's possession or under that person's control, or needlessly break up or destroy, or in any manner interfere with, the nest or the eggs of any kind of bird, the killing of which is prohibited."	20.1-04-04			
							"A person may not possess, control, ship, transport, or store, can, or otherwise preserve, more than the number authorized in the governor's proclamation of any species of game bird mentioned in this chapter. However, properly tagged game birds legally taken out of state or taken on Indian land may be possessed, transported, or shipped in state."	20.1-04-06			
							"Wild ducks and geese may be taken: 1. In the open or from a stationary natural or artificial blind or other place of concealment on land or water, except a sinkbox. 2. From a floating craft, excluding a sinkbox, if such craft is beached, or fastened within or tied immediately alongside any type of fixed hunting blind, or from such craft resting at anchor if authorized by governor's proclamation. 3. With the aid of artificial decoys. The use, directly or indirectly, of live duck or goose decoys is not permitted. A motorboat, sailboat, or other craft may be used to pick up dead or injured birds"	20.1-04-11			
							"Any person may kill any harmful wild bird in this state during daylight hours."	20.1-04-13			
							"Any propane exploder or similar noisemaking device designed to ward off blackbirds which is located within one hundred sixty rods [804.67 meters] of an inhabited dwelling may only be used during the period between sunrise and sunset"	20.1-04-15		"Any person who violates this section is guilty of a class 2 noncriminal offense"	20.1-04-15
							"Permits to propagate, domesticate, or possess live protected birds or animals may be issued by the director to any North Dakota resident."	20.1-09-02		" One permit may cover several species of birds or animals, but a single permit may not cover both birds and animals. No person may possess any live protected animal or bird without first obtaining a permit from the director."	20.1-09-02



"2. "Raptor" means any migratory bird of the family accipitridae, excluding bald and golden eagles, falconidae, or strigidae."

20.1-14-02

"The department shall make such rules governing the issuance and use of falconry licenses and prescribe the fee for the licenses as it deems proper and necessary and in compliance with federal regulations."

20.1-14-03

"Protected birds or animals held for propagation and domestication under a permit may be sold or transported live for propagation purposes. Their eggs may be collected, sold, or transported during seasons the director prescribes. All collections, sales, and shipments must be with the director's written permission. Protected birds or animals raised in North Dakota under a propagation permit may be disposed of, with the director's written permission, at times the director may prescribe. The carcasses of these birds or animals may be disposed of as food when properly identified by a suitable tag or seal furnished by the director."

20.1-09-05

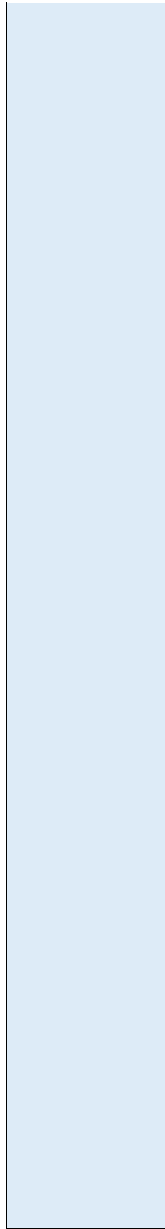
" The department may revoke any falconry license and seize the raptors held pursuant thereto if the licensee:
1. Fails to provide proper care for the raptors in the licensee's possession.
2. Allows raptors in the licensee's possession to become a public nuisance.
3. Violates any of the provisions of this chapter or any rules made pursuant thereto.
4. Fails to comply with any statute, rule, or regulation applicable to the hunting of the game taken or to be taken."

20.1-14-03

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?
Ohio	pursuing, shooting, hunting, killing, trapping, angling, fishing with a trotline, or netting any clam, mussel, crayfish, aquatic insect, fish, frog, turtle, wild bird, or wild quadruped, and any lesser act, such as wounding, or placing, setting, drawing, or using any other device for killing or capturing any wild animal, whether it results in killing or capturing the animal or not. "Take or taking" includes every attempt to kill or capture and every act of assistance to any other person in killing or capturing or attempting to kill or capture a wild animal." [...] (Q) "Wild birds" includes game birds and nongame birds. (R) "Game" includes game birds, game quadrupeds, and fur-bearing animals. [...] (AAA) "Migratory game bird" includes waterfowl (Anatidae); doves (Columbidae); cranes (Gruidae); cormorants (Phalacrocoracidae); rails, coots,	Ohio Rev Code § 1531.01	"The chief may regulate any of the following: (A) Taking and possessing wild animals, at any time and place or in any number, quantity, or length, and in any manner, and with such devices as the chief prescribes; (B) Transportation of such animals or any part thereof; (C) Buying, selling, offering for sale, or exposing for sale any such animal or part thereof; (D) Taking, possessing, transporting, buying, selling, offering for sale, and exposing for sale commercial fish or any part thereof, including species taken, length, weight, method of taking, mesh sizes, specifications of nets and other fishing devices, seasons, and time and place of taking."	Ohio Rev Code § 1531.08	N/A	N/A	"No person shall take, kill, possess, transport, buy, or sell any wild animals contrary to any rule of the division of wildlife adopted in conformity with law."	Ohio Rev Code § 1531.11			YES
	Terms above have "same meanings as in section 1531.01 of the Revised Code" in Chapter 1533	Ohio Rev Code § 1533.01	"In addition to any other authority conferred on the chief of the division of wildlife, the chief may adopt rules under section 111.15 of the Revised Code that are necessary to establish acceptable methods of taking migratory game birds together with bag limits and designated seasons, areas, and hours for hunting them."	Ohio Rev Code § 1531.101			"No person at any time of the year shall take in any manner or possess any number or quantity of wild animals, except wild animals that the Revised Code or division rules permit to be taken, hunted, killed, or had in possession, and only at the time and place and in the manner that the Revised Code or division rules prescribe. No person shall buy, sell, or offer any part of wild animals for sale, or transport any part of wild animals, except as permitted by the Revised Code or division rules. No person shall possess or transport a wild animal that has been taken or possessed unlawfully outside the state."	Ohio Rev Code § 1531.02			
							"Any person who is responsible for causing or allowing an unauthorized spill, release, or discharge of material into or on any land or any ground or surface water or into the air that results in the death of a wild animal and that necessitates an investigation by the division of wildlife, or who violates section 1531.02 of the Revised Code in a manner that necessitates an investigation by the division regarding the death of a wild animal, is liable to the division for costs incurred in the investigation if the person pleads guilty to or is convicted of causing or allowing the unauthorized spill, release, or discharge or a violation of section 1531.02 of the Revised Code. The costs may include wages and benefits of employees of the division. "	Ohio Rev Code § 1531.202	"The chief of the division of wildlife or the chief's authorized representative shall bring a civil action against the responsible person to recover those costs."	Ohio Rev Code § 1531.202	
							"(D) No person shall take a wild bird or wild quadruped from its nest, house, den, or burrow, or destroy such a nest, house, den, or burrow, or with a spear hunt, pursue, injure, or kill any wild bird or wild quadruped except as otherwise provided in this chapter or Chapter 1531. of the Revised Code or by division rule. "	Ohio Rev Code § 1533.02	" Each wild bird or wild quadruped or each hide, skin, or pelt of any such wild bird or wild quadruped, or part thereof, taken or had in possession contrary to this section constitutes a separate offense."	Ohio Rev Code § 1533.02	

	"(A) As used in this section and section 1533.051 of the Revised Code, "raptor" means a live migratory bird of the family Falconidae or of the family Accipitridae other than a bald eagle (Haliaeetus leucocephalus)."	Ohio Rev Code § 1533.05	"(B) The chief of the division of wildlife may authorize the taking, possession, and transportation of raptors for use in the sport of falconry by rules adopted pursuant to section 1531.08 of the Revised Code. The rules shall be consistent with federal regulations governing raptors and may authorize the taking of game by the use of raptors, including taking with a trained raptor and a dog."	Ohio Rev Code § 1533.05			"(C) No person shall take, possess, or transport a raptor for use in the sport of falconry or shall practice falconry without a permit to do so issued by the chief. The duration of the permit shall be consistent with applicable federal requirements. The chief may require a separate permit for the taking of raptors. [...] (E) Notwithstanding any other provision of this section, of any rule adopted by the chief governing falconry, or of any federal regulation governing raptors, no person shall take or disturb for the purpose of falconry the nest of a wild raptor or any young raptor in the wild that is not yet capable of flight except in such situations, and under the direct supervision of a wildlife officer, where the nest otherwise would be destroyed or the raptor would not survive."	Ohio Rev Code § 1533.05		
			"(A) The chief of the division of wildlife may authorize commercial and noncommercial propagation of raptors by rules adopted pursuant to section 1531.08 of the Revised Code. The rules shall be consistent with federal regulations governing raptor propagation."	Ohio Rev Code § 1533.051			"(B) No person shall propagate raptors without a permit to do so issued by the chief. The duration of the permit shall be consistent with applicable federal requirements. [...] (D) This section does not apply to propagation of raptors by the state, any agency of the state, the United States, any agency or instrumentality thereof, or any zoological park."	Ohio Rev Code § 1533.051		
							"No person shall catch, kill, injure, pursue, or have in the person's possession, either dead or alive, or purchase, expose for sale, transport, or ship to a point within or without the state, or receive or deliver for transportation any bird other than a game bird, or have in the person's possession any part of the plumage, skin, or body of any bird other than a game bird, except as permitted in Chapter 1531. and this chapter of the Revised Code, or disturb or destroy the eggs, nest, or young of such a bird. This section does not prohibit the lawful taking, killing, pursuing, or possession of any game bird during the open season for the bird. Bald or golden eagles and ospreys shall not be killed or possessed at any time, except that eagles or ospreys may be possessed for educational purposes by governmental or municipal zoological parks, museums, and scientific or educational institutions. European starlings, English sparrows, and common pigeons, other than homing pigeons, may be killed at any time and their nests or eggs may be destroyed at any time. Blackbirds may be killed at any time when doing damage to grain or other property or when they become a nuisance."	Ohio Rev Code § 1533.07	"Each bird or any part thereof taken or had in possession contrary to this section constitutes a separate offense."	Ohio Rev Code § 1533.07
			"The chief may issue to the applicant a permit to take, possess, and transport at any time and in a manner that is acceptable to the chief specimens of wild animals protected by law or their nests and eggs for scientific study, school instruction, other educational uses, or rehabilitation and under any additional rules recommended by the wildlife council."	Ohio Rev Code § 1533.08			"Except as otherwise provided by division rule, any person desiring to collect or possess wild animals that are protected by law or their nests or eggs for scientific study, school instruction, other educational uses, or rehabilitation shall make an annual application to the chief of the division of wildlife for a wild animal permit on a form furnished by the chief. [...] Upon the receipt of a permit, the holder may take, possess, and transport those wild animals in accordance with the permit."	Ohio Rev Code § 1533.08		
	"(A) As used in this section: (1) "Energy" has the same meaning as in section 1551.01 of the Revised Code. (2) "Energy facility" means a facility at which energy is produced."	Ohio Rev Code § 1533.081	"The chief shall adopt rules under section 1531.10 of the Revised Code that are necessary to administer this section."	Ohio Rev Code § 1533.081			"(B) A person operating an energy facility whose operation may result in the incidental taking of a wild animal shall obtain a permit to do so from the chief of the division of wildlife under this section. "	Ohio Rev Code § 1533.081		

						<p>"Except as provided in this section or unless otherwise provided by division rule, no person shall hunt ducks, geese, or brant on the lands of another without first obtaining an annual wetlands habitat stamp."</p>	<p>Ohio Rev Code § 1533.112</p>		
			<p>"The chief of the division of wildlife may permit or forbid or otherwise regulate the receiving of any species of live wild animals for delivery within the state and the shipping of such wild animals from any point in the state to any point within or without the state. Upon the establishment of such regulations, the chief of the division of wildlife or any person designated by him may seize, impound, destroy, or otherwise dispose of such wild animals when received, shipped, or transported in violation of such regulations. This section does not authorize action to prevent, delay, or impede the transporting of such wild animals in interstate commerce by common carrier, providing neither the point of sending nor the point of receiving is within the state."</p>	<p>Ohio Rev Code § 1533.31</p>		<p>"Game birds and wild quadrupeds shall be taken only by hunting with a gun, with a gun and dog, with a bow and arrow, or with a bow and arrow and dog unless otherwise provided by the Revised Code or division rule."</p> <p>"Organized field trial clubs or individuals may purchase domestically raised quails, chukar partridges, pheasants, black and mallard ducks, and other game birds from licensed breeders, and may shoot quails, chukar partridges, pheasants, ducks, or other game birds and common pigeons that are approved by the division of wildlife at any time during the daylight hours, only on grounds designated by the division of wildlife as "dog training grounds," and only as provided in this section and under such additional regulations as the chief of the division of wildlife may prescribe subject to sections 119.01 to 119.13, inclusive, of the Revised Code, for the purpose of the establishment, operation and control of such areas as he deems necessary."</p> <p>transport, or cause to be transported any box, package, or other receptacle containing fish, game birds, or wild quadruped[s], or any part thereof, unless such box, package, or receptacle bears a label showing the number and kind of such fish, game birds, or wild quadrupeds, or parts thereof, the name of the consignor and consignee, the initial point of billing, and the destination. [...] No person shall receive for transportation, transport, cause to be transported, or have in his possession with intent to transport or secure the transportation of, beyond the limits of this state, any game bird or game quadruped mentioned in Chapters 1531. and 1533. of the Revised Code, which has been killed in this state. The reception and acceptance by any person within this state of such game bird or game quadruped for shipment to a point without the state is prima-facie evidence that it was killed within the state for conveyance beyond the limits thereof. If such game bird or game quadruped is legally taken by a nonresident, it may be transported by him from a point within the state to a point without the state, if it is accompanied by the actual owner thereof, and the owner has procured a nonresident hunting and trapping license. If such game bird or game quadruped is taken by a resident of this state in</p>	<p>Ohio Rev Code § 1533.16</p> <p>Ohio Rev Code § 1533.191</p> <p>Ohio Rev Code § 1533.30</p>	<p>"Failure to comply with all rules and regulations established by the chief of the division of wildlife pursuant to this section shall be sufficient cause for refusal to issue a permit or for revocation of an existing permit. [...] Any permit issued to a club or individual under the provisions of this section may be revoked at any time for cause, by the chief of the division of wildlife, and no other permit shall be issued to such club or individual during the period for which such revoked permit was issued. Each quail, chukar partridge, pheasant, duck, or other game bird or common pigeon taken in violation of this section constitutes a separate offense."</p> <p>"Each game bird or game quadruped killed, taken, had in possession, received for transportation, or transported contrary to this section constitutes a separate offense."</p>	<p>Ohio Rev Code § 1533.191</p> <p>Ohio Rev Code § 1533.30</p>



"If a person is convicted of a violation of any law relative to the taking, possession, protection, preservation, or propagation of wild animals, or a violation of division (C) of section 2909.08 of the Revised Code while hunting, or is convicted of a violation of any rule of the division of wildlife, the court or magistrate before whom the conviction is had, as an additional part of the penalty in each case, may suspend or revoke each license or permit issued to the person in accordance with any section of the Revised Code pertaining to the hunting, fishing, trapping, breeding, and sale of wild animals or the sale of their hides, skins, or pelts. No fee paid for such a license or permit shall be returned to the person."

Ohio Rev Code § 1533.68

"(A) Unless otherwise provided in this section or by division rule, any person desiring to engage in the business of raising and selling game birds, game quadrupeds, reptiles, amphibians, or fur-bearing animals in a wholly enclosed preserve of which the person is the owner or lessee, or to have game birds, game quadrupeds, reptiles, amphibians, or fur-bearing animals in captivity, shall submit an application to the division of wildlife for a license to do so. This section does not apply to a person who possesses wild animals under the authority of a license for a wild animal hunting preserve or a commercial bird shooting preserve. [...] (E) Except as provided by law, no person shall possess game birds, game quadrupeds, or fur-bearing animals in closed season, provided that municipal or governmental zoological parks are not required to obtain the licenses provided for in this section."

Ohio Rev Code § 1533.71

"Except as otherwise provided in this section, prosecution for violation of a division rule adopted as provided by the Revised Code relative to the taking, possession, protection, preservation, or propagation of wild animals or to the protection of state property or equipment owned, leased or controlled by the division of wildlife shall be under section 1531.02 of the Revised Code. The complaint charging the violation shall describe the offense and cite the number by which the applicable rule is designated."

Ohio Rev Code § 1533.69

"(C) Whoever violates division (B) of section 1533.03, section 1533.07, 1533.171, 1533.34, 1533.341, 1533.342, 1533.35, 1533.42, 1533.51, 1533.63, 1533.64, 1533.67, 1533.68, 1533.721, 1533.881, or 1533.882, division (B)(2) or (3) of section 1533.731, or division (A) of section 1533.97 of the Revised Code is guilty of a misdemeanor of the first degree.

[...] (F) Whoever violates any section of this chapter for which no penalty is otherwise provided is guilty of a misdemeanor of the fourth degree. (G) A court that imposes sentence for a violation of any section of this chapter governing the holding, taking, or possession of wild animals may require the person who is convicted of or pleads guilty to the offense, in addition to any fine, term of imprisonment, seizure, and forfeiture imposed, to make restitution for the minimum value of the wild animal or animals illegally held, taken, or possessed as established under section 1531.201 of the Revised Code. "

Ohio Rev Code § 1533.99

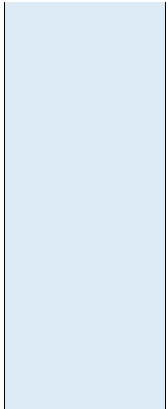
"Every person who owns, holds, or controls land or water, within a state or federal waterfowl management area, shall obtain annually a permit from the chief of the division of wildlife prior to permitting the hunting or taking of waterfowl on that land or water. The annual permit entitles the permittee to possess or control blinds, pits, or similar legal devices of concealment on the lands and waters described in the application for a permit. This permit shall be designated as a "waterfowl hunting area permit" and shall be displayed openly at the address of the area indicated on the application for a permit. All such permits shall expire each year at midnight on the first day of February."

Ohio Rev Code § 1533.81

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?
Oklahoma	"Gallinaceous game bird" means a heavy-bodied, short, broad winged, fowl-like bird commonly sought after by sportsmen and includes pheasant, prairie chicken, quail and turkey."	29 OK Stat § 29-2-112			N/A	N/A	"A. No person may kill or capture wildlife or take their nests or eggs for scientific purposes without having first procured a license from the Director."	29 OK Stat § 29-4-118	"G. Upon conviction that any licensee killed or captured wildlife, took nests or eggs for other than scientific purposes, or took any game by means other than that described on the license, the licensee shall be punished in the same manner as though the license had never been issued and the license shall be void."	29 OK Stat § 29-4-118	NO
	"Game," when used alone, refers to mammals and birds and does not include fish."	29 OK Stat § 29-2-113					"A. Except as otherwise provided in the Oklahoma Wildlife Conservation Code, no person may hunt or take any waterfowl during the open season on waterfowl unless the person has first obtained an Oklahoma waterfowl hunting stamp or license from the Director or authorized agents of the Director. [...] G. Nothing in this title shall prohibit a person from hunting waterfowl exclusively on their own property without an Oklahoma waterfowl hunting stamp or license."	29 OK Stat § 29-4-130	"E. 1. Any person arrested for hunting or taking any waterfowl during the open season on waterfowl without a valid Oklahoma waterfowl hunting stamp or license as required by the provisions of subsection A of this section may purchase a substitute temporary thirty-day stamp or license from the arresting game warden in lieu of posting bond. Proof of hunter safety certification shall not be required for the temporary substitute stamp or license. The fee for a substitute stamp or license purchased pursuant to the provisions of this subsection shall be: a. for legal residents – Fifty Dollars (\$50.00), and b. for nonresidents – One Hundred Forty-five Dollars (\$145.00). [...] F. Any person convicted of violating any of the provisions of this section shall be punished by a fine of not less than Twenty-five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00)."	29 OK Stat § 29-4-130	
	"Game bird" is a bird species normally sought after by sportsmen, and includes only all species of brant, cranes, doves, ducks, gallinules, geese, grouse, partridge, pheasant, quail, prairie chickens, rails, snipes, swans, tinamous, wild turkeys, woodcock, and any part thereof."	29 OK Stat § 29-2-114					"A. Any person who hunts, takes, or attempts to take any migratory bird shall be required to obtain from the Director any federally required permit for migratory birds. [...] C. In addition to the permit required in subsection A of this section, any person who hunts, takes, or attempts to take a Sandhill Crane shall be required to obtain from the Director a Sandhill Crane permit."	29 OK Stat § 29-4-139	"E. Any person convicted of violating the provisions of this section shall be punished by a fine of Ten Dollars (\$10.00)."	29 OK Stat § 29-4-139	

							no person may utilize at any time, for the purpose of killing or capturing any game mammal, game bird, nongame bird or exotic wildlife, the following means: 1. Any trap, net, snare, cage, pitfall, baited hook or similar device; 2. Any drug, poison, narcotic, explosive or similar substance; 3. Any swivel or punt gun of greater calibre than ten (10) gauge; 4. Any device which generates electricity; or 5. Any device which noticeably suppresses noise from a firearm, commonly known as a suppressor or silencer unless it is registered in compliance with the requirements of federal law. [...] D. The following persons shall be exempt from the prohibition in subsection A of this section: 1. The Director, departmental employees and authorized agents when capturing wildlife for propagation or management purposes; 2. Any person, group or governmental agency the Director may by written permit authorize, where any species of nongame birds are causing a nuisance or undue economic loss, as may be determined by the Director. Such permit shall state the method of control and specific procedures and conditions as may be deemed appropriate by the	29 OK Stat § 29-5-201	"H. 1. Any person convicted of violating the provisions of subsection A of this section shall be punished by a fine of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00)."	29 OK Stat § 29-5-201
	"Nongame birds" are all birds not game birds."	29 OK Stat § 29-2-122								
	"Predatory bird" is any bird which preys upon another bird or mammal for food, and includes specifically all eagles, falcons, hawks and owls."	29 OK Stat § 29-2-131				"B. [...] Hawks, falcons, owls, eagles, and other raptors which are bred in captivity in accordance with federal regulations may be sold, possessed, traded or bartered, by persons licensed as required under Section 4-107 of this title, and may be possessed, trained and used only by persons licensed under Section 4-108 of this title. C. Hawks, falcons, owls, eagles, and other raptors may be transported into and out of the state, only as provided by Sections 7-602 and 7-801 of this title. However, persons possessing a valid Oklahoma falconer's license or equivalent license from another state and who are in compliance with federal law may transport raptors into and out of the state without notifying the Director of Wildlife Conservation."	29 OK Stat § 29-5-206	"D. Any person convicted of violating the provisions of this section shall be punished by a fine of not less than Twenty-five Dollars (\$25.00) nor more than Two Hundred Dollars (\$200.00)."	29 OK Stat § 29-5-206	
						"It shall be unlawful to willfully and intentionally take or destroy at any time the nest or eggs of any game bird, except as specifically permitted by law."	29 OK Stat § 29-5-207	"Any person found guilty of a violation of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than Ten Dollars (\$10.00), nor more than One Hundred Dollars (\$100.00), or by imprisonment in the county jail for thirty (30) days, or by both such imprisonment and fine."	29 OK Stat § 29-5-207	
			"except as provided in the Treaties of the United States and Acts of Congress relating to such endeavors, and as annually fixed by the federal department in control of migratory birds and the Commission."	29 OK Stat § 29-5-406		"No person may hunt, capture or kill any species of migratory birds, including but not limited to ducks, brant, and geese [D289]"	29 OK Stat § 29-5-406	"Any person convicted of violating any section of this Code, for which there is otherwise no penalty, shall be punished by a fine of not less than Ten Dollars (\$10.00) nor more than One Hundred Dollars (\$100.00), or by imprisonment in the county jail not less than ten (10) days nor more than thirty (30) days, or by both such fine and imprisonment."	29 OK Stat § 29-7-201	

			<p>"A. The Department of Wildlife Conservation is authorized to issue permits to landowners, lessees, or their designated agents and to any entity of state, county, or local government to control nuisance or damage by any species of wildlife [...] The permits may be issued without limitation by statewide season regulations, bag limits or methods of taking."</p>	29 OK Stat § 29-4-135		<p>"A. Except as otherwise provided, no person may knowingly and willfully, by means of any device, molest, injure or kill any species of hawk, falcon, owl or eagle, their nests, eggs or young. B. Birds exempt from this provision are: 1. Any species of hawk or owl in the act of destroying domestic birds or fowl; 2. Any species of hawk, falcon, owl or eagle, except those species prohibited by federal law, when taken by a licensed falconer for use in the practice of falconry, as provided in Section 5-206 of this Code"</p>	29 OK Stat § 29-5-410	<p>"Every person who attempts to violate any provision or section of this Code shall upon conviction be punished in the same manner as if he had completed the act that constitutes that violation."</p>	29 OK Stat § 29-7-202
			<p>"The Double-Crested Cormorant, often popularly referred to as a "water turkey", is hereby declared a nuisance. As such, the Oklahoma Department of Wildlife Conservation will work with the United States Fish and Wildlife Service and the Oklahoma Congressional Delegation to eliminate international treaty protection for the cormorant and implement maximum control measures, including but not limited to setting hunting seasons as appropriate."</p>	29 OK Stat § 29-5-406.1		<p>may possess: 1. Any wildlife or parts thereof during the closed season for that particular wildlife species; [...] B. Persons exempt from provisions of paragraphs 1 and 2 of subsection A of this section are: 1. Persons storing lawfully taken wildlife in any home freezer or cold storage locker; 2. Persons possessing items, including but not limited to hides, heads or horns as specimens or trophies; 3. Persons possessing wild waterfowl taken in compliance with and under provisions of federal laws pertaining thereto; [...] C. Persons possessing products for human consumption that have been taken, processed, labeled and transported in accordance with the laws of the state of origin and federal law shall be exempt from the provisions of paragraphs 1 and 2 of subsection A of this section. Provided: [...] 2. Nothing in this subsection shall allow a person to sell protected wildlife taken in this state except as otherwise provided by law. D. It shall be unlawful for any person to have in their possession any meat, head, hide, or any part of the carcass of any wildlife not legally taken. E. The applicable commercial or noncommercial wildlife breeder's license shall be obtained if any wildlife is being propagated. F. Possession of game during the closed season,</p>	29 OK Stat § 29-7-502	<p>"G. Any person convicted of violating any provision of this section shall be punished by a fine of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00), or by imprisonment in the county jail not to exceed thirty (30) days, or by both."</p>	29 OK Stat § 29-7-502
						<p>person may buy, barter, trade, sell or offer, or expose for sale all or any part of any fish or wildlife or the nest or eggs of any bird, protected by law. The carcasses or any parts thereof of legally acquired furbearing animals or coyotes may be purchased, bartered, traded, sold or offered for sale. The fur or pelt of legally acquired squirrels may be purchased, bartered, traded, sold or offered [...] D. No person shall buy, barter, trade, or sell, within this state, any furbearing animal, game animal, or game fish, or any part thereof, acquired from a source within or outside of this state unless at the time and place of each such sale, the seller shall possess an invoice signed by the person from whom said seller purchased said animals or fish, which shall contain a statement of the source from which said animals or fish were acquired, and the species and quantity of each species, or parts thereof, delivered to said seller. E. Persons who have obtained legal possession of wildlife or parts of wildlife after being given to the person for taxidermic preparation or processing of the meat for consumption shall be permitted to dispose of such, unless otherwise prohibited by law, under rules established by the Oklahoma Wildlife Conservation Commission."</p>	29 OK Stat § 29-7-503	<p>"G. The first violation of any of the provisions of this section shall be punishable by a fine of not less than One Hundred Dollars (\$100.00), nor more than Five Hundred Dollars (\$500.00), or by imprisonment in the county jail for a period not less than ten (10) days nor more than sixty (60) days, or by both said fine and imprisonment. Subsequent violations of the provisions of this section shall be punishable by a fine of not less than One Thousand Dollars (\$1,000.00), or by imprisonment in the county jail for a period not less than ten (10) days nor more than sixty (60) days, or by both said fine and imprisonment."</p>	29 OK Stat § 29-7-503
						<p>"A. Except as otherwise provided, no person may import, sell or possess for sale aigrettes, egret plumes and the feathers, quills, heads, wings, tails, skins or parts of skins of wild birds, either raw or manufactured, or any endangered or rare species. B. Exemptions to the above subsection A are: 1. Importations, sales or possession for sale for scientific or educational purposes. 2. The feathers or plumes of domestic fowl of any kind."</p>	29 OK Stat § 29-7-504	<p>"C. Any person convicted of violating the provisions of this section shall be punished by a fine not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00), or by imprisonment in the county jail for a period not to exceed thirty (30) days, or by both such fine and imprisonment."</p>	29 OK Stat § 29-7-504



"A. Except as otherwise provided by law, no person may ship into or out of, transport into or out of, have in possession with the intent to so transport, or cause to be removed from this state: 1. Any wildlife or parts thereof, nests of wildlife, their eggs or their young; or [...]

B. Exceptions to paragraph 1 of subsection A of this section are: 1. Dead fish or wildlife legally taken by licensed hunters or fishermen for noncommercial purposes may be possessed, shipped, or transported into or within the borders of this state if it is accompanied by or has attached the appropriate certificate, license or tag as may be required by the Oklahoma Wildlife Conservation Code, rules, or the laws of another state; [...] 4. Any fish or wildlife lawfully bred or propagated may be shipped or transported within the confines of this state or exported out of this state; 5. Any wildlife for which the Director has given an individual specific written authority for its transportation into or out of the state;"

29 OK Stat § 29-7-602

"D. Any person convicted of violating the provisions of this section shall be punished by a fine of not less than Fifty Dollars (\$50.00) nor more than Two Hundred Dollars (\$200.00), or by imprisonment in the county jail for a period not less than ten (10) days nor more than sixty (60) days, or by both."

29 OK Stat § 29-7-602

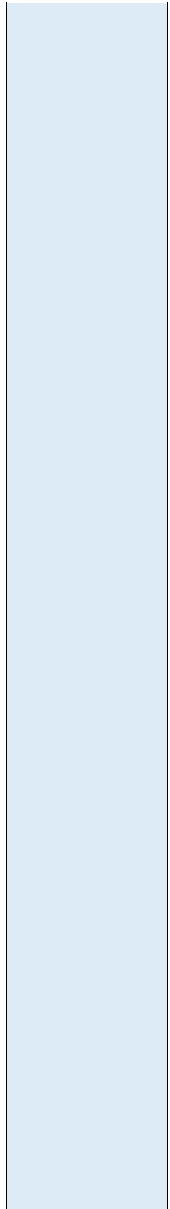
	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?
Oregon	<p>unless the context requires otherwise, "game bird" means:</p> <p>(1) Those members of the family Anatidae, commonly known as swans, geese, brant and river and sea ducks.</p> <p>(2) Those members of the family Columbidae, commonly known as mourning doves and bandtailed pigeons.</p> <p>(3) Those members of the family Tetranidae, commonly known as grouse, ptarmigan and prairie chickens.</p> <p>(4) Those members of the family Phasianidae, commonly known as pheasants, quail and partridge.</p> <p>(5) Those members of the family Meleagrididae, commonly known as wild turkey.</p> <p>(6) Those members of the family Scolopacidae, commonly known as snipe and woodcock.</p> <p>(7) Those members of the family Gruidae, commonly known as cranes.</p> <p>(8) Those members of the family</p>	OR Rev Stat § 496.007	"(1) The State Fish and Wildlife Commission is authorized to issue, upon application, to persons desiring to hunt wildlife the following licenses and permits and shall charge the applicable fees under the fee schedule in ORS 497.061: [...] (f) Resident annual private hunting preserve permit to hunt privately owned hunting preserve game birds. (g) Nonresident annual private hunting preserve permit to hunt privately owned hunting preserve game birds. (h) Nonresident hunting license to hunt migratory waterfowl and upland birds for three consecutive days."	OR Rev Stat § 497.102	N/A	N/A	"(1) Except as provided in subsections (2), (3) and (4) of this section, no person shall angle for, take, hunt or trap, or assist another in angling for, taking, hunting or trapping, any wildlife unless the person has in possession such valid licenses, tags and permits therefor as the State Fish and Wildlife Commission issues."	OR Rev Stat § 497.075	(1) Except as otherwise provided by this section or other law, a violation of any provision of the wildlife laws, or any rule adopted pursuant to the wildlife laws, is a Class A misdemeanor if the offense is committed with a culpable mental state. (2) Except as otherwise provided by this section or other law, a violation of a provision of the wildlife laws, or a rule adopted pursuant to the wildlife laws, that does not involve the taking of wildlife is a Class D violation if the offense is committed without a culpable mental state.	OR Rev Stat § 496.992	YES
	"(c) "Raptor" means a member of the order Falconiformes or Strigiformes and includes owls, hawks, falcons, eagles, osprey and harriers."	OR Rev Stat § 496.992	"(3)(a) In lieu of issuing to resident persons separate licenses and tags for various hunting and angling activities, the commission is authorized to issue resident annual sportspac licenses and shall charge the applicable fee under the fee schedule in ORS 497.061. The purchaser of each sportspac license is authorized to engage in those hunting and angling activities for which the following licenses and tags are required: [...] (F) Upland bird stamp; (G) Oregon migratory waterfowl stamp;"	OR Rev Stat § 497.132			"(1) No person shall engage in the business of operating a private hunting preserve for the hunting of privately owned or propagated game birds unless the person first obtains from the State Fish and Wildlife Commission a private hunting preserve license. [...] "(4) No person shall hunt on a private hunting preserve unless the person first obtains from the commission a hunting license or a private hunting preserve permit."	OR Rev Stat § 497.248	(3) A violation of a provision of the wildlife laws, or a rule adopted pursuant to the wildlife laws, that involves the taking of wildlife, other than nongame mammals and game birds, is a Class A violation if the offense is committed without a culpable mental state. (4) A violation of a provision of the wildlife laws, or a rule adopted pursuant to the wildlife laws, that involves the taking of nongame mammals or game birds is a Class C violation if the offense is committed without a culpable mental state. [...]		
	(16) "Take" means to kill or obtain possession or control of any wildlife.	OR Rev Stat § 496.004	"(1)(a) The State Fish and Wildlife Commission is authorized to issue, upon application, to resident persons desiring to hunt migratory waterfowl an annual migratory waterfowl stamp and shall charge the applicable fee under the fee schedule in ORS 497.061. (b) The commission is authorized to issue, upon application, to resident and nonresident persons at least 12 years of age and under 18 years of age desiring to hunt migratory waterfowl an annual youth migratory waterfowl stamp and shall charge the applicable fee under the fee schedule in ORS 497.061."	OR Rev Stat § 497.151			"(1) Any person desiring to take wildlife for scientific purposes shall first obtain from the State Fish and Wildlife Commission a scientific taking permit. The commission, by rule, shall prescribe a procedure for applying for permits and the form thereof, and shall prescribe the terms and conditions of taking wildlife under the permit to insure that wildlife taken pursuant to the permit will be used only for scientific purposes. (2) No person who holds a scientific taking permit shall violate any of the terms or conditions of the permit."	OR Rev Stat § 497.298	(7) A violation of the nonresident licensing provisions of ORS 497.102 or 497.121 is a Class A violation if the offense is committed without a culpable mental state. [...] (10) If a person is convicted of a Class A misdemeanor under subsection (1) of this section, in addition to any other penalty authorized by law, the court shall impose a fine that is: (a) Equal to the maximum fine described in ORS 161.635 (1)(a), if the person has two or more previous convictions for a Class A misdemeanor under subsection (1) of this section or if the offense involves taking three or more times the daily bag limit of any wildlife. (b) Not less than one-half of the maximum fine described in ORS 161.635 (1)(a), if the offense involves: (A) Failing to release a sturgeon more than six feet in length; (B) Unlawfully taking wildlife with the intent to sell, barter, trade, import or export the wildlife, or parts		
			"(1)(a) The State Fish and Wildlife Commission is authorized to issue, upon application, to resident persons desiring to hunt upland birds an annual upland bird stamp and shall charge the applicable fee under the fee schedule in ORS 497.061."	OR Rev Stat § 497.153			"Except as the State Fish and Wildlife Commission by rule may provide otherwise, no person shall chase, harass, molest, worry or disturb any wildlife except while engaged in lawfully angling for, taking, hunting or trapping such wildlife."	OR Rev Stat § 498.006			

			<p>"(1) The State Fish and Wildlife Commission is authorized to issue, upon application, to nonresident persons 18 years of age or older desiring to hunt either migratory waterfowl or upland birds an annual bird-waterfowl stamp and shall charge the applicable fee under the fee schedule in ORS 497.061."</p>	<p>OR Rev Stat § 497.156</p>			<p>"(1) Except as the State Fish and Wildlife Commission by rule may provide otherwise, but subject to subsection (2) of this section, a person may not purchase, sell or exchange, or offer to purchase, sell or exchange any wildlife, or any part of any wildlife. (2)(a) Except as provided in paragraphs (b) and (c) of this subsection, and notwithstanding any other provision of law, or rule enacted pursuant to subsection (1) of this section, a person may not purchase, sell, offer for sale or possess with intent to sell any item that the person knows or should know is a covered animal species part or product. (b) This subsection does not apply: (A) To employees or agents of the federal or state government undertaking any law enforcement activities pursuant to federal or state law or any mandatory duties required by federal or state law; (B) When the activity is expressly authorized by federal law;"</p>	<p>OR Rev Stat § 498.022</p>	<p>thereof, or selling, bartering, trading, importing or exporting unlawfully taken wildlife, or parts thereof; or (C) Taking a raptor and the person has a previous conviction for taking a raptor.(c) Not less than one-fourth of the maximum fine described in ORS 161.635 (1)(a), if the offense involves taking a raptor and the person does not have a previous conviction for taking a raptor. (11) If more than one minimum fine described in subsection (10) of this section applies, the court shall impose a fine in an amount that is not less than the highest of the applicable minimum fines. (12)(a) In addition to any other penalty authorized by law, the court shall order the State Fish and Wildlife Commission to revoke all licenses, tags and permits issued to a person in the manner provided for in ORS 497.415 (3), (5) and (6) if the person is convicted of: (A) A Class A misdemeanor or under subsection (1) of this section if the offense involves: (i) A violation of ORS 498.042, or (ii) The unlawful taking of wildlife with the intent to sell, barter, trade, import or export the wildlife, or parts thereof, or selling, bartering, trading, importing or exporting unlawfully taken wildlife, or parts thereof; or"</p>		
			<p>"(3)(a) The commission, by rule, shall prescribe the time, manner and place of hunting on private preserves, the wildlife species to be hunted, requirements for the care and marking of wildlife raised on the preserve, the release of wildlife received from another state, the procedures for marking indigenous wildlife incidentally taken on the preserve and the fees therefor, and record keeping and reporting procedures. (b) Pursuant to paragraph (a) of this subsection, the commission shall: (A) Allow private hunting preserve operators to use plastic poultry leg bands for marking wildlife species to be released for hunting. (B) Allow the transportation of game birds killed on a private hunting preserve if the birds are cleaned, wrapped, packaged and accompanied by a transportation form from the preserve that states the number and sex of the birds being transported."</p>	<p>OR Rev Stat § 497.248</p>			<p>"Except as the State Fish and Wildlife Commission by rule may provide otherwise, no person shall possess in the field or forest, or in transit from the field or forest, the carcass of any wildlife that has been skinned, plucked or mutilated in any manner so that the sex, size or species of the wildlife cannot be determined."</p>	<p>OR Rev Stat § 498.036</p>			
			<p>"(2) The State Fish and Wildlife Commission may promulgate rules to carry out the provisions of subsection (1) of this section that include but are not limited to: (a) Providing for the issuance and form of permits for the holding or removal from habitat of wildlife. (b) Prescribing the wildlife species for which holding or habitat removal permits are required. (c) Prescribing the terms and conditions of holding wildlife and removing wildlife from habitat to insure the humane care and treatment of the wildlife."</p>	<p>OR Rev Stat § 497.308</p>			<p>"(1) No person shall remove from its natural habitat or acquire and hold in captivity any live wildlife in violation of the wildlife laws or of any rule promulgated pursuant thereto. [...] (3) No person to whom a wildlife holding or removal from habitat permit has been issued shall violate any of the terms or conditions thereof."</p>	<p>OR Rev Stat § 497.308</p>	<p>"(1) When any person is convicted of a violation of law or any rule adopted pursuant thereto or otherwise fails to comply with the requirements of a citation in connection with such violation as provided in subsection (2) of this section, the court may order the State Fish and Wildlife Commission to revoke all licenses, tags and permits issued to that person pursuant to the wildlife laws. Revocation of licenses, tags and permits is in addition to and not in lieu of other penalties provided by law. (2) The license, tag and permit revocation provisions of subsection (1) of this section apply to the following persons: (a) Any person who is convicted of a violation of the wildlife laws, or any rule adopted pursuant thereto, or who otherwise fails to comply with the requirements of a citation in connection with any such offense. (b) Any person who is convicted of a violation of ORS 164.245, 164.255, 164.265, 164.345, 164.354 or 164.365 committed while the person was angling, taking shellfish, hunting or trapping or who otherwise fails to comply with the</p>	<p>OR Rev Stat § 497.415</p>	
			<p>"(b) Nothing in subsection (1) of this section requires the commission to issue a permit for the taking of any wildlife species for which a U. S. Fish and Wildlife Service permit is required pursuant to the Migratory Bird Treaty Act (16 U.S.C. 703 to 711), as amended."</p>	<p>OR Rev Stat § 498.012</p>			<p>"(1) Nothing in the wildlife laws is intended to prevent any person from taking any wildlife that is causing damage, is a public nuisance or poses a public health risk on land that the person owns or lawfully occupies. However, no person shall take, pursuant to this subsection, at a time or under circumstances when such taking is prohibited by the State Fish and Wildlife Commission, any game mammal or game bird, fur-bearing mammal or nongame wildlife species, unless the person first obtains a permit for such taking from the commission."</p>	<p>OR Rev Stat § 498.012</p>			

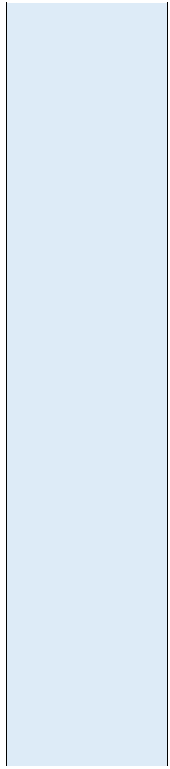
							<p>"(1) Except as provided in subsection (2) of this section, a person may not remove the following parts from the carcass of any wildlife and utilize only those parts so removed: (a) From the carcass of any game mammal or game bird, the head, antlers, horns, hide or plumage [...] (2) Subsection (1) of this section does not apply to the removal of wildlife parts by a person: (a) When engaged in lawful trapping activities. (b) When utilizing those game mammals or game birds that the State Fish and Wildlife Commission by rule declares to be inedible.</p> <p>(3) No person shall waste any edible portion of any game mammal, game bird or game fish or the pelt of any fur-bearing mammal. "</p>	<p>OR Rev Stat § 498.042</p>			
							<p>"No person shall use any live bird as a target for the purpose of competitive shooting."</p>	<p>OR Rev Stat § 498.112</p>			

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?
Pennsylvania	<p>"Subject to additional definitions contained in subsequent provisions of this title which are applicable to specific provisions of this title, the following words and phrases when used in this title shall have the meanings given to them in this section unless the context clearly indicates otherwise: [...] "Bird." A member of the class Aves, including any part, product, egg or offspring thereof, or the dead body or parts thereof (excluding fossils), whether or not included in a manufactured product or in a processed food product. [...]</p> <p>"Game." Includes "game animals," "game birds" and any facsimile thereof. [...] "Game birds." Unless otherwise modified by regulation of the commission, the term includes geese, brant, wild ducks, mergansers and swans; coots, gallinules, rails, snipe, woodcock; turkeys, grouse, pheasants, Hungarian partridges, bobwhite quail and mourning doves. [...] "Migratory game bird." Any game bird defined in 50 CFR 20.11 (relating to meaning of terms), except as otherwise provided in Pennsylvania Game Commission regulations. "Migratory waterfowl." All species as defined in 50 CFR by the United States Fish and Wildlife Service of the Department of the Interior. [...] "Protected birds." All wild birds not included within the term "game birds." "Raptors." All eagles, falcons, hawks and owls, individually or collectively, whether protected or unprotected. [...] "Small game." All species of game birds and game animals not classed as big game. "Take." To harass, pursue, hunt for, shoot, wound, kill, trap, capture, possess or collect any game or wildlife, including shooting at a facsimile of game or wildlife, or attempt to harass, pursue, hunt for, shoot, wound, kill, trap, capture or collect any game or wildlife or aiding, abetting or conspiring with another person in that purpose</p>	34 PA Cons Stat § 102			<p>"(a) General rule.--The provisions of the Federal Migratory Bird Treaty Act (16 U.S.C. § 703 et seq.) or Federal Duck Stamp Act (16 U.S.C. § 718 et seq.) are hereby made a part of this title. Federal regulations shall not apply if commission regulations or other provisions of this title prescribe stronger or more detailed restrictions for the taking of migratory birds, nongame birds or game or wildlife."</p>	34 PA Cons Stat § 2103	<p>subchapter, nothing in this title shall be construed to prohibit any person from killing any game or wildlife: (1) which the person may witness actually engaged in the material destruction of cultivated crops, fruit trees, vegetables, livestock, poultry or beehives; (2) anywhere on the property under the person's control, including detached lands being cultivated for the same or similar purposes, immediately following such destruction; or (3) where the presence of the game or wildlife on any cultivated lands or fruit orchards is just cause for reasonable apprehension of additional imminent destruction. Lands divided by a public highway shall not be construed as detached lands. Any person who wounds any game or wildlife shall immediately make a reasonable effort to find and kill the game or wildlife. Every person shall comply with all other regulations in this subchapter pertaining to the method and manner of killing, reporting the killing and the disposition of game or wildlife and their skins and carcasses. (b) Protected game or wildlife.--Before any game or wildlife, which may be designated by regulation of the commission, or any bird or animal classified as threatened or endangered may be killed, every reasonable effort shall be made to live trap and</p>	34 PA Cons Stat § 2121	<p>"(b) Penalty.--Any violation of the regulations which the commission is authorized to promulgate pursuant to these Federal laws and which is not otherwise specifically covered in this title is a summary offense of the fifth degree."</p>	34 PA Cons Stat § 2103	YES
	<p>"Migratory game bird." Any game bird defined in 50 CFR 20.11 (relating to meaning of terms), except as otherwise provided in Pennsylvania Game Commission regulations. "Migratory waterfowl." All species as defined in 50 CFR by the United States Fish and Wildlife Service of the Department of the Interior. [...] "Protected birds." All wild birds not included within the term "game birds." "Raptors." All eagles, falcons, hawks and owls, individually or collectively, whether protected or unprotected. [...] "Small game." All species of game birds and game animals not classed as big game. "Take." To harass, pursue, hunt for, shoot, wound, kill, trap, capture, possess or collect any game or wildlife, including shooting at a facsimile of game or wildlife, or attempt to harass, pursue, hunt for, shoot, wound, kill, trap, capture or collect any game or wildlife or aiding, abetting or conspiring with another person in that purpose</p>		<p>the agency of the Commonwealth authorized to regulate, protect, propagate, manage and preserve game or wildlife, may, in addition to the penalties provided in this title, bring civil actions on behalf of the Commonwealth for compensatory and punitive damages for any game or wildlife killed or any game or wildlife habitat injured or destroyed. In determining the value of game or wildlife killed or habitat injured or destroyed, the commission may consider all factors that give value to the game or wildlife or habitat. These factors may include, but need not be limited to, the commercial resale value, the replacement costs or the recreational value of observing, hunting or furtaking. In addition, the commission may recover the costs of gathering the evidence, including expert testimony, in any civil action brought under this section where the defendant is found liable for damages. [...] (d) Exemptions.--Nothing in this section shall be construed to include normal or</p>	34 PA Cons Stat § 2161	<p>"(a) Declaration of policy.--The Commonwealth has sufficient interest in game or wildlife living in a free state to give it standing, through its authorized agents, to recover compensatory and punitive damages in a civil action against any person who kills any game or wildlife or who damages any game or wildlife habitat. The proprietary ownership, jurisdiction and control of game or wildlife living free in nature is vested in the Commonwealth by virtue of the continued expenditure of its funds and its efforts to protect, propagate, manage and preserve the game or wildlife population as a renewable natural resource of this Commonwealth."</p>	34 PA Cons Stat § 2161	<p>"(a) General rule.--It is unlawful for any person while acting under the provisions of this subchapter to: (1) Place any salt, bait or food of any kind or quantity or use any artificial means for the purpose of attracting or luring any game or wildlife upon any lands. [...] (4) Fail or neglect to report the killing of any game or wildlife other than raccoons. (5) Fail or neglect to care for the carcass, or any part thereof, of any game or wildlife other than raccoons. (6) Refuse to answer, without evasion, upon request of any representative of the commission, any pertinent question pertaining to the killing or wounding of any game or wildlife killed or wounded, or the disposition of the entire carcass or any part thereof. [...] (9) Fail to comply with any other provision of this subchapter."</p>	34 PA Cons Stat § 2126	<p>"(2) A violation of this subchapter pertaining to any other game or wildlife, other than raccoons, is a summary offense of the seventh degree. (3) Each bird or animal involved in a violation constitutes a separate offense."</p>	34 PA Cons Stat § 2126	
	<p>kill, trap, capture or collect any game or wildlife or aiding, abetting or conspiring with another person in that purpose</p>						<p>"(a) General rule.--It is unlawful for any person to drive or disturb game or wildlife except while engaged in the lawful activities set forth in this title."</p>	34 PA Cons Stat § 2162	<p>"(c) Penalty.--A violation of subsection (a) shall be a summary offense of the first degree."</p>	34 PA Cons Stat § 2162	

<p>another person in any purpose. [...] "Wild birds." All migratory birds as defined in 50 CFR by the United States Fish and Wildlife Service of the Department of the Interior, game birds and any other birds designated by the commission, including, but not limited to, grouse, partridge, pheasant, quail and wild turkey."</p>						<p>"(a) General rule.--It is unlawful for any person to bring or, in any manner, to have transported into this Commonwealth from any other state or nation, any living game or wildlife or the eggs of any bird, the importation of which is prohibited by the commission or under the provisions of any Federal law, or to release within this Commonwealth any game or wildlife reared in captivity or in a domestic state, the importation of which is prohibited. (b) Further restrictions.--It is unlawful to bring into, sell or possess any game or wildlife or the eggs of any bird or to release within this Commonwealth, for any purpose, imported game or wildlife or game or wildlife reared in captivity or in a domestic state in this Commonwealth contrary to any regulations the commission promulgates to safeguard the native game or wildlife of this Commonwealth."</p>	<p>34 PA Cons Stat § 2163</p>	<p>"(1) Except for endangered or threatened species, a person importing, selling, releasing or possessing game or wildlife or the eggs of any bird contrary to any of the provisions of this section, or causing them to be released or imported, commits a summary offense of the fifth degree. Each bird, egg or animal involved in a violation constitutes a separate offense. (2) A violation of this section relating to any endangered or threatened species is a misdemeanor. Each bird, egg or game or wildlife involved in the violation constitutes a separate offense. (d) Contraband.--Any game or wildlife or egg possessed by any person contrary to this section is contraband."</p>	<p>34 PA Cons Stat § 2163</p>	
						<p>"(a) General rule.--Except as otherwise provided in this title, it is unlawful for any person at any time to kill or attempt or conspire to kill or take or attempt, assist, aid or abet in the taking of any protected birds or possess protected birds, or any part thereof. (b) Hawks, falcons or owls.--It is lawful for protected hawks, falcons or owls to be taken and possessed for use in falconry. Protected hawks, falcons or owls shall not be bought, sold or bartered, or offered for sale or barter, or held in possession for sale or barter. (c) Mounting or retention in possession.--Except pursuant to a permit issued by the commission, no protected bird or part thereof shall be mounted or retained in possession."</p>	<p>34 PA Cons Stat § 2164</p>	<p>"(d) Penalties.-- (1) A violation of this section is a summary offense of the fifth degree for each protected bird or part thereof. (2) A violation of this section relating to birds which are listed as threatened or endangered is, in addition to any other penalties, a misdemeanor. (e) Contraband.--Any game or wildlife or egg possessed by any person contrary to this section is contraband."</p>	<p>34 PA Cons Stat § 2164</p>	
						<p>"(a) General rule.--Except as otherwise provided in this title, it is unlawful for any person to take or have in possession or under control either the active nest or any egg of any game bird or protected bird or to interfere with or destroy the active nest or egg."</p>	<p>34 PA Cons Stat § 2165</p>	<p>"(b) Penalties.-- (1) A violation of this section is a summary offense of the fifth degree for each active nest or egg possessed or interfered with. (2) A violation of this section relating to birds which are listed as threatened or endangered is, in addition to any other penalties, a misdemeanor for each active nest or egg possessed. (c) Contraband.--Any active nest or egg possessed by any person contrary to this section is contraband."</p>	<p>34 PA Cons Stat § 2165</p>	
						<p>"(a) General rule.--Except as otherwise provided in this title, it is unlawful for any person, acting either for personal interest or as the agent or representative of another, to have any protected bird or any bird which belongs to the same family as those protected birds found in a wild state in this Commonwealth or is similar in appearance to any native protected bird, the eggs or any part from such birds, in possession or under control for the purpose of sale or barter, or to offer or expose them for sale or barter, or to transport, ship or remove, or attempt to transport, ship or remove, from this Commonwealth, for any purpose, any such bird, either living or dead, or the eggs or any part thereof."</p>	<p>34 PA Cons Stat § 2166</p>	<p>"(b) Penalties.-- (1) A violation of this section is a summary offense of the fourth degree for each bird or part thereof. (2) A violation of this section relating to birds which are listed as threatened or endangered is, in addition to any other penalties, a misdemeanor for each bird or part thereof. (c) Contraband.--Any protected bird or any egg or any part thereof possessed contrary to this section is contraband."</p>	<p>34 PA Cons Stat § 2166</p>	



<p>"(2) The commission may by regulation authorize the buying and selling of inedible parts of game and wildlife as it deems appropriate." 34 PA Cons Stat § 2312</p>	<p>"(a) General rule.--Unless otherwise provided, it is unlawful for any person to buy, sell or barter, or aid, abet, assist or conspire to buy, sell or barter, or offer for sale or barter, or have in possession or transport for sale or barter, any game or the edible parts of game or any protected bird or animal or parts of any protected bird or animal. (b) Imported game.--It is unlawful for any person to sell or barter, or offer for sale or barter, any game or wildlife protected by this title imported, either dead or alive, from another state or nation unless there is attached to the carton containing the game or wildlife or to the individual carcasses a tag identifying the game or wildlife in English and giving the state or nation from which originally shipped. [...] (1) Nothing in this section shall be construed to prevent: (i) The purchase or sale of game raised under the authority of a propagating permit in this Commonwealth. (ii) The capture and sale of game or wildlife after securing a permit from the director and payment of any fees established by the commission. (iii) The sale of the tanned, cured or mounted heads or skins, or parts thereof, of any game or wildlife not killed in a wild state in this Commonwealth." 34 PA Cons Stat § 2312</p>	<p>"(3) The selling and buying of venison up to 20 pounds and the buying and selling of other game or wildlife is a summary offense of the first degree and may result in the forfeiture of the privilege to hunt or take game or wildlife anywhere within this Commonwealth for a period of three years." 34 PA Cons Stat § 2312</p>
	<p>"(a) General rule.--Except as otherwise provided in this title, it is unlawful for any person to transport any small game in excess of the daily possession limits established by the commission unless the small game is accompanied by the owner or is carried upon the same conveyance with the owner." 34 PA Cons Stat § 2341</p>	<p>"(d) Penalty.--A violation of this section is a summary offense of the seventh degree. (e) Contraband.--Any small game transported in violation of this section is contraband." 34 PA Cons Stat § 2341</p>
	<p>"Unless otherwise provided, any person wishing to exercise any of the privileges granted by this title shall first secure the applicable resident or nonresident hunting or furtaker license as follows: [...] (14) Migratory game bird licenses for hunting all migratory game birds to eligible persons, subject to the regulations, requirements and conditions which the commission shall establish. Any such license shall be made available to residents serving on active duty in the armed forces of the United States or in the United States Coast Guard without regard to quota limitations or application deadlines." 34 PA Cons Stat § 2705</p>	<p>"(1) Subsection (a)(1) insofar as it relates to hunting or furtaking without a valid license or licenses required is a summary offense of the third degree. [...] (c) Separate offenses.--Each day of violation or each illegal act constitutes a separate offense." 34 PA Cons Stat § 2711</p>
	<p>"(a) General rule.--Except as otherwise provided in this title, it is unlawful for any person to: (1) Hunt or take any game or wildlife by any means or manner or device, including the use of dogs, without first securing and personally signing the required license. The required license must be carried on person when hunting, furtaking or taking any game or wildlife within this Commonwealth." 34 PA Cons Stat § 2711</p>	
	<p>"(a) General rule.--Unless further provided by commission regulation, persons wishing to band birds under authority of a Federal bird banding permit shall: (1) First pay the prescribed fee and have the Federal permit validated by the director. [...] (b) Unlawful acts.--It is unlawful to: (1) Trap or band protected birds without first securing valid permits as set forth in this title. (2) Violate any other provision of this section or regulation of the commission promulgated under authority of this chapter." 34 PA Cons Stat § 2921</p>	<p>"(c) Penalty.--Except for endangered or threatened species, a violation of this section is a summary offense of the fifth degree. Each bird captured, banded or held constitutes a separate offense." 34 PA Cons Stat § 2921</p>



"(a) Powers of commission.--The commission may adopt regulations to define, implement and provide for the issuance of falconry permits to eligible persons within this Commonwealth." 34 PA Cons Stat § 2925

"(a) Issuance.--Unless further provided by commission regulation, permits authorizing the holder to collect birds, their nests with eggs found therein and animals, protected by this title, for exhibition in public museums or for scientific study or school instruction may be issued to: (1) Persons of known scientific attainment in either ornithology or mammalogy for scientific study, whether residents of this Commonwealth or not. (2) Agents of public museums or institutions of learning for exhibition purposes, whether residents of this Commonwealth or not. [...] (d) Unlawful acts.--It is unlawful to: (1) Take more than the number of specimens shown on the permit. (2) Sell or offer for sale or barter any specimen obtained. (3) Transfer control of any specimen to another person without first securing written permission from the director. (4) Violate any other provisions of this section." 34 PA Cons Stat § 2922

"(e) Penalty.--Except for endangered or threatened species, a violation of this section is a summary offense of the fifth degree." 34 PA Cons Stat § 2922

"(b) Unlawful acts.--It is unlawful for any person to engage in any falconry activities without a valid falconry permit or to violate any regulation of the commission relating to falconry." 34 PA Cons Stat § 2925

"(c) Penalty.--Except for endangered or threatened species, a violation of this section or any regulation adopted by the commission regarding falconry is a summary offense of the fifth degree." 34 PA Cons Stat § 2925

"(a) Authorization.--No person shall propagate any game bird, wild bird, game animal or wild animal which is presently found in a wild state within this Commonwealth for the purpose of sale, barter, gift or other transfer of possession, or offer to sell or barter, unless that person has first obtained a permit from the commission authorizing the propagation of a game bird, wild bird, game animal or wild animal. [...] (g) Unlawful acts.--It is unlawful to: (1) Have any game or wildlife in possession without the required permit receipt, detailed invoice or consignment document. (2) Violate any of the provisions of this section or regulations pertaining to this section." 34 PA Cons Stat § 2930

"(h) Penalty.--A violation of this section is a summary offense of the fifth degree." 34 PA Cons Stat § 2930

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?
Rhode Island	"(1) "Migratory waterfowl" means all waterfowl species in the family anatidae, including wild ducks, geese, brant, and swans."	RI Gen L § 20-2-34					"No person shall attempt to take any stocked game bird without first obtaining a regular hunting license and a stocked game bird permit for the current year."	RI Gen L § 20-2-18.2	"(a) Unless otherwise specifically provided, the violation of any law or rule or regulation relating to wild animals, wild birds, lobsters and fish, marine, freshwater and anadromous fisheries and shellfisheries shall be a misdemeanor, punishable by a fine of not more than five hundred dollars (\$500), or imprisonment for up to ninety (90) days, or both."	RI Gen L § 20-1-16	NO
							"No person sixteen (16) years of age or older shall take, or attempt to take, any migratory waterfowl without first obtaining a regular hunting license and a Rhode Island migratory waterfowl stamp for the current year."	RI Gen L § 20-2-35	"The license of any person who has violated the provisions of this title or the rules and regulations issued pursuant to this title may be suspended or revoked by the director in any manner and for any period as the director shall determine by regulation."	RI Gen L § 20-2-13	
							"No person shall hunt, pursue, take, or kill any wild bird or mammal and any vertebrates in this state, or attempt so to do, without having first obtained a license; provided, that nothing in this chapter shall be construed as affecting the right of a bona fide resident of this state, or the resident's immediate family, to hunt, without a license, on land owned by the resident, or land leased by the resident, and on which he or she is actually domiciled, and which land is used exclusively for agricultural purposes, and not for club shooting purposes, nor as affecting, in any way, the provisions of the laws relating to trespass, nor as authorizing the pursuit, taking, wounding, or killing, or the possession, of wild birds or mammals and any vertebrates contrary to any laws now in force or that may be enacted."	RI Gen L § 20-13-1			
							"It shall be unlawful for any person to sell, or offer for sale, within this state, at any season of the year, any wild bird or mammal or any vertebrate, or parts thereof, except as provided elsewhere in this title; provided, however, that this section shall not be construed to prohibit the sale of inedible parts of game, such as antlers, hides, feet, or tails."	RI Gen L § 20-13-14			
			"(d) The director may, from time to time, issue any rules and regulations that he or she deems necessary to control the operation of the business of propagation, raising, and sale of game."	RI Gen L § 20-17-2			"(a) No person shall engage in the commercial raising or selling of wild birds, game quadrupeds, or domestic game birds unless that person possesses a commercial game propagation license issued by the department. (b) Game raised under the license may be bought, sold, and had in possession, live, at any season of the year for purposes of propagation. (c) Carcasses of artificially propagated game may be sold only by a person who holds, in addition to a commercial propagation license, a license issued by the department authorizing the sale of game carcasses. All game carcasses sold under the license must have attached to the game carcass a tag or seal provided to the licensee by the department, at cost, which tag or seal shall remain intact until the game is used."	RI Gen L § 20-17-2			

			"(b) This section shall not be construed to apply to any species of birds for which: (1) A federal depredation permit/order or a control permit/order has been issued in accordance with applicable federal law; or (2) A state depredation permit has been issued in accordance with § 20-14-1.1. "	RI Gen L § 20-14-1	"The open season for hunting and the bag limits for migratory game birds shall be no less restrictive than the open season and bag limit fixed for those birds by the regulations of the United States Department of the Interior, Fish and Wildlife Service, made under the provisions of an act of Congress relating to migratory birds. "	RI Gen L § 20-14-4	"(a) No person shall pursue, hunt with intent to kill, take, destroy, or have in his or her possession any wild bird or birds at any season of the year unless harvested or taken in accordance with rules and regulations promulgated by the director. "	RI Gen L § 20-14-1	"Possession of any bird during the time when the taking of birds is prohibited shall be evidence that the bird was taken in violation of this section, and each bird possessed in violation of this section shall constitute a separate and distinct offense."	RI Gen L § 20-14-1
			"(b) Before any state depredation permits/orders or control permits/orders are issued, the director shall promulgate rules and regulations, in accordance with applicable federal law, establishing standards governing the issuance of the permits/orders and other measures necessary for the control of birds causing depredation or constituting a health or public safety hazard or other nuisance. "	RI Gen L § 20-14-1.1			"(a) A person may petition and be issued a depredation permit/order or control permit/order from the director, or his or her designee, in accordance with applicable federal law, for the taking of birds when found committing depredations upon agricultural crops, livestock, or wildlife, or when concentrated in such numbers and manner as to constitute a health or public safety hazard or other nuisance."	RI Gen L § 20-14-1.1		
							"No person shall willfully disturb or destroy the nest or eggs of any wild bird, except pursuant to a program authorized by the director or for which a federal or state depredation permit has been issued. "	RI Gen L § 20-14-2		
							"Sections 20-14-1 and 20-14-2 shall not be construed to apply to the killing or destruction of nests or eggs of English or European house sparrows (<i>Passer domesticus</i>), or European starlings (<i>Sternus vulgaris</i>). "	RI Gen L § 20-14-3		
							"During the open season for the hunting of game birds, as declared by the director in regulations adopted pursuant to § 20-1-12, a duly licensed person may take in any one day no more game birds than the bag limit established for game birds in the regulations."	RI Gen L § 20-14-5	"Possession of game birds in the field in excess of the numbers allowed in the bag limit established for game birds shall be evidence of the taking or killing of them; a person violating the provisions of this section shall be fined no more than fifty dollars (\$50.00) for each bird in excess of the bag limit. "	RI Gen L § 20-14-5
							"No person shall carry or send beyond the limits of this state more than a two-day (2) bag limit of game birds. "	RI Gen L § 20-14-6		
							"No person shall hunt, pursue, take, or attempt to take, upland or migratory game birds over any area that has been baited. For the purposes of this section a "baited area" is that on which salt, corn, wheat, or other grains have been scattered to lure, attract, or entice those birds to, on, or over, where hunters are attempting to take them and shall not be construed to include areas where corn, wheat, or other grains are scattered as the result of normal agricultural operations. (b) No person shall hunt, pursue, take, or attempt to take migratory game birds by the use or aid of live birds as decoys. (c) No person shall hunt, pursue, take, or attempt to take wild birds by the use of an electronically amplified recording of bird calls or sounds. However, this provision does not apply to crows. (d) No person shall take, kill, or destroy any wild bird by means of any trap, snare, net, spring, crossbow, rifle, pistol, fishhook, poison, drug, explosive, or stupefying substance, nor shall any person construct, set, maintain, or repair any of these devices for the purpose of taking, killing, or destroying wild birds. (e) No person shall shoot, or attempt to shoot, migratory game birds by means other than a shotgun of size ten (10) gauge or smaller, capable of holding three (3) or fewer shells, or a long bow	RI Gen L § 20-14-7		

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?
South Carolina	<p>"For the purpose of this title the following classifications are recognized:</p> <p>(1) Game birds: mourning dove, northern bob white, ruffed grouse, wild turkey, Wilson snipe, woodcock, the Anatidae (commonly known as goose, brant, and duck), and the Rallidae (commonly known as marsh hen, coot, gallinule, and rail).</p> <p>(2) Unprotected birds: house sparrow (Passer domesticus), rock pigeon (Columba livia), European starling (Sturnus vulgaris), and Eurasian collared dove (Streptopelia decaocto). These birds are unprotected by state law.</p> <p>(3) Nongame birds: all native birds not named in items (1) and (2) of this section are nongame birds and must not be destroyed in any manner at any time, except as otherwise provided by law."</p>	SC Code § 50-1-30							<p>"Unless a different penalty is specified, any person who violates a provision of this title is guilty of a misdemeanor and, upon conviction, must be fined not less than twenty-five dollars nor more than two hundred dollars or imprisoned for not less than ten days nor more than thirty days."</p>	SC Code § 50-1-130	INDETERMINATE
	<p>"Wildlife, as used in this section, means a wild animal, bird, reptile, amphibian, fish, mollusk, crustacean, or other wild animal, or product, egg, offspring, or the dead body parts of the wildlife."</p>	SC Code § 50-1-125							<p>trading, trafficking, or bartering any wildlife, upon conviction, must be punished as follows:</p> <p>(1) For the first offense, if the money or other consideration exchanged for the wildlife is of a value of two hundred dollars or less, the penalty must be a fine of not more than two hundred dollars or imprisonment for no more than thirty days.</p> <p>(2) For the first offense, if the money or other consideration exchanged for the wildlife is of a value of more than two hundred dollars, the penalty must be a fine of not less than five hundred dollars nor more than five thousand dollars or imprisonment for not less than thirty days nor more than one year, or both. In addition, the person convicted shall lose his hunting and fishing privileges for one year from the date of conviction.</p> <p>(3) For a second offense, within three years of the first offense, the fine must be not less than one thousand dollars nor more than five thousand dollars or imprisonment for not less than thirty</p>	SC Code § 50-1-125	
							<p>"It is unlawful to buy, sell, trade, or barter or offer for sale or offer to buy any protected wild mammals and birds or parts of mammals or birds except as specifically allowed by this title. Except as otherwise provided by law, this section shall not apply to the sale of rabbits and grey squirrels taken during the legally established seasons. "</p>	SC Code § 50-1-290	<p>"A person violating this section is guilty of a misdemeanor and, upon conviction, must be fined not less than one hundred dollars and not more than five hundred dollars or imprisoned up to thirty days."</p>	SC Code § 50-1-290	
							<p>"It is unlawful to hunt, fish, or take fish or wildlife without obtaining a license and applicable permits, tags, or stamps which allow these activities."</p>	SC Code § 50-9-10	<p>"A person convicted of violating this section is guilty of a misdemeanor and, upon conviction, must be fined not less than fifty nor more than five hundred dollars or imprisoned not more than thirty days."</p>	SC Code § 50-9-10	

							<p>"(A) It is unlawful to hunt, take, or possess migratory game birds without first obtaining a migratory game bird permit. Migratory game birds include mourning dove, Wilson snipe, woodcock, the Anatidae (commonly known as goose, brant, and duck), and the Rallidae (commonly known as marsh hen, coot, gallinule, and rail). (B) Residents who have attained the age of sixty-four and hold a lifetime statewide hunting license, lifetime statewide combination license, gratis lifetime hunting and fishing license, senior lifetime hunting and fishing license, or Catawba hunting and fishing license are not required to obtain a migratory game bird permit."</p>	SC Code § 50-9-570		
	<p>"(A) For purposes of this chapter "migratory waterfowl" means members of the family Anatidae, including brants, ducks, geese, and swans. "</p>	SC Code § 50-9-670	<p>"(C) The department may enter into an agreement or memorandum of understanding with the service to offer the stamp through the licensing system of the department. At the time of purchase, the department must endorse a purchaser's license with the name of the stamp and the period for which the endorsement is valid; provided, however, that this period of validity may not exceed forty-five days unless authorized by the agreement or memorandum of understanding. [...] (E) The department only may offer the endorsement of the stamp on a state hunting license for the convenience of hunters and to encourage compliance with federal and state law. The provisions of this section may not be interpreted to diminish the original jurisdiction of the United States government over the stamp or the applicability of the stamp for hunting migratory waterfowl in this State."</p>	SC Code § 50-9-630		<p>"(B) For the privilege of hunting migratory waterfowl in this State, a hunter also shall obtain a Federal Migratory Hunting and Conservation Stamp in addition to the required state hunting license and permits. The stamp must be endorsed as required by the United States Fish and Wildlife Service."</p>	SC Code § 50-9-630			
						<p>" For the privilege of hunting or taking migratory waterfowl in this State, in addition to a hunting license, a person shall purchase a migratory waterfowl permit."</p>	SC Code § 50-9-670			
			<p>"However, the board annually may set seasons, bag limits, and methods for hunting and taking migratory birds consistent with federal law."</p>	SC Code § 50-11-10	<p>"(A) The Federal Migratory Bird Treaty Act and its implementing regulations are the law of this State."</p>	SC Code § 50-11-10	<p>"(B) In addition, it is unlawful to: (1) trespass while hunting waterfowl; (2) take or attempt to take waterfowl over bait; (3) take or attempt to take waterfowl more than fifteen minutes before or after regularly designated hunting hours; (4) possess more than one waterfowl over the legal limit; (5) hunt waterfowl out of season."</p>	SC Code § 50-11-10	<p>"A violation of the Migratory Bird Treaty Act or its implementing regulations or a violation of regulations set by the board is a misdemeanor. [...] (C) A person who violates a provision of subsection (A), with the exception of those provisions specified in subsection (B), is guilty of a misdemeanor and, upon conviction, must be fined not less than twenty-five dollars nor more than five hundred dollars or imprisoned not more than thirty days for each offense. A person who violates a provision of subsection (B) is guilty of a misdemeanor and, upon conviction, must be fined not less than two hundred dollars nor more than five hundred dollars or imprisoned not more than thirty days for each offense."</p>	SC Code § 50-11-10

							<p>"(A) It is unlawful to bait, assist in baiting, or cause to be baited an area over which migratory birds are being hunted if the persons engaged in the hunting have a lawful right to hunt that area. [...] (B) A property owner shall not be prosecuted for a violation of subsection (A) where the person who is engaged in hunting is trespassing or hunting the baited area without the permission of the owner."</p>	<p>SC Code § 50-11-15</p>	<p>"A person who violates this section is guilty of a misdemeanor and, upon conviction, must be fined not less than two hundred dollars nor more than five hundred dollars or imprisoned for not more than thirty days."</p>	<p>SC Code § 50-11-15</p>
							<p>"(A) It is unlawful to harm, disturb, molest, or take an actively nesting waterfowl, its nest, or eggs, including the male, except by permit issued by the federal government or its agent. (B) It is unlawful to disturb, damage, or destroy the nest including a nest box or eggs of any waterfowl except by permit issued by the federal government or its agent. Provided, nothing in this section prohibits inspection of nests for biological purposes."</p>	<p>SC Code § 50-11-22</p>	<p>"Any person who violates this section is guilty of a misdemeanor and, upon conviction, must be fined not less than two hundred nor more than five hundred dollars or imprisoned for up to thirty days. In addition, anyone convicted forfeits all hunting and fishing privileges for one year."</p>	<p>SC Code § 50-11-22</p>
							<p>"(A) It is unlawful to take migratory waterfowl from blinds or positions where the floor level of the blind or the position is: (1) more than ten feet above surface level in or around freshwater; or (2) more than five feet above the mean high water in or around saltwater."</p>	<p>SC Code § 50-11-25</p>	<p>"(D) A person who violates this section is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned not more than thirty days."</p>	<p>SC Code § 50-11-25</p>
							<p>"The department may prescribe an open season for the taking of exotic game birds, prescribe the method by which they may be taken, and fix the specific areas of any zone in which these exotic species may become numerous enough to be harvested. All areas not specifically open to hunting are closed to hunting. The department may designate the sex that may be taken and may prescribe any other regulations that may be considered wise and expedient for the harvest of these new game birds."</p>	<p>SC Code § 50-11-810</p>	<p>"Any person taking, attempting to take, or having in his possession these exotic game birds illegally or taking, attempting to take, or killing these exotic game birds in any way not prescribed by the department is guilty of a misdemeanor and, upon conviction, must be fined not less than fifty dollars nor more than one hundred dollars or imprisoned for not less than fifteen days nor more than thirty days. The provisions of this section are applicable to ruffed grouse."</p>	<p>SC Code § 50-11-810</p>
							<p>"All species of game birds for which the legislature has not provided a specific open season are protected and may not be shot, trapped, destroyed, or attempted to be shot, trapped, or destroyed at any time."</p>	<p>SC Code § 50-11-810</p>		
							<p>"No person within the State may kill, catch, or have in his possession, living or dead, any resident or migratory wild bird, other than a game bird, or purchase or offer or expose for sale any wild nongame bird after it has been killed or caught, except as permitted by Section 50-11-1180."</p>	<p>SC Code § 50-11-820</p>		
							<p>"No part of the plumage, skin, or body of any bird protected by Section 50-11-820 may be sold or had in possession for sale whether the bird was captured or killed within or without the State."</p>	<p>SC Code § 50-11-830</p>		
							<p>"(A) No person may take or destroy, or attempt to take or destroy, an active nest or the eggs of a wild bird or have an active nest or eggs in his possession, except pursuant to a permit issued by the department."</p>	<p>SC Code § 50-11-840</p>		
							<p>"It is unlawful for any person or any firm or corporation acting as a common carrier, its officers, agents, or servants to ship, carry, take, or transport, either within or beyond the confines of the State, any resident or migratory wild nongame bird, except as permitted by Section 50-11-1180."</p>	<p>SC Code § 50-11-850</p>		
							<p>"The shooting, killing, or maiming of an Antwerp or homing pigeon, commonly known as a "carrier pigeon", is prohibited."</p>	<p>SC Code § 50-11-851</p>	<p>"Any person violating the provisions of this section is guilty of a misdemeanor and must be punished by a fine not exceeding ten dollars or imprisonment not exceeding ten days."</p>	<p>SC Code § 50-11-851</p>
							<p>"(B) The department may issue a permit for the removal of an active nest or eggs that constitute a public safety threat or when birds are causing damage to property."</p>	<p>SC Code § 50-11-840</p>		
							<p>"An "active nest" means a nest with birds or eggs present."</p>	<p>SC Code § 50-11-840</p>		

"Birds of prey include all hawks, eagles, falcons, kites, vultures, owls, and ospreys."

SC Code § 50-11-852

"Where wildlife is destroying property, the department, upon the request of the property owner, may issue a permit authorizing the property owner, under the supervision of the department, to take action necessary to remove the destructive wildlife from his property."

SC Code § 50-11-1050

"The department has the authority during any season of the year to permit the taking of any game animal and prescribe the method by which they may be taken when they cause damage to crops or property or when they pose a significant human health risk. Any animal taken under these conditions is under the supervision of the department."

SC Code § 50-11-1090

"Permits may be granted by the department to any properly accredited competent person permitting him to collect protected wildlife for strictly scientific or propagating purposes only."

SC Code § 50-11-1180

"It is unlawful for any person to molest or kill any of the birds of prey within this State."

SC Code § 50-11-852

"Anyone violating the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not less than two hundred dollars nor more than five hundred dollars or imprisoned for not more than thirty days. However, if the bird of prey is a bald eagle, the person violating the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not less than five hundred dollars nor more than one thousand dollars or be imprisoned for not less than thirty days nor more than one year, or both. If the bird of prey is a bald eagle, the person convicted shall also lose his privilege to hunt in this State for a period of five years from the date he is convicted of this offense if the bald eagle was killed and for a period of five years if the bald eagle was molested. "Convicted" for purposes of this section includes a plea of guilty or nolo contendere to the offense."

SC Code § 50-11-852

"No permit is required for the collecting or taking of nonprotected wildlife."

SC Code § 50-11-1180

"Any person violating the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined in an amount of not less than twenty-five dollars nor more than one hundred dollars or imprisoned for a term not to exceed thirty days and any permit issued to that person is revoked."

SC Code § 50-11-1180

"It is unlawful for any transportation company to receive for shipment any of the game birds or animals of the State, except in season and unless the package containing them is so labeled as to show the consignor or consignee and the number and kind of birds or animals."

SC Code § 50-11-1710

"No person shall knowingly receive for transportation beyond the limits of this State, so transport, cause to be so transported, or have in his possession with the intent to so transport or secure transportation any partridge, grouse, wild turkey, snipe, woodcock, or other game bird or game animal which has been killed or captured in this State except as permitted by Sections 50-1-110, 50-11-1710, and 50-11-1730 [...] The provisions of this section do not apply to common carriers into whose possession birds or game come in the regular course of their business for transportation while they are in transit through the State from any place without the State. Nothing herein prohibits persons from having in their possession for the purpose of domestication and propagation any birds or animals."
"It is unlawful to buy or sell, expose for sale, or have in possession for sale or barter any willet or dove."

SC Code § 50-11-1720

SC Code § 50-11-1930

"and the receipt, transportation, or possession or the causing or securing of transportation of each bird or game animal so killed or captured constitutes a separate offense."

SC Code § 50-11-1720

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?
South Dakota	(1) "Any part thereof" or "the parts thereof," includes the hide, horns, and hoofs of any animal so referred to, and the plumage and skin and every other part of any bird so referred to; [...] (12) "Game," all wild mammals or birds; [...] (16) "Migratory waterfowl," any wild geese, swans, brants, coot, merganser, or wild ducks; (17) "Migratory bird," all migratory waterfowl, sandhill crane, snipe, and dove; [...] (24) "Small game," anatidae, commonly known as swans, geese, brants, merganser, and river and sea ducks; the rallidae, commonly known as rails, coots, and gallinule; the limicolae, referring specifically to shore birds, plover, snipe, and woodcock; the gruidae, commonly known as sandhill crane; the columbidae, commonly known as the mourning dove; the gallinae, commonly known as grouse,	SD Codified L § 41-1-1	" Assent to federal acquisition of property for migratory bird conservation. So that the United States may acquire by deed or other instrument of conveyance, areas of land, water, or land and water within this state for the better protection of desirable migratory birds, the State of South Dakota hereby consents to the acquisition by deed or other instrument of conveyance by the United States, of land, water, or land and water within this state, under the terms of the federal "Migratory Bird Conservation Act" of 1929."	SD Codified L § 41-3-6	N/A	N/A	"41-1-4. Wanton waste or destruction of protected birds, animals and fish prohibited"	SD Codified L § 41-1-4	"Violation as misdemeanor. No person may wantonly waste or destroy any of the birds, animals, or fish of the kinds protected by the laws of this state. A violation of this section is a Class 2 misdemeanor."	SD Codified L § 41-1-4	YES (depends on what 'wanton' means)
			"Permission for scientific collection of protected birds, animals, and fish--Resale prohibited. The Game, Fish and Parks Commission may grant permission under its seal to any accredited representative of any incorporated society of natural history to collect for scientific purposes only, nests, eggs, birds, animals, or fish protected by this title. Such specimens may not be sold or transferred."	SD Codified L § 41-3-9			" License not required to hunt certain animals or fish on owned or leased land during open season. A resident of this state may hunt or take in a lawful manner fox squirrel, grey squirrel, red squirrel, cottontail rabbit, game birds, or fish during an open season on land or waters on land owned or leased by the resident without first securing a license to do so. Notwithstanding any other provisions of law, a resident is not in violation of any season, daily, or possession limit established for the species of fish in a man-made water body on land owned by the resident provided the resident owns the bed of the water body in its entirety,"	SD Codified L § 41-6-2	"At the time of conviction for taking or possessing in excess of the lawful daily or possession limit any of the following: [...] (4) Seven or more of any one small game animal as regulated; [...] the person's applicable hunting, fishing, or trapping privileges in South Dakota are automatically revoked without further hearing for a period of three years following date of conviction. The sentencing court may impose consecutive revocations of the person's hunting, fishing, or trapping privileges if the person is convicted of two or more violations for which revocation of the privileges is authorized under this title."	SD Codified L § 41-6-74.2	
			"If any game animals, game birds, black bears, mountain lions, or wolves are a threat to the public's health, safety, and welfare, or are doing damage to property, the secretary of game, fish and parks may by a written permit authorize a conservation officer, a municipality or county and their designees, a designee of the department, or the person whose property is being damaged to take or kill any such animals or birds by any methods that may otherwise be prohibited or under any restrictions as the secretary may prescribe in the permit. Any animals or birds so taken or killed are the property of the state and shall be disposed of as provided for in the permit."	SD Codified L § 41-6-29			" for a resident to hunt small game without a resident small game license or resident youth small game license, or in violation of the rules of the Game, Fish and Parks Commission or § 41-11-5. [...] for a resident to hunt dove, sandhill crane, and snipe without a migratory bird certification permit and a resident small game license or a resident youth small game license, or in violation of the rules of the Game, Fish and Parks Commission. [...] for a person to hunt migratory waterfowl without the applicable small game license, a migratory bird certification permit, and a federal migratory bird stamp."	SD Codified L § 41-6-16	"is a Class 2 misdemeanor"	SD Codified L § 41-6-16	

							<p>"for a nonresident to hunt, take, or kill small game, other than migratory waterfowl, without a nonresident small game license or in violation of the conditions of the license or the rules of the Game, Fish and Parks Commission. [...] for a nonresident to hunt, take, or kill dove and snipe without a nonresident small game license and a migratory bird certification permit, or in violation of the rules of the Game, Fish and Parks Commission. [...] for a nonresident to hunt, take, or kill sandhill crane without a nonresident small game license or nonresident waterfowl license and a migratory bird certification permit, or in violation of the rules of the Game, Fish and Parks Commission."</p>	SD Codified L § 41-6-17	"is a Class 2 misdemeanor"	SD Codified L § 41-6-17
							<p>"to breed, raise, ship, or sell game birds without a license for breeding and raising birds or in violation of the conditions of the license or the rules of the Game, Fish and Parks Commission. A license for breeding and raising birds permits the breeding, raising, shipping, or sale of game birds."</p>	SD Codified L § 41-6-31	"is a Class 2 misdemeanor"	SD Codified L § 41-6-31
			<p>"A scientific collector's license must be approved by the Game, Fish and Parks Commission. The commission shall promulgate rules pursuant to chapter 1-26 setting the requirements for a scientific collector's license."</p>	SD Codified L § 41-6-32			<p>"Persons who possess and are acting within the scope of a scientific collector's license are exempt from the other criminal sanctions in this title. A scientific collector's license may be issued by the secretary of game, fish and parks to persons engaged in bona fide scientific research and shall authorize the licensee to take, possess, exchange, transport, and collect birds, nests, eggs, or wild animals in such manner and under such conditions as the secretary may prescribe for scientific purposes only."</p>	SD Codified L § 41-6-32		
							<p>"No person may at any time hunt, catch, take, attempt to take, or kill any small game or game animal in any other manner than by shooting the same with a firearm, except: (1) Game birds and animals may be taken with birds trained in falconry or with bow and arrow;"</p>	SD Codified L § 41-8-31	"A violation of this section is a Class 2 misdemeanor."	SD Codified L § 41-8-31
			<p>"The department may issue and renew shooting preserve operating permits for privately owned and operated shooting preserves."</p>	SD Codified L § 41-10-2			<p>"Game that may be hunted under this chapter includes mallard ducks, pheasants, quail, partridges, turkey, and such other species of game as the Game, Fish and Parks Commission may add in rules promulgated pursuant to chapter 1-26."</p>	SD Codified L § 41-10-9	"The Game, Fish and Parks Commission may pursuant to chapter 1-26 revoke or suspend the permit of a permittee for any violation of this chapter or any of the rules of the commission committed by the permittee or any person involved in the operation of the permittee's preserve."	SD Codified L § 41-10-19
			<p>"The commission may exclude mallard ducks from the list of permitted species for any period of time and without advance notice if necessary to protect the species."</p>	SD Codified L § 41-10-9						
			<p>"All wild birds or animals as defined by subdivision 41-1-1(24), both resident and migratory, in this state shall be and are hereby declared to be property of the state."</p>	SD Codified L § 41-11-1			<p>"Except as permitted by § 41-11-10 and the rules prescribed by the Game, Fish and Parks Commission, no person may kill, catch, or have in possession, living or dead, any wild bird other than small game, or purchase, offer or expose for sale, transport, or ship within or without the state, any such wild bird or small game after it has been killed or caught."</p>	SD Codified L § 41-11-2	"A violation of this section is a Class 2 misdemeanor."	SD Codified L § 41-11-2

"The Game, Fish and Parks Commission may establish a season on any fowl specified in § 41-11-4 throughout all or any portion of the state and provide the extent of the season by rules adopted pursuant to § 41-2-18. The commission may close or curtail open season once it has been opened as provided in this section."

SD Codified L § 41-11-5

"Except as provided in § 41-11-5, no person may hunt, take, kill, ship, convey, or cause to be shipped or transported by common or private carrier to any person, either within or without the state, buy, barter, expose for sale, sell to anyone, have in possession or under control at any time, any snipe, prairie chicken or pinnated grouse, white-breasted or sharp-tailed grouse, partridge, or ruffed grouse, sage grouse, Hungarian partridge, Chukar partridge, Chinese ring-necked or English pheasant, wild turkey, upland plover, golden plover, crow, mourning dove, quail, wild duck of any variety, wild geese of any variety, brant, or any variety of aquatic fowl, or any part thereof."

SD Codified L § 41-11-4

"A violation of this section is a Class 2 misdemeanor."

SD Codified L § 41-11-4

"Except as permitted by statute, no person may take or have in possession or break or destroy any nest or the eggs of the kinds of birds, the taking or killing of which is at any time or at all times prohibited."

SD Codified L § 41-11-7

"A violation of this section is a Class 2 misdemeanor."

SD Codified L § 41-11-7

"No part of the plumage, skin, or body of any bird protected by law may be sold or had in possession for sale, irrespective of whether such bird was captured or killed within or without the state, except that the plumage or skin of the Chinese pheasant, sharptail grouse, Hungarian partridge, and prairie chicken legally taken may be sold or had in possession for sale."

SD Codified L § 41-11-8

"A violation of this section is a Class 2 misdemeanor."

SD Codified L § 41-11-8

"The English or European house sparrow, unbanded undomesticated pigeon (rock dove), Eurasian collared dove, and European starling are not included among the birds protected by this chapter. Purple grackle, crow, magpie, brown headed cow bird, red-winged blackbird, Brewers blackbird, rusty blackbird, and the bronzed grackle may be taken when committing or about to commit depredation upon ornamental or shade trees, agricultural crops, livestock or wildlife, or when concentrated in such numbers and manner as to constitute a health hazard or other nuisance."

SD Codified L § 41-11-10

"A person shall obtain a raptor license from the Department of Game, Fish and Parks to capture or possess a raptor."

SD Codified L § 41-11-11

"A violation of this section is a Class 2 misdemeanor."

SD Codified L § 41-11-11

"for any person to possess or control any bird, animal, or fish, or any part of any bird, animal, or fish, that has been unlawfully taken, caught, or killed in this or any other state or foreign country, or that has been unlawfully transported into this state."

SD Codified L § 41-14-1

"is a Class 2 misdemeanor"

SD Codified L § 41-14-1

"The possession or control by any person of any bird, animal, or fish at any time when the killing, taking, or possession of the bird, animal, or fish is unlawful is prima facie evidence that the taking or killing occurred during the closed season, unless the person in possession of the bird, animal, or fish shows that at the time it was caught, taken, or killed, it was lawfully caught, taken, or killed either within or without the state, and that the person was lawfully in possession of the bird, animal, or fish."

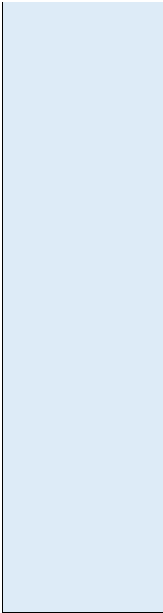
SD Codified L § 41-14-3

"Except as permitted by statute [...] for a common carrier, its officers, agents, or servants to ship, carry, take, or transport any resident or migratory bird either within or beyond the confines of this state."

SD Codified L § 41-14-7

"is a Class 2 misdemeanor"

SD Codified L § 41-14-7



"Any person licensed under the provisions of chapter 41-6 may carry as personal baggage any small game or fish lawfully taken or possessed. No person may knowingly ship or receive for shipment by common carrier any small game or fish unless the container containing the small game or fish has affixed to the outside of the container a clearly visible statement containing the following information: [...] A person other than the licensee may transport small game or fish with a transportation and shipping permit. A permit may be obtained from a conservation officer or a designee without a charge."

SD Codified L § 41-14-8 "A violation of this section is a Class 2 misdemeanor." SD Codified L § 41-14-8

"for an employee of any common carrier to carry any game bird or part of any game bird on a common carrier either as baggage or otherwise while engaged in the course of his or her employment."

SD Codified L § 41-14-10 "is a Class 2 misdemeanor" SD Codified L § 41-14-10

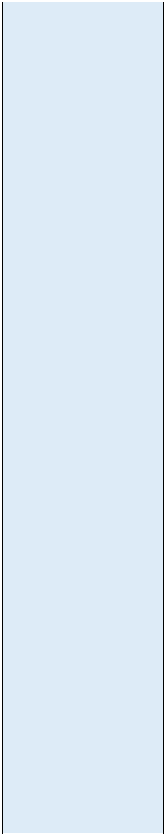
"No person may take, catch, kill, or possess; possess with intent to sell; sell, offer, or expose for sale; ship by common carrier, convey, or cause to be conveyed; or possess with intent to ship or convey to any point, either within or without this state, any bird, animal, or fish, or any part of any bird, animal, or fish, in violation of any state law or administrative rule. No common carrier or agent of a common carrier may aid or abet any person in shipping any such bird, animal, or fish, nor possess any such bird, animal, or fish with intent to ship or convey to any point either within or without this state contrary to law."

SD Codified L § 41-14-32 "is a Class 2 misdemeanor" SD Codified L § 41-14-32

"A violation of this section pertaining to any bird, animal, or fish other than a big game animal is a Class 2 misdemeanor for each bird, animal, or fish, or any part of any such bird, animal, or fish taken, caught, killed, sold, offered for sale, exposed for sale, possessed, possessed with intent to sell, shipped by common carrier, or transported to any point within or without this state in violation of law. [...] The total imprisonment for violations of this section which occur at the same time may not exceed one year"

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?
Tennessee	<p>the context otherwise indicates, the definitions and rules of construction in this section shall govern the construction of this title, and proclamations and rules and regulations made or adopted by the commission: [...] (16) "Game birds" means all species of grouse, pheasant, woodcock, wilson snipe, crow, quail, waterfowl, gallinules, rails, mourning dove, and all species of birds that may be introduced into this state for hunting. [...] (21) "Nongame birds" means all species of birds not classified as game birds; [...] (30) "Raptor" means all birds found in the wild that are members of the order of falconiformes, strigiformes, and specifically, but not by way of limitation, means falcons, hawks, owls, and eagles, except the golden and bald eagle; [...] (34) "Small game" means fur bearers, game birds, [etc.], and all species of small mammals and birds that</p>	TN Code § 70-1-101			N/A	N/A	<p>"(a) It is unlawful for any person in this state to hunt, chase, trap, kill or take any form of wildlife in the open season, unless the person so hunting, chasing, trapping, killing or taking, or attempting to take, such wild animals, wild birds, wild fowl, or fish at the time possesses the requisite license prescribed by this chapter, such license, of proper color and design, to be on the person of the licensee while hunting, chasing, trapping or fishing. (b) A valid federal migratory waterfowl stamp must be possessed while hunting migratory waterfowl by any person over sixteen (16) years of age, which stamp shall be cancelled in ink by the signature of the hunting licensee."</p>	TN Code § 70-2-101	<p>"(d) (1) (A) Upon conviction for any offense against this title, any rule or regulation promulgated pursuant to this title, or any proclamation of the fish and wildlife commission, the court may revoke the license or suspend any or all of the fishing, hunting, or trapping privileges of the person so convicted, or both revoke the license and revoke any or all of the fishing, hunting or trapping privileges of the person so convicted. [...] (e) Any violation of this section is a Class C misdemeanor and punishable by a fine of not less than ten dollars (\$10.00) nor more than twenty-five dollars (\$25.00). Any person who violates the revocation order of the court may be fined not less than twenty-five dollars (\$25.00) and may be confined in the county jail or workhouse not less than ten (10) days nor more than eleven (11) months and twenty-nine (29) days, it being mandatory upon the court to impose the prison sentence, and the minimum time may not be subject to suspension."</p>	TN Code § 70-2-101	NO
			<p>"(a) The executive director has the power, at the executive director's discretion, to grant permission, under the executive director's seal, to any reliable person to take, capture and transport in Tennessee, wild birds, and nests and eggs of wild birds, and wild animals and fish, when taken and used for purely scientific purposes. The permit so issued shall continue in force for one (1) year after the date of issue and shall specify the number of any species to be taken under the permit."</p>	TN Code § 70-2-213					<p>"(c) Any person taking any wildlife in violation of this section, or of the permit held by that person, shall be, upon conviction, fined not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100) and the permit held by that person shall become void."</p>	TN Code § 70-2-213	
							<p>"(a) Wild animals, wild birds, or wild fowl lawfully taken may be possessed by legal license holders during any open season for their lawful taking, designated pursuant to the terms of § 70-4-107(b)-(d), but no person shall have in possession or in storage, or both, during any open season or at any other time, more than the possession limit prescribed by the fish and wildlife commission."</p>	TN Code § 70-4-105	<p>(b) Any person violating this section commits a Class C misdemeanor.</p>	TN Code § 70-4-105	
			<p>"(b) The executive director or the executive director's designees may use any chemical, biological substance, poison or device under controlled conditions to capture or kill any bird or animal for scientific, propagating, enforcement, humane or rescue purposes or when it is considered necessary by the executive director to reduce or control any species that may be detrimental to human safety, health or property. "</p>	TN Code § 70-4-113			<p>"(a) It is unlawful for any person at any time to make use of any pitfall, deadfall, cage, snare, trap, net, baited hooks, poison, chemicals, explosives, set guns, spotlights, electric lights or torches, bait, which includes any grain, or mixture of any ingredients, used as or for food purposes, or other devices for the purpose of killing, injuring, or capturing any birds or animals protected by the wildlife laws of this state, except as otherwise expressly provided."</p>	TN Code § 70-4-113	<p>"(c) A violation of this section is a Class C misdemeanor"</p>	TN Code § 70-4-113	

							<p>"(a) It is unlawful to disturb, mutilate, or destroy the home, nest, or den of any protected wild animals or birds, to use spears or any like device in the hunting or taking of protected wild animals, to blind with lights, except as provided in § 70-4-113, or to use explosives, chemicals, mechanical devices, or smokers of any kind to drive protected wild animals out of their dens, holes, or houses."</p>	TN Code § 70-4-114	"(b) A violation of this section is a Class C misdemeanor"	TN Code § 70-4-114
							<p>"(a) The owner of lands may destroy any wild animals, wild birds, or wild fowl when such wild animals, wild birds, or wild fowl are destroying property upon such lands. [...] (c) Motorists are not required to report game accidentally killed by the operation of a motor vehicle. Notwithstanding any other provision of the law to the contrary, wild animals accidentally killed by a motor vehicle may be possessed by any person for personal use and consumption [...] Nothing in this section authorizes possession of federally protected wildlife "</p>	TN Code § 70-4-115	"(d) A violation of this section is a Class C misdemeanor."	TN Code § 70-4-115
	<p>"Bait," as used in this section, means the intentional placement of grain or any mixture of any ingredients used as or for food purposes for the purpose of killing, injuring, or capturing doves. "Bait" does not include the broadcasting or sowing of grain or seed for normal agricultural purposes, the placement of salt pans or troughs for livestock, the practice of leaving or manipulating standing crops in a field, or other normal agricultural practices customarily practiced on the land."</p>	TN Code § 70-4-127					<p>"(a) It is a criminal offense to bait a field or other area. [...] (b) Any person who enters upon the lands of another to bait a field or other area commits criminal trespass, and, upon conviction, shall be punished in accordance with § 39-14-405."</p>	TN Code § 70-4-127	"(c) Any person who baits a field or other area or any person who assists, employs or directs another to do so commits a Class C misdemeanor."	TN Code § 70-4-127
							<p>"(a) It is an offense for any person to possess any fish or wildlife that has been defined as fish or wildlife by the state or country of origin knowing that the fish or wildlife was acquired, taken, or transported from the state or country of origin in violation of the laws or regulations of that state or country."</p>	TN Code § 70-4-131	"(b) A violation of subsection (a) is a Class A misdemeanor."	TN Code § 70-4-131
							<p>"(a) It is unlawful for any person, firm or corporation, any restaurant, club, or hotel in this state to barter, sell, transfer or offer for sale, or to purchase, or offer to purchase, any of the wildlife except as provided within this title or in rules and regulations promulgated by the commission."</p>	TN Code § 70-4-201	"(b) Each unlawful sale, purchase, offer for sale or purchase, transfer, or possession with the intent to sell, barter or transfer for any consideration of a wild animal or wild bird, wild fowl or game fish, or part thereof, is a separate offense. [...] (d) A violation of this section is a Class A misdemeanor; except that any violation of this section involving wildlife valued at five hundred dollars (\$500) or more is a Class E felony."	TN Code § 70-4-201
							<p>"Any person who makes any use of or has in possession any wild animals, wild animals' green hides, wild birds, wild fowl or fish or parts thereof that have been caught, taken, killed or destroyed contrary to any of this title shall be equally liable under this title for the penalties imposed against the person who caught, took, killed, or destroyed such wild animals, wild animals' green hides, wild birds, wild fowl or fish who was formerly in possession of same."</p>	TN Code § 70-4-202		



"(a) Any person who desires to take protected game or fish out of the state may do so under the following conditions, but not otherwise: (1) Such person must have in possession at the time of such taking out of the state, or at the time of transporting within the state, a hunting and fishing license, duly issued to such person under this title; and (2) Such person cannot take from the state more than two days' bag or creel limit on ducks or other migratory birds or protected game or fish.

[...] (d) It is unlawful for any person, company or common carrier to ship or transport any birds, game fish or animals as mentioned in this section, except as otherwise provided in this title, without having ascertained that the person offering the same for shipment was then and there in possession of a hunting and fishing license duly issued and covering the period when the shipment was offered, and without requiring such person to accompany the shipment."

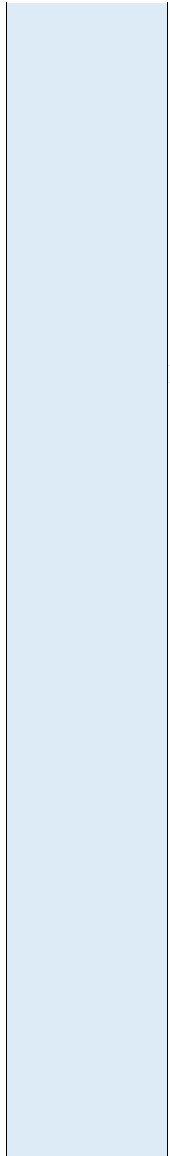
TN Code § 70-4-203 "(e) A violation of this section is a Class C misdemeanor." TN Code § 70-4-203

"Each wild animal, wild bird, wild fowl, or fish caught, taken, killed, captured, destroyed, shipped, offered or received for shipment, transported, bought, sold or bartered, or had in possession, and each trap, snare, net or other device used or attempted to be used in violation of this title constitutes a separate offense and, unless a specific penalty is otherwise provided, is punishable by a fine of not less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00) for each offense." TN Code § 70-6-102

"(b) The violation of any provisions of this title for which a penalty has not been expressly provided is a Class C misdemeanor, and in case of a corporation, every participating officer or agent, or both, of the corporation shall be guilty and punished as stated in this section." TN Code § 70-6-103

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?
Texas			"(a) All wild animals, fur-bearing animals, wild birds, and wild fowl inside the borders of this state are the property of the people of this state."	PWC 1-1-B-Sec. 1.011(a)	N/A	N/A					NO
			"(a) The director shall negotiate for the commission with the proper representatives of each state having a common border with Texas to allow reciprocal fishing and migratory waterfowl hunting on rivers and lakes on the common boundary between Texas and the border state. (b) An agreement must provide that a resident of the border state who has a sport fishing license or a hunting license issued by the border state may fish or hunt migratory waterfowl on rivers and lakes of the common border, and a Texas resident holding a Texas license is extended equal privileges. A person who holds a nonresident sport fishing license or a nonresident hunting license issued by this state or a border state may be extended the same privileges as those extended a resident license holder under this subsection."	PWC 5-A-Sec. 41.003							
			"(c) A permit issued for the taking of migratory birds is not valid unless the applicant has obtained a federal permit for the taking of migratory birds."	PWC 5-A-43.024					"(a) The department, on the approval of the director or commission, may authorize the filing and prosecution of a civil suit to enforce this subchapter or a rule adopted under this subchapter. (b) On finding of a violation of this subchapter or a rule adopted under this subchapter, a court may assess a civil penalty in addition to providing injunctive relief. The penalty may not exceed \$1,000 for each violation. Each day of violation is a separate offense. A civil suit filed under this subchapter is not a bar to any criminal or administrative action."	PWC 5-A-43.028	
			"(b) The department may issue permits for trapping, transporting, and transplanting game animals or game birds from the wild to allow adjustments in game populations for better wildlife management. The permits may be issued only if recommended by separate wildlife stocking plans approved by the department for both the origin and the destination of the game animals or game birds."	PWC 5-A-43.061			"(a) No person may capture, transport, or transplant any game animal or game bird from the wild in this state unless that person has obtained a permit to trap, transport, and transplant from the department. [...] (e) This section does not apply to any game animals or game birds that are possessed or propagated under a license or permit issued for that activity under another section of this code or to an activity conducted under a permit issued under Section 43.0611."	PWC 5-A-43.061	"A person who violates Section 43.022, a commission rule, or the conditions of a permit issued under this subchapter commits an offense that is a Class C Parks and Wildlife Code misdemeanor."	PWC 5-A-43.030	

<p>"In this subchapter: (1) "Private bird hunting area" means a tract of land on which the hunting or taking of pen-reared birds is authorized under this subchapter. [...] (5) "Pen-reared birds" means bobwhite quail, pheasant, pigeons, partridge, and mallard ducks propagated or acquired under Chapter 45 of this code."</p>	<p>PWC 5-A-43.071</p>	<p>" (a) Any person may apply to the department for a private bird hunting area license. (b) The application for a private bird hunting area license must be on a form supplied by the department and must include: [...] (4) the species of pen-reared birds to be hunted."</p>	<p>PWC 5-A-43.072</p>			<p>"(a) A licensee or a guest may take banded pen-reared birds on a licensed private bird hunting area during the private bird hunting area season."</p>	<p>PWC 5-A-43.0721</p>	<p>"(a) Except as provided by Subsection (b), a person who violates any provision of this subchapter or the terms of a permit issued under this subchapter commits an offense that is a Class B Parks and Wildlife Code misdemeanor. (b) A person commits an offense that is a Class C Parks and Wildlife Code misdemeanor if the person violates: (1) a rule relating to a reporting requirement for a permit issued under this subchapter; or (2) a term of a permit issued under this subchapter that relates to a reporting requirement."</p>	<p>PWC 5-A-43.062</p>	
		<p>"The commission may adopt regulations necessary to administer this subchapter, including any provision, limitation, or prohibition necessary to manage and protect game birds occurring naturally in the wild."</p>	<p>PWC 5-A-43.0762</p>					<p>"A person who violates any provision of this subchapter or a regulation of the commission under this subchapter commits an offense that is a Class C Parks and Wildlife Code misdemeanor."</p>	<p>PWC 5-A-43.077</p>	
		<p>"(a) A person who has evidence of damage by depredation or threat to public safety may file with the department an application for a permit to kill the protected wildlife."</p>	<p>PWC 5-A-43.153</p>							
		<p>" (a) On receipt of an application, the department may issue a permit for the killing of wildlife without regard to the closed season, bag limit, or means and methods"</p>	<p>PWC 5-A-43.154</p>			<p>"(d) No state permit is required to authorize a person to kill migratory birds protected by the Federal Migratory Bird Treaty Act if the person has obtained a permit authorizing that activity from the United States Department of the Interior or the United States Department of Agriculture."</p>	<p>PWC 5-A-43.154</p>	<p>"The department may cancel a permit if: (1) the permit does not accomplish its intended purposes; (2) the permit holder fails to submit a required report to the department; or (3) the permit holder intentionally made false claims on the application for the permit."</p>	<p>PWC 5-A-43.156</p>	
								<p>"(b) No permittee may dispose of a wildlife carcass killed under the permit or allow the wildlife to be disposed of except as allowed under Section 43.155 of this code. (c) No permittee may violate a term or condition of the permit. (d) Except as provided by Subsection (e), a person who violates this section commits an offense that is a Class B Parks and Wildlife Code misdemeanor. (e) A person who violates a reporting requirement adopted under this subchapter commits an offense that is a Class C Parks and Wildlife Code misdemeanor."</p>	<p>PWC 5-A-43.157</p>	
<p>". In this subchapter: (1) "Migratory game bird" means any bird listed in Section 64.021 and includes any other species of migratory bird that the commission by rule designates as a migratory game bird. (2) "Upland game bird" means any bird listed in Section 64.001, other than a bird that is also listed in Section 64.021, and includes any other species of upland game bird that the commission by rule designates as an upland game bird."</p>	<p>PWC 5-A-43.651</p>	<p>"The commission by rule may adopt requirements relating to possessing a stamp required by this subchapter. (b) The commission by rule may exempt a person or class of persons from the stamp requirement of this section."</p>	<p>PWC 5-A-43.652</p>			<p>" (a) Except as provided by Subsection (b), a person may not hunt a migratory or upland game bird in this state unless the person possesses the appropriate migratory or upland game bird stamp, as applicable, issued to the person by the department"</p>	<p>PWC 5-A-43.652</p>	<p>"A person hunting a migratory or upland game bird who refuses on demand of any game warden or other peace officer to show the applicable stamp, or proof that the person is exempt under Section 43.652(b), is presumed to be in violation of Section 43.652."</p>	<p>PWC 5-A-43.660</p>	



"In this chapter: [...] (3)
"Falconry" means the practice of trapping, possessing, training, or flying a raptor for hunting purposes and includes the act of hunting by the use of a trained raptor."

PWC 5-A-49.001

". As provided by Chapter 41, the department may negotiate a reciprocal agreement with a state that shares a common boundary with this state if the neighboring state has a similar migratory game bird stamp requirement and fee. The reciprocal agreement may permit a resident of the state with which the reciprocal agreement is made to hunt a migratory game bird in this state without a stamp issued under this subchapter if the person possesses a stamp issued by the other state."

PWC 5-A-43.661

"All raptors captured, taken, or held in this state remain the property of the people of the state except as provided in this chapter."

PWC 5-A-49.012

"The department may:
(1) prescribe rules for the taking, capture, possession, propagation, transportation, export, import, and sale of raptors, time and area from which raptors may be taken or captured, and species that may be taken or captured;
(2) provide standards for possessing and housing raptors held under a permit;
(3) prescribe annual reporting requirements and procedures;"

PWC 5-A-49.014

"(a) Except as provided in Subsection (b), no person may take, capture, or possess, or attempt to take or capture, any native raptors unless the person has obtained a permit issued by the department.
(b) A nonresident may temporarily possess in this state or transport through this state any raptor if the person is authorized by state and federal permits to possess the raptor in the person's state of residence or has been issued a permit under Chapter 43."

PWC 5-A-49.002

"(a) Except as permitted in Subsections (b) and (c), no person may buy, sell, barter, or exchange, or offer to buy, sell, barter, or exchange, a raptor in this state.
(b) The holder of a falconer's permit may transfer a raptor to another holder of a falconer's permit or receive a raptor from another holder of a falconer's permit.
(c) A holder of a falconer's permit who qualifies as prescribed by commission rule may purchase raptors from any legal source and may sell captive-bred raptors to any person permitted to purchase captive-bred raptors."

PWC 5-A-49.011

" (a) Except as provided in Subsection (b), no person may hunt any wild bird or wild animal, other than an alligator, frog, or turtle, from any type of aircraft or airborne device, motor vehicle, powerboat, or sailboat, or from any other floating device.
(b) Animals and birds not classified as migratory may be hunted from a motor vehicle, powerboat, or sailboat, or from any other floating device within the boundaries of private property or upon private water by a person who is legally on the property or water for the purpose of hunting if no attempt is made to hunt any wild bird or wild animal on any part of the road system of this state"

PWC 5-B-62.003

"(a) No person may kill or take more than the daily, weekly, or seasonal bag limits for game birds or animals as set out in this code.
(b) No person may hunt any game bird or animal at any time of the year other than during the open season provided by this code.
(c) No person may kill, take, capture, wound, or shoot at any game bird or animal for which no open season is set out by this code.
(d) No person may possess an illegally killed game bird or animal"

PWC 5-B-62.010

"A person who violates Section 43.652 commits an offense that is a Class C Parks and Wildlife Code misdemeanor."

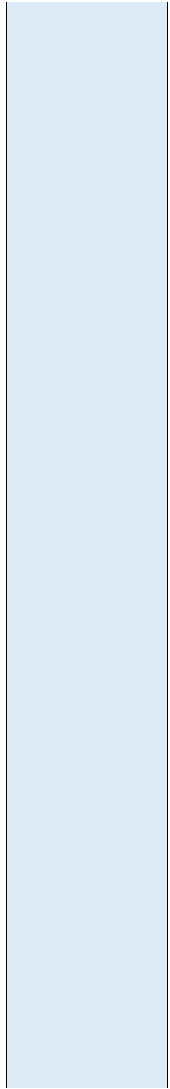
PWC 5-A-43.665

"A person who violates a provision of this chapter commits an offense that is a Class C Parks and Wildlife Code misdemeanor."

PWC 5-A-49.017

"Except as provided in Subchapter B of this chapter, possession of a wild game bird, wild game animal, or other species of protected wildlife, whether dead or alive, during a time when the hunting of the animal, bird, or species is prohibited is prima facie evidence of the guilt of the person in possession."

PWC 5-B-62.008



"(e) The department may prescribe reasonable rules and regulations for the importation of wild game birds, wild game animals, and other protected species of wildlife, and the number of each species that may be imported during a calendar week under this section." PWC 5-B-62.026

" (a) Except as provided by Subsection (c), no person may sell, offer for sale, purchase, offer to purchase, or possess after purchase a wild bird, game bird, or game animal, dead or alive, or part of the bird or animal.
 (b) This section applies only to a bird or animal protected by this code without regard to whether the bird or animal is taken or killed in this state.
 (c) This section does not prohibit the sale of: (1) a live game animal, a dead or live game bird, or the feathers of a game bird if the sale is conducted under authority of a license or permit issued under this code; or (2) the following inedible parts: (A) an inedible part, including the feathers, bones, or feet, of a game bird other than a migratory game bird that was lawfully taken or is lawfully possessed; [...] (C) the feathers of a migratory game bird in accordance with federal law." PWC 5-B-62.021

" (a) If the owner of a lawfully taken game animal or game bird, including the head or hide of a lawfully taken game animal or game bird that has been mounted or tanned, has not claimed the mounted game animal, game bird, or head or the tanned hide within 90 days after notification by a taxidermist or tanner, the taxidermist or tanner may sell the mounted game animal, game bird other than a migratory game bird, or head or tanned hide for the amount due for labor performed." PWC 5-B-62.023

"No person may bring into this state any bird or animal protected by this code during the closed season for that bird or animal except as provided by this code." PWC 5-B-62.024

" No person may bring into this state a bird or animal protected by this code for sale, barter, exchange, or shipment for sale during the open season for that bird or animal except as provided in Section 62.026 of this code." PWC 5-B-62.025

" (a) It is lawful to ship or bring any wild game birds, wild game animals, or other protected species of wildlife from the Republic of Mexico into this state at any season if the person importing the wildlife has obtained: [...] (2) a statement from the United States Customs Officer at the port of entry showing that the wildlife was brought from the Republic of Mexico." PWC 5-B-62.026

"(a) A person may transport or ship to and from a taxidermist or tannery for mounting or preserving purposes or to his home, a specimen or part of a specimen of a wild bird or wild animal of this state, if the bird or animal was lawfully taken by the person, and if the specimen is not for sale.
 (b) This section does not prohibit the transportation of a specimen and parts of a specimen as permitted under Sections 62.021 and 62.022 of this code" PWC 5-B-62.025

"Wild turkey, wild ducks of all varieties, wild geese of all varieties, wild brant, wild grouse, wild prairie chickens, wild pheasants of all varieties, wild partridge, wild bobwhite quail, wild scaled quail, wild Mearn's quail, wild Gambel's quail, wild red-billed pigeons, wild band-tailed pigeons, wild mourning doves, wild white-winged doves, wild white-fronted doves, wild snipe of all varieties, wild shore birds of all varieties, chachalacas, wild plover of all varieties, and wild sandhill cranes are game birds."

PWC 5-B-64.001

"In this subchapter: (1) "Migratory game bird" means wild ducks of all species, wild geese and wild brant of all species, wild coot, wild rail, wild gallinules, wild plovers, Wilson's snipe or jack snipe, woodcock, mourning doves, white-winged doves, white-fronted doves, red-billed pigeons, band-tailed pigeons, shore birds of all varieties, and sandhill cranes."

PWC 5-B-64.021

"The commission shall provide the open season and means, methods, and devices for the hunting and possessing of migratory game birds and may delegate that authority to the executive director."

PWC 5-B-64.022

"An open season may be provided only for the length of time justified by the supply of the species of migratory game bird affected in this state or in the zone or section of this state where the open season applies."

PWC 5-B-64.023

"(a) The department shall conduct investigations prior to the issuance of regulations on an open season for a migratory game bird. The regulation may be issued if the supply of the migratory game bird is sufficient.
(b) The commission may adopt an emergency regulation governing the hunting or possession of migratory game birds if the commission finds that an emergency condition affecting the supply or condition of migratory game birds exists."

PWC 5-B-64.024

"(a) Except as provided by this code, no person may:

- (1) catch, kill, injure, pursue, or possess, dead or alive, or purchase, sell, expose for sale, transport, ship, or receive or deliver for transportation, a bird that is not a game bird;
- (2) possess any part of the plumage, skin, or body of a bird that is not a game bird; or
- (3) disturb or destroy the eggs, nest, or young of a bird that is not a game bird.

(b) European starlings, English sparrows, and feral rock doves (*Columba livia*) may be killed at any time in any manner and their nests or eggs may be destroyed, and such conduct does not constitute an offense under Chapter 42, Penal Code.

(c) A permit is not required to control yellow-headed, red-winged, rusty, or Brewer's blackbirds or all grackles, cowbirds, crows, or magpies when found committing or about to commit depredations on ornamental or shade trees, agricultural crops, livestock, or wildlife, or when concentrated in numbers and in a manner that constitutes a health hazard or other nuisance.

(d) Canaries, parrots, and other exotic nongame birds may be sold, purchased, and kept as domestic pets."

PWC 5-B-64.002

"No person may destroy or take the nest, eggs, or young of any wild game bird, wild bird, or wild fowl protected by this code except as provided in this code."

PWC 5-B-64.003

"No person may set a trap, net, or other device for taking game birds or take or snare a game bird by a device without obtaining a permit from the department."

PWC 5-B-64.004

"No person may possess a live game bird in this state except as authorized by this code."

PWC 5-B-64.007

"No person may hunt, trap, or kill a golden eagle or Mexican brown eagle without first having obtained a permit from the department as provided by Subchapter H, Chapter 43, of this code"

PWC 5-B-64.011

"A person who violates a provision of this subchapter commits an offense that is a Class C Parks and Wildlife Code misdemeanor."

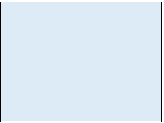
PWC 5-B-64.005

"No person may hunt or possess a migratory game bird by any means or method except as provided by regulation issued under this code."

PWC 5-B-64.026

"A person who violates a provision of this subchapter or a regulation of the department adopted under this subchapter commits an offense that is a Class C Parks and Wildlife Code misdemeanor."

PWC 5-B-64.027



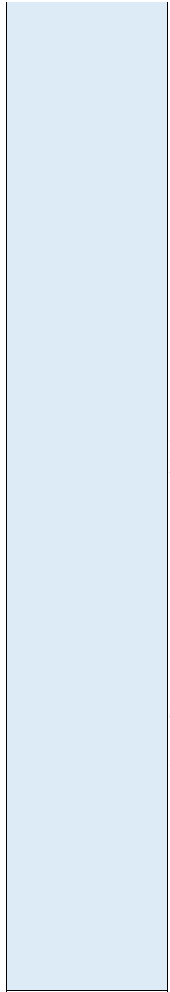
"A party affected by and dissatisfied with a regulation issued under this subchapter may file suit against the department to test the validity of the regulation in a court of competent jurisdiction in Travis County."

PWC 5-B-64.025

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?
Utah			"Whenever pheasants are damaging cultivated crops on cleared and planted land, the owner of such crops shall immediately upon discovery of such damage notify the Division of Wildlife Resources. This notice shall be made both orally and in writing. Upon being notified of such damage, the Division of Wildlife Resources shall, as far as possible, control such damage."	UT Code § 23-17-4	N/A	N/A	"It is unlawful for any person to hold in captivity at any time any protected wildlife except as provided by this code or rules and regulations of the Wildlife Board."	UT Code § 23-13-4	"Except as otherwise provided in this title: (1) a violation of any provision of this title is a class B misdemeanor; and (2) a violation of any rule or proclamation of the Wildlife Board is an infraction."	UT Code § 23-13-11	Yes
			"The Wildlife Board may authorize the practice of falconry within the state of Utah and the capturing and keeping in possession of birds to be used in the practice of falconry under rules and regulations specified by it."	UT Code § 23-17-7			"It is unlawful for any person to import into or export from the state of Utah any species of live native or exotic wildlife or to possess or release from captivity any such imported live wildlife except as provided in this code or the rules and regulations of the Wildlife Board without first securing written permission from the division of Wildlife Resources."	UT Code § 23-13-5			
			"The Wildlife Board may authorize the use of protected wildlife or privately owned wildlife for the training of dogs within the state of Utah under rules and regulations it may promulgate."	UT Code § 23-17-9			"It shall be unlawful for any person to utilize wildlife as a commercial venture for financial gain except as provided in this code or under rules and regulations of the Wildlife Board."	UT Code § 23-13-13			
			"The division may issue, as supplements to appropriate licenses and permits, special tags for protected wildlife, as determined by the Wildlife Board."	UT Code § 23-19-3			"(1) A resident 12 years of age or older, upon application to the division, may obtain a certificate of registration to hold falcons [...]"	UT Code § 23-19-34.5			
	(48) "Take" means to: (a) hunt, pursue, harass, catch, capture, possess, angle, seine, trap, or kill any protected wildlife; or (b) attempt any action referred to in Subsection (48)(a).	UT Code § 23-13-2					proclamation, or order of the Wildlife Board, a person may not: (a) take protected wildlife or its parts; (b) collect, import, possess, transport, propagate, store, donate, transfer, or export protected wildlife or its parts; (c) take, possess, sell, purchase, barter, donate, or trade protected wildlife or its parts without having previously procured the necessary licenses, permits, tags, stamps, certificates of registration, authorizations, and receipts required in this title or a rule, proclamation, or order of the Wildlife Board; (d) take protected wildlife with any weapon, ammunition, implement, tool, device, or any part of any of these not specifically authorized in this title or a rule, proclamation, or order of the Wildlife Board; (e) possess while in pursuit of protected wildlife any weapon, ammunition, implement, tool, device, or any part of any of these not specifically authorized in this title or a rule, proclamation, or order of the Wildlife Board; (f) take protected wildlife using any method, means, process, or practice not specifically authorized in this title or a rule, proclamation, or order of the Wildlife Board; (g) take protected wildlife outside the season	UT Code § 23-20-3	"(2) Possession of protected wildlife without a valid license, permit, tag, certificate of registration, bill of sale, or invoice is prima facie evidence that the protected wildlife was illegally taken and is illegally held in possession. (3) A person is guilty of a class B misdemeanor if the person: (a) violates any provision of Subsection (1); and (b) does so with criminal negligence as defined in Subsection 76-2-103(4)."	UT Code § 23-20-3	
							"(1) A person may not take or permit his dog to take, while in violation of Subsection 23-20-14(2): (a) protected wildlife or their parts; (b) an occupied nest of protected wildlife; or (c) an egg of protected wildlife."	UT Code § 23-20-3.5	"(2) A person is guilty of a class B misdemeanor if he or she violates any provision of Subsection (1)."	UT Code § 23-20-3.5	

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?
Vermont	part, unless otherwise provided, shall be construed to mean as follows: [...] (9) Game: game birds or game quadrupeds, or both. (10) Game birds: quail, partridge, woodcock, pheasant, plover of any kind, Wilson snipe, other shore birds, rail, coot, gallinule, wild ducks, wild geese, and wild turkey. [...] (23) Take and taking: pursuing, shooting, hunting, killing, capturing, trapping, snaring, and netting fish, birds, and quadrupeds and all lesser acts, such as disturbing, harrying or worrying, or wounding or placing, setting, drawing, or using any net or other device commonly used to take fish or wild animals, whether they result in the taking or not; and shall include every attempt to take and every act of assistance to every other person in taking or attempting to take fish or wild animals, provided that when taking is allowed by law,	10 V.S.A. § 4001	subdivision (2) of this subsection, the Board annually may adopt rules relating to the management of migratory game birds, and shall follow the procedures for rulemaking contained in 3 V.S.A. chapter 25. For each such rule, the Board shall conduct a hearing but, when necessary, may schedule the hearing for a day before the terms of the rule are expected to be determined. (2) Beginning with the 2015 hunting season, the Board may set by procedure the daily bag and possession limits of migratory game birds that may be harvested in each Waterfowl Hunting Zone annually without following the procedures for rulemaking contained in 3 V.S.A. chapter 25. The annual daily bag and possession limits of migratory game birds shall be consistent with federal requirements. Prior to setting the migratory game bird daily bag and possession limits, the Board shall provide a period of not less than 30 days of public notice and shall conduct at least two public informational hearings. "	10 V.S.A. § 4082					"The final migratory game bird daily bag and possession limits shall be enforceable by the Department under its enforcement authority in part 4 of this title."		NO
			"(a) The Commissioner may issue permits to a properly accredited person or educational institution permitting the holder thereof to collect birds, their nests and eggs, and fish and wild animals or parts thereof, for public scientific research or educational purposes of the institution. (b) The Commissioner may issue a permit to an individual that allows the holder to collect fish and wild animals for the purpose of using them as subjects of art or photography. (c) The Commissioner may issue a permit to a person that allows the holder to collect and possess a dead salvage bird or bird feathers for noncommercial cultural or ceremonial purposes provided that the bird was legally acquired, transferred from an individual who acquired it legally, or found dead, and the permittee had no part in the intentional killing of the bird. A permit issued under this section shall comply with federal requirements regarding collection and possession of migratory birds."	10 V.S.A. § 4152							
	"(a) Definitions. As used in this section: (1) "Migratory waterfowl" means all waterfowl species in the family anatidae including wild ducks, geese, brant, and swans."	10 V.S.A. § 4277					"(b) Waterfowl stamp required. No person 16 years of age or older shall attempt to take or take any migratory waterfowl in this State without first obtaining a State migratory waterfowl stamp for the current year in addition to a regular hunting license as provided by section 4251 of this title. "	10 V.S.A. § 4277			

<p>"(a) In this section, "raptor" means species of the orders Strigiformes, Falconiformes, and Accipitriformes."</p>	<p>10 V.S.A. § 4278</p>	<p>"The Commissioner may issue a State falconry license."</p>	<p>10 V.S.A. § 4278</p>			<p>"(b)(1) A Vermont resident may obtain, sell, transport, possess, and train raptor species allowable under State and federal laws and regulations for hunting, provided the person has first obtained a State falconry license from the Commissioner."</p>	<p>10 V.S.A. § 4278</p>	<p>"(d) The Commissioner may revoke a falconry license and seize raptors held under that license if the Commissioner finds that the licensee: (1) failed to properly and humanely care for the raptors held under the license; (2) allowed raptors held under the license to become a public nuisance; or (3) failed to comply with any of the terms or conditions of the falconry license."</p>	<p>10 V.S.A. § 4278</p>	
						<p>"(a) When legally taken, the flesh of a fish or wild animal may be possessed for food for a reasonable time thereafter and such flesh may be transported and stored in a public cold storage plant. Nothing in this section shall authorize the possession of game birds or carcasses or parts thereof contrary to regulations made pursuant to the Migratory Bird Treaty Act."</p>	<p>10 V.S.A. § 4514</p>	<p>"(b) Any person convicted of illegally taking, destroying, or possessing wild animals or threatened or endangered species shall, in addition to other penalties provided under this chapter, pay restitution in the following amounts into the Fish and Wildlife Fund for each animal taken, destroyed, or possessed: [...] (3) Small game [...] no more than \$500.00 and no less than \$50.00 each"</p>	<p>10 V.S.A. § 4514</p>	
						<p>"(a) A person shall not bring into the State or possess any live wild bird or animal of any kind, unless, upon application in writing therefor, the person obtains from the Commissioner a permit to do so. "</p>	<p>10 V.S.A. § 4709</p>			
						<p>"Wild birds, other than pigeons, shall not be taken, possessed, bought, or sold, at any time, except as provided by this part, rules of the Board or orders of the Commissioner. Birds coming from without the State belonging to the same family as those protected by this subchapter shall not be bought or sold."(a) A person shall not bring into the State or possess any live wild bird or animal of any kind, unless, upon application in writing therefor, the person obtains from the Commissioner a permit to do so. "</p>	<p>10 V.S.A. § 4902</p>			
						<p>"A person shall not take a bird with the aid of a jack or other light. A person shall not take a wild bird by trapping, netting, or snaring, or possess such a bird so taken, or set, place, or use, where birds may be taken, a net, trap, or snare for taking birds."</p>	<p>10 V.S.A. § 4904</p>			
						<p>"A person shall not take or wilfully destroy the nests or eggs of wild birds, other than pigeons, the English sparrow, starling, or purple grackle, except when necessary to protect buildings or when taken as provided in section 4152 of this title. "</p>	<p>10 V.S.A. § 4905</p>			
						<p>"Game birds of the species listed in column one of the Table set forth below may be taken during the period specified in column two in the number specified in column three, and may be possessed only in the numbers specified in column three as "possession limits." [...] (a) Migratory game birds, all species [...] In accordance with Federal regulations"</p>	<p>10 App. V.S.A. § 21</p>			

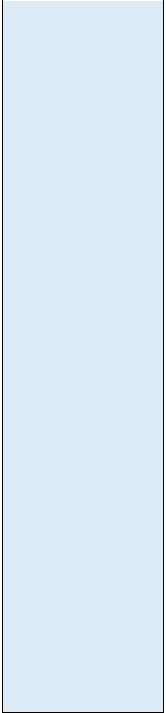


<p>"(1) "Migratory game birds" means those migratory birds included in the terms of conventions between the United States and any foreign country for the protection of migratory birds, for which open seasons are prescribed in this section and belong to the following families:</p>	<p>10 App. V.S.A. § 23(c)(1).</p>	<p>subdivision (2) of this subsection, the Board annually may adopt rules relating to the management of migratory game birds, and shall follow the procedures for rulemaking contained in 3 V.S.A. chapter 25. For each such rule, the Board shall conduct a hearing but, when necessary, may schedule the hearing for a day before the terms of the rule are expected to be determined." (2) Beginning with the 2015 hunting season, the Board may set by procedure the daily bag and possession limits of migratory game birds that may be harvested in each Waterfowl Hunting Zone annually without following the procedures for rulemaking contained in 3 V.S.A. chapter 25. The annual daily bag and possession limits of migratory game birds shall be consistent with federal requirements. Prior to setting the migratory game bird daily bag and possession limits, the Board shall provide a period of not less than 30 days of public notice and shall conduct at least two public informational</p>	<p>10 V.S.A. § 4082(b)(1)-(2).</p>	<p>N/A</p>	<p>N/A</p>	<p>"This rule is adopted pursuant to 10 V.S.A. § 4278. In adopting this rule, the Commissioner establishes specific requirements for ensuring that holders of falconry permits are qualified and that the birds they possess are legally acquired and appropriately cared for. This regulation defines required raptor housing facilities and falconry equipment, legal means of taking, lawful species, ages and numbers of raptors that may be taken and possessed, banding requirements, and other restrictions on the practice of falconry. [...] (2) The permittee may use traps, nets and other legal methods of raptor capture that do not cause injury or lethal stress. It is illegal to use steel-jawed traps, gins, pole traps or jump traps."</p> <p>10 App. V.S.A. § 11</p>	<p>"The Commissioner may issue a permit to a person that allows the holder to collect and possess a dead salvage bird or bird feathers for noncommercial cultural or ceremonial purposes provided that the bird was legally acquired, transferred from an individual who acquired it legally, or found dead, and the permittee had no part in the intentional killing of the bird. A permit issued under this section shall comply with federal requirements regarding collection and possession of migratory birds. (Added 1961, No. 11 § 1, eff. May 9, 1961; amended 1987, No. 171 (Adj. Sess.); 1991, No. 230 (Adj. Sess.), § 30; 2013, No. 116 (Adj. Sess.), § 11.)"</p> <p>10 V.S.A. § 4152(c).</p> <p>N/A</p>	<p>N/A</p>
<p>(i) Anatidae (ducks, geese, brant, and swans); (ii) Columbidae (doves and pigeons); (iii) Gruidae (little brown cranes); (iv) Rallidae (rails, coots, and gallinules); and (v) Scolopacidae (woodcock and snipe)."</p>	<p>10 App. V.S.A. § 23(c)(1).</p>	<p>subdivision (2) of this subsection, the Board annually may adopt rules relating to the management of migratory game birds, and shall follow the procedures for rulemaking contained in 3 V.S.A. chapter 25. For each such rule, the Board shall conduct a hearing but, when necessary, may schedule the hearing for a day before the terms of the rule are expected to be determined." (2) Beginning with the 2015 hunting season, the Board may set by procedure the daily bag and possession limits of migratory game birds that may be harvested in each Waterfowl Hunting Zone annually without following the procedures for rulemaking contained in 3 V.S.A. chapter 25. The annual daily bag and possession limits of migratory game birds shall be consistent with federal requirements. Prior to setting the migratory game bird daily bag and possession limits, the Board shall provide a period of not less than 30 days of public notice and shall conduct at least two public informational</p>	<p>10 V.S.A. § 4082(b)(1)-(2).</p>	<p>N/A</p>	<p>N/A</p>	<p>(d) Hunting Methods. Migratory birds on which open seasons are prescribed in this section may be taken by any method except those prohibited in this section. No person shall take migratory game birds [in the following listed manners]..."</p> <p>10 App. V.S.A. § 23(d).</p>	<p>"Violation of federal law. No person shall at any time, by any means or in any manner, take, possess, transport, or export any migratory bird, or any part, nest, or egg of any such bird, in violation of any act of Congress or any regulation issued pursuant thereto."</p> <p>10 App. V.S.A. § 23(ff).</p>	<p>N/A</p>

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?
Virginia	<p>"As used in and for the purposes of this title only, or in any of the regulations of the Board, unless the context clearly requires a different meaning: [...] "Game" means wild animals and wild birds that are commonly hunted for sport or food." [...] "Migratory game birds" means doves, ducks, brant, geese, swan, coot, gallinules, sora and other rails, snipe, woodcock and other species of birds on which open hunting seasons are set by federal regulations. [...]</p> <p>"Nonmigratory game birds" means grouse, bobwhite quail, turkey and all species of birds introduced into the Commonwealth by the Board."</p>	VA Code § 29.1-100					<p>"No person shall hunt, trap, or fish without having obtained a license when such a license is required. For the purposes of this article, the term "license" shall include any temporary license issued by a clerk or agent to a buyer and authorized to be used in a manner prescribed by the Director."</p>	VA Code § 29.1-335	<p>"Any person who violates this section shall be guilty of a Class 3 misdemeanor and shall pay to the clerk a fee equal to the cost of the required license to be paid into the state treasury and credited to the game protection fund."</p>	VA Code § 29.1-335	YES
	<p>"F. For purposes of this section: "Migratory waterfowl" means those migratory birds belonging to the Family Anatidae (ducks, geese, brant, and swans) for which open hunting seasons are established by federal regulations."</p>	VA Code § 29.1-339.2					<p>"A. No person shall hunt or take any migratory waterfowl within the Commonwealth without first obtaining a Virginia Migratory Waterfowl Conservation Stamp. Every person who is issued the Stamp shall carry it on his person when hunting or taking any migratory waterfowl. Each Stamp shall be validated by the signature of the licensee written across the face of such stamp. The Stamp shall be designed and produced in accordance with Department policy and shall be valid from July 1 of each year or their later date of purchase, to June 30 of the following year, unless sooner revoked. Unless otherwise provided in this chapter, any person who is exempt from hunting license requirements shall also be exempt from the requirements imposed by this section. Any person who is under the age of 16 years shall be exempt from the requirements of this section."</p>	VA Code § 29.1-339.2	<p>"Unless otherwise specified, any person who violates any of the provisions of this article shall be guilty of a Class 2 misdemeanor."</p>	VA Code § 29.1-351.1	
	<p>"Nuisance species" means blackbirds, coyotes, crows, cowbirds, feral swine, grackles, English sparrows, starlings, or those species designated as such by regulations of the Board, and those species found committing or about to commit depredation upon ornamental or shade trees, agricultural crops, wildlife, livestock or other property or when concentrated in numbers and manners as to constitute a health hazard or other nuisance. However, the term nuisance does not include (i) animals designated as endangered or threatened pursuant to §§ 29.1-563, 29.1-564, and 29.1-566, (ii) animals classified as game or fur-bearing animals, and (iii) those species protected by state or federal law."</p>	VA Code § 29.1-100					<p>"It shall be unlawful to hunt migratory waterfowl on the public waters and shores east of Interstate Route 95 in the Commonwealth from unlicensed stationary or floating blinds."</p>	VA Code § 29.1-340			

								"The provisions of this article shall not apply to the shores and public waters and marshes of Accomack and Northampton Counties. However, in those localities no person shall hunt migratory waterfowl, whether from a blind or otherwise, without having obtained a season license to hunt."	VA Code § 29.1-350		
			"The fee for a permit to stuff or mount birds, animals, fish or parts thereof, for compensation or for sale shall be forty dollars per year. The Board may promulgate regulations pertaining to the sale of unclaimed or mounted specimens or parts thereof."	VA Code § 29.1-415				"It shall be unlawful to exercise any privilege of the permits provided in this article without first having obtained the required permit."	VA Code § 29.1-412	"Any person who violates any provision of this article shall be guilty of a Class 4 misdemeanor, and the permit shall be revoked."	VA Code § 29.1-412
			"A. The fee for a permit to capture, hold, propagate, and dispose of wildlife for purposes authorized by the Board shall be an amount sufficient to defray the costs of processing the permit and administering the permitted activity. [...] C. The Board shall establish standards for the possession and display of wildlife by elementary or secondary school teachers for educational purposes. [...] The Board's standards may include species permitted to be possessed and displayed, caging and enclosure requirements, prohibitions on release of wildlife, and notification requirements in the case of wildlife sickness or escape."	VA Code § 29.1-417				"The fee for a permit to collect specimens of fish, wild birds, wild animals and amphibians, in limited quantity, for scientific or museum purposes shall be established pursuant to § 29.1-417. Such permits may be issued to collect a certain number of specimens of one or more designated species when the collection is shown to be an essential part of a specific research project."	VA Code § 29.1-418		
			"Notwithstanding any other provision of law, the Director may: 1. Permit the taking, trapping, holding, transportation, carriage and shipment of live falcons, hawks and owls. The initial fee or the fee for nonconsecutive years for this permit shall be \$50. The fee for subsequent consecutive years shall be \$20 per year. 2. Authorize the use of falcons, hawks and owls to hunt and take all species of wild birds and wild animals. However, the hunting of migratory game birds shall be in accordance with § 29.1-515, and appropriate hunting licenses shall be required as provided in Chapter 3 (§ 29.1-300 et seq.) of this title."	VA Code § 29.1-419							
	"For the purpose of the hunting and trapping laws of the Commonwealth, [...] small game shall include other game animals and all game birds."	VA Code § 29.1-510	"Migratory game birds may be hunted in accordance with regulations of the Board. Board regulations shall conform to the regulations of the United States government insofar as open seasons and bag limits are concerned."	VA Code § 29.1-515		"There shall be a continuous open season for killing nuisance species of wild birds and wild animals as defined in § 29.1-100."	VA Code § 29.1-511			"It shall be a misdemeanor to violate any regulation promulgated pursuant to this title. Any person violating such a regulation shall be guilty of a Class 3 misdemeanor unless another penalty is specified."	VA Code § 29.1-505

						<p>1. To hunt or kill any wild bird or wild animal, including any nuisance species, with a gun, firearm, or other weapon, or to hunt or kill any deer or bear with a gun, firearm, or other weapon with the aid or assistance of dogs, on Sunday. The provision of this subdivision that prohibits the hunting or killing of any wild bird or wild animal, including nuisance species, on Sunday shall not apply to (i) any person who hunts or kills raccoons, which may be hunted until 2:00 a.m. on Sunday mornings; (ii) any person who hunts or kills birds in the family Rallidae or waterfowl, subject to geographical limitations established by the Director and except within 200 yards of a place of worship or any accessory structure thereof; or (iii) any landowner or member of his family or any person with written permission from the landowner who hunts or kills any wild bird or wild animal, including any nuisance species, on the landowner's property, except within 200 yards of a place of worship or any accessory structure thereof. However, a person lawfully carrying a gun, firearm, or other weapon on Sunday in an area that could be used for hunting shall not be presumed to be hunting on Sunday, absent evidence to the contrary.</p> <p>2. To destroy or molest the nest, eggs, dens, or young of any wild bird or wild animal, except</p>	<p>VA Code § 29.1-521</p>	<p>"D. A violation of subdivisions A 1 through 10 shall be punishable as a Class 3 misdemeanor."</p>	<p>VA Code § 29.1-521</p>
			<p>"Upon notice to the Department, any locality may prohibit by ordinance the feeding of migratory and nonmigratory waterfowl in any subdivision or other area of such locality which, in the opinion of the governing body, is so heavily populated as to make the feeding of such waterfowl a threat to public health or the environment. The terms "migratory" and "nonmigratory" waterfowl shall include those waterfowl defined as such in a listing as provided by the Department. The Department shall make available to localities a model ordinance suggested for use by localities. The locality shall post the appropriate signage that designates an area where the ordinance is applicable and shall be solely responsible for enforcement of the ordinance. A locality shall not enact such an ordinance on lands within a national or state park or forest, or wildlife management area."</p>			<p>"When taken in accordance with the provisions of this title, wild birds, wild animals or fish may be transported as follows:</p> <p>1. By any person properly licensed, for lawful use in or out of the county or city where taken to another county or city in the Commonwealth or to another state during the open season in the county or city where taken.</p> <p>2. By any properly licensed person via freight, express, parcel post or airplane mail, as a gift and not for market or sale, and so stating on the shipping tag. The wild bird, wild animal or fish may be transported in or out of the county or city where taken to another county or city in this Commonwealth, or to another state, during the open season in the county or city where taken. Any package in which birds, animals or fish are transported shall have the name and address of the shipper and consignee and a statement of the numbers and kinds of birds, animals or fish being transported clearly and conspicuously marked on the outside of the container.</p> <p>Any such birds, animals or fish in transit during the open season may continue in transit, not to exceed five days, in order to reach their destination."</p>	<p>VA Code § 29.1-527.1</p>	<p>"The penalty for violating such an ordinance shall be a civil fine not to exceed \$50."</p>	<p>VA Code § 29.1-527.1</p>
								<p>"Any person convicted of violating any of the provisions of this title shall, unless otherwise specified, be guilty of a Class 2 misdemeanor."</p>	<p>VA Code § 29.1-546</p>
								<p>"Notwithstanding the provisions of §§ 29.1-546 and 29.1-553, any person convicted of trapping or attempting to trap any migratory game bird, as defined in § 29.1-100, or convicted of possessing any such migratory game bird taken by means of a trap, shall be guilty of a Class 1 misdemeanor. Any person convicted of offering for sale, selling, offering to purchase, or purchasing any migratory game bird shall be subject to penalties as provided in § 29.1-553."</p>	<p>VA Code § 29.1-547</p>



"It shall be unlawful for any person to (i) take, or attempt to take, any wild bird, wild animal or fish during the closed season, (ii) exceed the bag or creel limit for any wild bird, wild animal or fish, or (iii) possess over the daily bag or creel limit for any wild bird, wild animals or fish while in the forests, fields or waters of the Commonwealth."

VA Code § 29.1-550

"Any person convicted of violating any provisions of this section shall be guilty of a Class 2 misdemeanor."

VA Code § 29.1-550

"The judge or court, upon convicting any person of a violation of §§ 29.1-523, 29.1-525.1, 29.1-530.2, 29.1-548, 29.1-550 or § 29.1-552 shall, in addition to imposition of the punishment prescribed in those sections, ascertain the approximate replacement value of animals, birds or fish taken in violation of those sections and shall assess the value against the person convicted. The assessment shall be paid by the person so convicted within the time prescribed in the judgment of the judge or court, not exceeding sixty days, and the collecting officer shall forward such payments to the Board for payment into the state treasury."

VA Code § 29.1-551

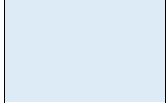
"A. Any person who offers for sale, sells, offers to purchase, or purchases any wild bird or wild animal, or any part thereof, or any freshwater fish, except as provided by law, shall be guilty of a Class 1 misdemeanor. However, when the aggregate of such sales or purchases or any combination thereof, by any person totals \$200 or more during any 90-day period, that person shall be guilty of a Class 6 felony."

VA Code § 29.1-553

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?
Washington	"The definitions in this section apply throughout this title or rules adopted under this title unless the context clearly requires otherwise. [...] (30) "Game birds" means wild birds that shall not be hunted except as authorized by the commission. [...] (62) "To take" and its derivatives means to kill, injure, harvest, or capture a fish, shellfish, wild animal, bird, or seaweed. [...] (72) "Wild birds" means those species of the class Aves whose members exist in Washington in a wild state."	WA Rev Code § 77.08.010	"(3) The commission may classify by rule wild birds as game birds or predatory birds. All wild birds not otherwise classified are protected wildlife."	WA Rev Code § 77.12.020	"The department shall cooperate with other local, state, and federal agencies and governments to protect bald eagles and their essential habitats through existing governmental programs."	WA Rev Code § 77.12.650	"The director, acting in a manner not inconsistent with criteria established by the commission, may obtain by purchase, gift, or exchange and may sell or transfer wildlife and their eggs for stocking, research, or propagation."	WA Rev Code § 77.12.140			INDETERMINATE (depends on definition of "waste")
	"As used in this title or rules adopted pursuant to this title: (1) "Migratory waterfowl" means members of the family Anatidae, including brants, ducks, geese, and swans; (2) "Migratory bird" means migratory waterfowl and coots, snipe, doves, and band-tailed pigeon; (3) "Migratory bird permit" means the permit that is required by RCW 77.32.350 to be in the possession of all persons to hunt migratory birds;"	WA Rev Code § 77.08.045	"(1) The department may authorize the removal or killing of wildlife that is destroying or injuring property, or when it is necessary for wildlife management or research."	WA Rev Code § 77.12.240			"A licensed game farmer may purchase, sell, give away, or dispose of the eggs of game birds or game fish lawfully possessed as provided by rule of the director."	WA Rev Code § 77.12.580			
			"For the purposes of establishing a season or bag limit restriction on Canada goose hunting, the commission shall not consider leg length or bill length of dusky Canada geese (<i>Branta canadensis occidentalis</i>)."(1) The department may authorize the removal or killing of wildlife that is destroying or injuring property, or when it is necessary for wildlife management or research."	WA Rev Code § 77.12.722			"A common carrier may transport wildlife shipped by a licensed game farmer if the wildlife is tagged, sealed, or invoiced as provided in RCW 77.12.590."	WA Rev Code § 77.12.600	"(2) Unlawful operation of a game farm is a gross misdemeanor."	WA Rev Code § 77.15.340	

							<p>"(1) A person is guilty of unlawful taking of protected fish or wildlife if:</p> <p>(a) The person hunts for, fishes for, maliciously takes, harasses, or possesses fish or wildlife, or the person possesses or maliciously destroys the eggs or nests of fish or wildlife designated by the commission as protected, other than species designated as threatened or sensitive, and the taking has not been authorized by rule of the commission or by a permit issued by the department;</p> <p>(b) The person violates any rule of the commission regarding the taking, harassing, possession, or transport of protected fish or wildlife; or</p> <p>(c)(i) The person hunts for, fishes for, intentionally takes, harasses, or possesses fish or wildlife, or the person possesses or intentionally destroys the nests or eggs of fish or wildlife designated by the commission as threatened or sensitive; and (ii) The taking of the fish or wildlife, or the destruction of the nests or eggs, has not been authorized by rule of the commission, a permit issued by the department, or a permit issued pursuant to the federal endangered species act"</p>	<p>WA Rev Code § 77.15.130</p>	<p>"2) Unlawful taking of protected fish or wildlife is a misdemeanor.</p> <p>(3) In addition to the penalties set forth in subsection (2) of this section, if a person is convicted of violating this section and the violation results in the death of protected wildlife listed in this subsection, the court shall require payment of the following amounts for each animal taken or possessed. This is a criminal wildlife penalty assessment[...]:</p> <p>(a) Ferruginous hawk, two thousand dollars;</p> <p>(b) Common loon, two thousand dollars;</p> <p>(c) Bald eagle, two thousand dollars;</p> <p>(d) Golden eagle, two thousand dollars; and</p> <p>(e) Peregrine falcon, two thousand dollars."</p>	<p>WA Rev Code § 77.15.130</p>
	<p>"For purposes of this subsection, "active nests" means nests that are attended by an adult or contain eggs or young."</p>	<p>WA Rev Code § 77.15.160</p>				<p>"(2) Hunting infractions:(a) Eggs or nests: Maliciously, and without permit authorization, destroying, taking, or harming the eggs or active nests of a wild bird or wild animal not classified as endangered or protected. [...] (c) Wasting wildlife: Taking or possessing wildlife classified as game birds and having a value of less than two hundred fifty dollars, and recklessly allowing the game birds to be wasted. [...] (e) Wild birds: Hunting for and, without yet possessing a wild bird or birds, the person: (i) Owns, but fails to have in the person's possession, all licenses, tags, stamps, and permits required under this title; or (ii) Violates any department rule regarding seasons, closed areas, closed times, or any other rule addressing the manner or method of hunting wild birds. [...] (5) Other infractions: [...] (b) Other rules: Violating any other department rule that is designated by rule as an infraction. [...] (d) Scientific permits: Using a scientific permit issued by the director for fish, shellfish, or wildlife, but not including big game or big game parts, and the person: (i) Violates any terms or conditions of the scientific permit; or(ii) Violates any department rule applicable to the issuance or use of scientific permits."</p>	<p>WA Rev Code § 77.15.160</p>	<p>"The following acts are infractions and must be cited and punished as provided under chapter 7.84 RCW:"</p>	<p>WA Rev Code § 77.15.160</p>	
						<p>"(1) A person is guilty of waste of fish and wildlife if the person:</p> <p>(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</p> <p>(b) Recklessly allows such fish, shellfish, or wildlife to be wasted."</p>	<p>WA Rev Code § 77.15.170</p>	<p>"(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."</p>	<p>WA Rev Code § 77.15.170</p>	

							<p>"(1) A person is guilty of unlawful trafficking in fish, shellfish, or wildlife in the second degree if the person traffics in fish, shellfish, or wildlife with a wholesale value of less than two hundred fifty dollars and: (a) The fish, shellfish, or wildlife is classified as game, food fish, shellfish, game fish, or protected wildlife and the trafficking is not authorized by statute or department rule; or (b) The fish, shellfish, or wildlife is unclassified and the trafficking violates any department rule.</p> <p>(2)(a) A person is guilty of unlawful trafficking in fish, shellfish, or wildlife in the first degree if the person commits the act described by subsection (1) of this section and: (i) The fish, shellfish, or wildlife has a value of two hundred fifty dollars or more;"</p>	<p>WA Rev Code § 77.15.260</p>	<p>"(b) For purposes of this subsection (2), whenever any series of transactions that constitute unlawful trafficking would, when considered separately, constitute unlawful trafficking in the second degree due to the value of the fish, shellfish, or wildlife, and the series of transactions are part of a common scheme or plan, then the transactions may be aggregated in one count and the sum of the value of all the transactions considered when determining the degree of unlawful trafficking involved.</p> <p>(3)(a) Unlawful trafficking in fish, shellfish, or wildlife in the second degree is a class C felony.</p> <p>(b) Unlawful trafficking in fish, shellfish, or wildlife in the first degree is a class B felony."</p>	<p>WA Rev Code § 77.15.260</p>
							<p>"(1) It is unlawful for any person to possess in Washington any fish, shellfish, or wildlife that the person knows was taken in another state or country in violation of that state's or country's laws or regulations relating to licenses or tags, seasons, areas, methods, or bag or possession limits."</p>	<p>WA Rev Code § 77.15.265</p>	<p>"(3) Unlawful possession of fish, shellfish, or wildlife taken or possessed in violation of another state's or country's laws or regulations is a gross misdemeanor."</p>	<p>WA Rev Code § 77.15.265</p>
							<p>"(1) A person is guilty of unlawful hunting of wild birds in the second degree if the person hunts for wild birds and, whether or not the person possesses wild birds, the person has not purchased the appropriate hunting license, tags, stamps, and permits issued to Washington residents or nonresidents under chapter 77.32 RCW.</p> <p>(2) A person is guilty of unlawful hunting of wild birds in the second degree if the person takes or possesses less than two times the bag or possession limit of wild birds and the person: (a) Owns, but does not have in the person's possession, all licenses, tags, stamps, and permits required under this title; or (b) Violates any department rule regarding seasons, bag or possession limits, closed areas, closed times, or the manner or method of hunting or possession of wild birds.</p> <p>(3) A person is guilty of unlawful hunting of wild birds in the first degree if the person takes or possesses two times or more than the possession or bag limit for wild birds allowed by department rule."</p>	<p>WA Rev Code § 77.15.400</p>	<p>"(4)(a) Unlawful hunting of wild birds in the second degree is a misdemeanor.</p> <p>(b) Unlawful hunting of wild birds in the first degree is a gross misdemeanor."</p>	<p>WA Rev Code § 77.15.400</p>
							<p>"(1) A person is guilty of engaging in commercial wildlife activity without a license if the person: (a) Deals in raw furs for commercial purposes and does not hold a fur dealer license required by chapter 77.65 RCW; or (b) Practices taxidermy for commercial purposes and does not hold a taxidermy license required by chapter 77.65 RCW."</p>	<p>WA Rev Code § 77.15.600</p>	<p>"(2) Engaging in commercial wildlife activities without a license is a gross misdemeanor."</p>	<p>WA Rev Code § 77.15.600</p>
							<p>"A scientific permit allows the holder to collect for research or display food fish, game fish, shellfish, and wildlife, including avian nests and eggs as required in RCW 77.32.010, under conditions prescribed by the director. Before a permit is issued, the applicant shall demonstrate to the director their qualifications and establish the need for the permit [...].</p> <p>Holders of permits may exchange specimens with the approval of the director."</p>	<p>WA Rev Code § 77.32.240</p>		



"In addition to a small game hunting license, a supplemental permit is required to hunt for migratory birds.

A migratory bird permit is required for all persons sixteen years of age or older to hunt migratory birds. "

WA Rev Code §
77.32.350

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?
West Virginia	<p>the context clearly requires a different meaning; [...] "Game" means game animals, game birds and game fish as herein defined. [...] "Game birds" includes: (a) The anatidae, commonly known as swan, geese, brants and river and sea ducks; (b) the rallidae, commonly known as rails, sora, coots, mudhens and gallinule; (c) the limicolae, commonly known as shorebirds, plover, snipe, woodcock, sandpipers, yellow legs and curlews; (d) the galliformes, commonly known as wild turkey, grouse, pheasants, quails and partridges (both native and foreign species); (e) the columbidae, commonly known as doves; (f) the icteridae, commonly known as blackbirds, redwings and grackle; and (g) the corvidae, commonly known as crows. [...] "Migratory birds" means any migratory game or nongame birds included in the terms of conventions between</p>	WV Code § 20-1-2	<p>"The ownership of and title to all wild animals, wild birds, both migratory and resident, and all fish, amphibians, and all forms of aquatic life in the State of West Virginia is hereby declared to be in the state, as trustee for the people. No such wildlife shall be taken or hunted in any manner, or at any time, unless the person so taking or hunting the same shall consent that the title thereto shall be and remain in the State of West Virginia for the purpose of regulating the taking, hunting, using and disposing of the same. The taking or hunting of wildlife at any time or in any manner by any person shall be deemed such consent: "</p>	WV Code § 20-2-3	N/A	N/A	<p>"(a) Except for wildlife lawfully taken, killed or obtained, no person may have in his or her possession any wildlife, or parts thereof, during closed seasons. It is unlawful to possess any wildlife, or parts thereof, which have been illegally taken, killed or obtained. [...] It is unlawful to take, obtain, purchase, possess or maintain in captivity any live wildlife, wild animals, wild birds, game or fur-bearing animals except as provided by this chapter or any rule promulgated thereunder. (b) Wildlife lawfully taken outside of this state is subject to the same laws and rules as wildlife taken within this state. (c) Migratory wild birds may be possessed only in accordance with the Migratory Bird Treaty Act, 16 U. S. C. §703, et seq., and its regulations."</p>	WV Code § 20-2-4	<p>"When no specific punishment or penalty is otherwise provided for violations of the provisions of this article, any person violating any provision hereof shall be guilty of a misdemeanor offense, and, upon conviction thereof, shall be subject to the punishment and penalties prescribed in section nine, article seven of this chapter."</p>	WV Code § 20-2-2	INDETERMINATE
							<p>Legislature, this section was amended by House Bill 2679 and Senate Bill 345 and there has been no judicial ruling to determine which, if either, amendments prevail. Both versions are provided here. <i>[Think these were Sunday hunting amendments]</i> As amended by House Bill 2679: (a) Except as authorized by the director or by law, it is unlawful at any time for any person to: (1) Shoot at any wild bird or wild animal unless it is plainly visible; (2) Dig out, cut out, smoke out, or in any manner take or attempt to take any live wild animal or wild bird out of its den or place of refuge; [...] (4) Hunt, take, kill, wound or shoot at wild animals or wild birds from an airplane or other airborne conveyance, a drone or other unmanned aircraft, an automobile or other land conveyance, or from a motor-driven water conveyance; [...] (7) Catch, capture, take, hunt or kill by seine, net, bait, trap or snare or like device a bear, wild turkey, ruffed grouse, pheasant or quail; (8) Intentionally destroy or attempt to destroy the nest or eggs of any wild bird or have in his or her possession the nest or eggs; [...] (11) Hunt, catch, take, kill, injure or pursue a wild animal or wild bird with the use of a ferret;</p>	WV Code § 20-2-5			
	<p>"Take" means to hunt, shoot, pursue, lure, kill, destroy, catch, capture, keep in captivity, gig, spear, trap, ensnare, wound or injure any wildlife, or attempt to do so. However, the definition of "take" does not include an officially sanctioned and properly licensed field trial, water race or wild hunt as long as that field trial is not a shoot-to-retrieve field trial.</p>	WV Code § 20-1-2					<p>"(a) It is unlawful at any time for any person to take, possess, transport, import, export or process, sell or offer for sale, buy, barter or trade or offer to buy, barter or trade at any time or in any manner, any bald eagle, also commonly known as the American eagle, or any golden eagle, alive or dead, or any part, nest or egg thereof of the foregoing eagles, or to attempt to do any of these acts."</p>	WV Code § 20-2-5C	<p>"(b) Anyone who violates the provisions of this section is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$500 nor more than \$5,000 or imprisoned in the county jail not less than sixty days nor more than one year, or both fined and imprisoned. One half of any fine imposed shall be paid to any person or persons providing information that leads to the arrest and conviction of anyone violating the provisions of this section."</p>	WV Code § 20-2-5C	

							<p>"(a) A person, except those legally licensed to operate private game preserves for the purpose of propagating game for commercial purposes and those legally licensed to propagate or sell fish, amphibians and other forms of aquatic life, may not purchase or offer to purchase, sell or offer to sell, trade or offer to trade, barter or offer to barter, expose for sale, trade or barter or have in his or her possession for the purpose of sale, trade or barter any wildlife, or part thereof, which has been designated as game animals, fur-bearing animals, game birds, game fish or amphibians, or any of the song or insectivorous birds of the state, or any other species of wildlife which the director may designate, except for captive cervids regulated pursuant to the provisions of article two-h, chapter nineteen of this code. [...] (b) A person, including a common carrier, may not transport, carry or convey, or receive for such purposes, any wildlife, the sale, trade or bartering of which is prohibited, if such person knows or has reason to believe that such wildlife has been or is to be sold, traded or bartered in violation of this section."</p>	WV Code § 20-2-11	"(c) Each separate act of selling or exposing for sale, trading or exposing for trade or bartering or exposing for barter or having in possession for sale, trade, barter, transporting or carrying in violation of this section constitutes a separate misdemeanor offense."	WV Code § 20-2-11
						<p>"(a) A person may not transport or have in his or her possession with the intention of transporting beyond the limits of the state any species of wildlife or any part thereof killed, taken, captured or caught within this state, except as provided in this section. (1) A person legally entitled to hunt and fish in this state may take with him or her personally, when leaving the state, any wildlife that he or she has lawfully taken or killed, not exceeding, during the open season, the number that any person may lawfully possess. [...] (e) This section does not apply to persons legally entitled to propagate and sell wild animals, wild birds, fish, amphibians and other forms of aquatic life beyond the limits of the state."</p>	WV Code § 20-2-12	"(d) A person violating this section shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$20 nor more than \$300 and be confined in jail not less than ten nor more than sixty days."	WV Code § 20-2-12	
						<p>"No person shall transport into or have in his possession within this state any live wildlife or viable eggs thereof from without the state, except as authorized by an importation permit issued by the director."</p>	WV Code § 20-2-13	"Any person violating any of the provisions of this section concerning coyotes shall be guilty of a misdemeanor, and, upon conviction thereof, shall for each offense be fined not less than one hundred nor more than \$300, or confined in jail not less than ten nor more than one hundred days, or be both fined and imprisoned within the limitations aforesaid."	WV Code § 20-2-13	
						<p>"The director may issue a license for the operation of a private game preserve for propagation of wild animals and wild birds for commercial purposes. The license shall authorize the holder to breed or raise animals and birds as specified by the license, to sell the same dead or alive, or to sell the eggs of birds in accordance with regulations prescribed by the director."</p>	WV Code § 20-2-47			
						<p>"The director may issue a permit to a person to hunt, kill, take, capture or maintain in captivity wildlife exclusively for scientific purposes, but not for any commercial purposes. Any person desiring to collect or procure any wildlife, including any body tissue, organ or other portion thereof, eggs, nesting materials or other materials from the habitat of such wildlife shall be required to make application to the director for a scientific collecting permit."</p>	WV Code § 20-2-50			

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?	
Wisconsin	" In this chapter, unless the context requires otherwise: [...] (33) "Game" includes all varieties of wild mammals or birds. [...] (39) "Game birds" means birds that are in the wild and includes wild geese, brant, wild ducks, wild swan, rails, coots, gallinules, snipe, woodcock, plovers, sandpipers, ruffed grouse, prairie chicken, sharp-tailed grouse, pheasants, gray partridge, chukar partridge, bobwhite, quail, crows and wild turkey. [...] (60) "Nongame species" means any species of wild animal that is living in the wild and that is not classified as a game fish, game animal, game bird or fur-bearing animal."	WI Stat § 29.001	"(1) The department may regulate falconry and the taking of raptors for use in falconry. In so doing, the department may do any of the following: (a) Establish by rule a fee for any approval that it issues as part of this regulation. (b) Allow persons who are not residents to take raptors from the wild to be used for falconry."	WI Stat § 29.319	N/A	N/A	" Except as expressly provided in this chapter [farm-raised animals], no person may have in the person's possession or under the person's control, or have in storage, any wild animal or carcass that was taken during the closed season for that wild animal or that is in excess of the bag or possession limit or contrary to the size limits for that wild animal."	WI Stat § 29.055	himself, or by his or her agent or employee, or who, as agent or employee for another, violates this chapter shall be punished as follows: [...] (2) For hunting or trapping without an approval required by this chapter: (a) By a forfeiture of not more than \$1,000; and (c) By the payment of a natural resources restitution surcharge equal to the amount of the statutory fee for the approval which was required and should have been obtained. (3) For the violation of any statutes or any department order relating to the hunting, taking, transportation or possession of game, by a forfeiture of not more than \$1,000. [...] (4) For any violation of this chapter or any department order for which no other penalty is prescribed, by a forfeiture of not more than \$1,000. (5) For violation of s. 29.539, except s. 29.539 (3m), by a fine of not less than \$1,000 nor more than \$2,000 or imprisonment for not more than 6 months or both. In addition, the court	WI Stat § 29.971	NO	
							"It is unlawful to possess or control at any time a protected wild animal or the carcass of any protected wild animal showing that it was taken during the closed season for the protected wild animal. This section does not apply to farm-raised deer, farm-raised fish, farm-raised game birds, or wild animals that are subject to regulation under ch. 169."	WI Stat § 29.057	"(b) The amount of the wild animal protection surcharge imposed under ch. 814 shall be as follows: [...] 2. For any moose, fisher, prairie chicken, or sand hill crane, \$262.50. 3. For any bear, wild turkey or wild swan, \$175. [...] 6. For any sharp-tailed grouse, ruffed grouse, spruce hen, wild duck, coot, wild goose or brant, \$26.25. 7. For any pheasant, gray partridge, quail, rail, Wilson's snipe, woodcock or shore bird, or protected song bird or harmless bird, \$17.50. [...] 13. For any game or fur-bearing animal or bird not mentioned in subds. 1m. to 8., \$17.50."	WI Stat § 29.983		
							"1. Except as provided in subd. 3., no person may hunt waterfowl unless he or she is issued a conservation patron license or unless he or she is issued a waterfowl hunting stamp which, in the manner required by the rule promulgated under s. 29.024 (5) (a) 3., is attached to or imprinted on the person's hunting license which authorizes the hunting of small game or to the person's sports license. [...] 3. Any person who is under 16 years of age is exempt from the requirements of this paragraph. Any person who is exempt from the requirement to have a hunting license or who is not required to pay a fee for a hunting license is exempt from the requirements of subd. 1."	WI Stat § 29.191				
							"Any person who takes, catches, kills or impedes the progress or otherwise interferes with any homing pigeon "	WI Stat § 29.317	" shall forfeit not more than \$50."	WI Stat § 29.317		

						<p>or have under his or her control any game bird or game animal or the carcass of any game bird or game animal unless the person has a valid hunting license, sports license, conservation patron license, taxidermist permit, or scientific collector permit. This subsection does not apply to a person who takes possession of a bear, deer, or wild turkey under s. 29.349 (2) (a) and who complies with the requirements under s. 29.349 (2) (b) or (bm), as applicable.</p> <p>(2) Nests and eggs.</p> <p>(a) Except as provided in par. (b), no person may take, needlessly destroy or possess or have under his or her control the nest or eggs of any wild bird for which a closed season is prescribed under this chapter.</p> <p>(b) A person who has a valid scientific collector permit may take or possess or have under his or her control the nest of a wild bird and may destroy the nest if necessary for a scientific purpose.</p> <p>(3) Mounted collections. This section does not permit seizure of or prohibit possession or sale of lawfully obtained wild birds and animals which are mounted or in the process of being mounted for a private collection.</p> <p>(5) Captive wild animals. This section does not apply to farm-raised deer, farm-raised fish, fish</p>	WI Stat § 29.354		
	"(a) In this subsection "migratory game bird" means any bird defined as such by the secretary of the interior in the code of federal regulations."	WI Stat § 29.364				<p>receive for transportation or transport or attempt to transport any game bird or carcass of a game bird except as provided in this section.</p> <p>(2) Residents. Any resident who has all of the required hunting approvals may transport in the resident's personal possession the legal daily bag limit or possession limit of any game birds for which an open season has been provided to any point within the state.</p> <p>(3) Nonresidents. Any nonresident who has all of the required hunting approvals may transport in the nonresident's personal possession the legal daily bag limit or possession limit of game birds for which an open season has been provided from any point within the state to any point within or without the state. [...] (4) Migratory birds. [...] (b) No person may transport any migratory game bird for which open seasons are prescribed, unless the head or one fully feathered wing remains attached to each bird while being transported from the place where taken to the personal residence of the possessor or to a commercial preservation facility.</p> <p>(5) Exemption; taxidermists. Subsections (1) to (3) do not apply to a person who has a valid taxidermist permit and who is transporting the carcass of a game bird in connection with his or her business.</p>	WI Stat § 29.364		
			"(2) The department shall, in cooperation with federal agencies, administer a program in a manner that complies with the U.S. depredation order to control and manage double-crested cormorants in order to reduce wildlife damage caused by double-crested cormorants."	WI Stat § 29.886		"(a) Except as otherwise expressly provided under this chapter, no person may sell, purchase, barter, or trade, or offer to sell, purchase, barter, or trade or have in possession or under control for the purpose of sale, barter, or trade any of the following: [...] 2. Any other wild animal or its carcass during the closed season for that wild animal."	WI Stat § 29.539		
	"(a) "Damage" means harm to forest products; streams; roads; dams; buildings; orchards; apiaries; livestock; and commercial agricultural crops, including Christmas trees and nursery stock. [...] (e) "Remove" means capture, shoot, set a trap for, relocate, or otherwise destroy or dispose of."	WI Stat § 29.885	"(4)(b) The department may remove or authorize the removal of the wild animal or the structure of a wild animal if it finds that the wild animal or the structure is causing a nuisance on the property."	WI Stat § 29.885		"(3)(c) A person who owns, leases or occupies property outside an incorporated municipality on which a wild animal or a structure of a wild animal is allegedly causing damage and who has made a complaint under par. (a), may remove the wild animal or the structure at any time from one hour before sunrise until one hour after sunset if all of the following conditions apply: [...] 3. The wild animal is not of an endangered or threatened species under s. 29.604 and is not a migratory bird on the list in 50 CFR 10.13 that is promulgated under 16 USC 701."	WI Stat § 29.885		

	Definition	Citation	Statements of Jurisdiction (and limits thereto); Regulated Take	Citation	Statement of Policy	Citation	Prohibited Actions / Exceptions (green = federal take prohibition reference)	Citation	Enforcement / Penalties	Citation	Contains incidental take provision with coverage partially or substantially similar to the I.T.-inclusive reading of the MBTA?
Wyoming	"(a) As used in this act: [...] (iv) "Game bird" means grouse, partridge, pheasant, ptarmigan, quail, wild turkey and migratory game birds; [...] (vi) "Migratory game bird" means all migratory game birds defined and protected under federal law; (vii) "Predacious bird" means English sparrow and starling; [...] (x) "Protected bird" means migratory birds as defined and protected under federal law;"	WY Stat § 23-1-101	"(a) The commission is directed and empowered: (i) To fix season and bag limits, open, shorten or close seasons including providing for season extensions for hunters with disabilities as established by commission rules and regulation, on any species or sex of wildlife for any type of legal weapon, except predatory animals, predacious birds, protected animals, and protected birds, in any specified locality of Wyoming, and to give notice thereof;"	WY Stat § 23-1-302	N/A	N/A	license from the department or its authorized selling agents except as otherwise provided. Purchase of a license entitles the licensee to take any animal, bird or fish provided on the license within Wyoming at the time, in a place, in a manner and in an amount as provided by law and the orders of the commission. [...] (v) Resident daily game bird/small game license; all game birds except wild turkey 7.00 (vi) Nonresident daily game bird/small game license; all game birds except wild turkey 18.00 Nonresident daily game bird/small game license; all game birds except wild turkey 20.00 (vii) Resident lifetime game bird and small game license; all game birds except wild turkey 300.00 Resident lifetime game bird and small game license; all game birds except wild turkey 309.00 (viii) Resident lifetime game bird/small game and fishing license; all game birds except wild turkey 480.00 Resident lifetime game bird/small game and fishing license; all game birds except wild turkey 494.00 (ix) Resident game bird/small game license; all game birds except wild turkey 22.00 Resident game bird/small game license; all game birds except wild turkey 25.00 (x) Nonresident game bird/small game license; all game birds except wild turkey 70.00 Nonresident game bird/small game license; all game birds except wild turkey 72.00 (xi)	WY Stat § 23-2-101	"(a) Any person who has been convicted of or pleaded guilty to any offense under this act may be fined, sentenced to the county jail, or both, as follows: [...] (ii) Up to ten thousand dollars (\$10,000.00) to which may be added imprisonment up to one (1) year when the offense is a high misdemeanor; [...] (v) Up to one thousand dollars (\$1,000.00) to which may be added imprisonment up to six (6) months when the offense is a low misdemeanor;"	WY Stat § 23-6-202	NO
			"(c) The commission under such safeguards as it deems necessary may grant licenses to take falcons or hawks for lawful falconry purposes. The commission shall also regulate or prohibit the exportation of hawks or falcons from the state."	WY Stat § 23-2-105			"(a) Any person holding a valid Wyoming license for game birds or small game animals may purchase a license to hunt with falcon from the department at its office in Cheyenne, Wyoming. (b) A license to hunt with falcon entitles the licensee to take game birds and small game animals with the use of falcons or hawks so long as that person also holds a valid Wyoming hunting license for the wildlife to be hunted."	WY Stat § 23-2-105	"Any person who violates or fails to comply with any provision of this act for which no separate penalty is provided is guilty of a low misdemeanor punishable as provided in W.S. 23-6-202(a)(v)."	WY Stat § 23-6-203	
									"(c) Any person who takes any remaining wildlife not specified in W.S. 23-3-102(a) or (d) except as permitted by this act and for which no separate penalty is provided is guilty of a low misdemeanor punishable as provided in W.S. 23-6-202(a)(v). [...] (e) In addition to the penalties imposed under this section, any person violating this section may be required to make restitution to the state for the value of the wildlife taken in violation of this act, in an amount determined by the court based upon the recommendation of the commission. "	WY Stat § 23-6-204	

									<p>"(a) The court may, in its discretion, revoke any license issued under this act to any person convicted of a violation of this act, for the remainder of the year in which the conviction occurs, and may suspend the person's privilege to purchase or receive any other license under this act, or to take any wildlife for the following time periods provided in paragraphs (i) through (iii) and shall suspend the person's privilege to purchase or receive any other license under this act for the time period provided in paragraph (iv) of this subsection: (i) Not less than five (5) years for a conviction of any violation under W.S. 23-3-102(d); (ii) Up to six (6) years for conviction of a high misdemeanor as provided in W.S. 23-6-202(a)(ii); (iii) Up to three (3) years for conviction of a low misdemeanor as provided in W.S. 23-6-202(a)(v);"</p>	WY Stat § 23-6-206	
									<p>"The commission may revoke the license of any commercial operation or business for any violation of this act or an order of the commission pertaining to his business or operation. The commission may refuse to issue another license to any person whose license is revoked under this section for any period of time it deems desirable."</p>	WY Stat § 23-6-207	
								<p>"Any person who takes an eagle [...] unless the taking is authorized by federal law or commission rules adopted in compliance with federal law."</p>	WY Stat § 23-3-101	<p>" is guilty of a high misdemeanor punishable as provided in W.S. 23-6-202(a)(iii) "</p>	WY Stat § 23-3-101
			<p>"The department shall report annually to the Wyoming department of agriculture the number of predatory animals and predacious birds taken by the department's animal damage control agents, and include in the report the area where taken and the control method used."</p>	WY Stat § 23-3-103				<p>"(a) Predatory animals and predacious birds may be taken without a license in any manner and at any time except as provided by W.S. 23-2-303(d) and (e) [trapping], 23-3-112 [gun regulation], 23-3-304(b) [trapping], 23-3-305 [from a highway] and 23-3-307 [while intoxicated]."</p>	WY Stat § 23-3-103	<p>"(c) Any person who takes any furbearing animal or game bird without the appropriate license, except as otherwise provided by this act is guilty of a low misdemeanor punishable as provided in W.S. 23-6-202(a)(v)."</p>	WY Stat § 23-3-103
								<p>"(a) No person shall take or intentionally destroy the nest or eggs of any nonpredacious bird, except as authorized under W.S. 23-5-111 [sage grouse on game farms]. The nest or eggs of any predacious bird may be taken or destroyed."</p>	WY Stat § 23-3-108	<p>"(b) Violation of this section for any nonpredacious bird except eagle constitutes a low misdemeanor punishable as provided in W.S. 23-6-202(a)(v). (c) Violation of this section in regard to eagle nests or eggs constitutes a high misdemeanor punishable as provided in W.S. 23-6-202(a)(ii)."</p>	WY Stat § 23-3-108
								<p>"(a) No person shall import into Wyoming from any source any living antelope, bear, deer, elk, moose, mountain goat, mountain lion, bighorn sheep, wolf, wolf hybrid nor any living wildlife except as otherwise permitted by this act. (b) No person shall sell any living antelope, bear, deer, elk, moose, mountain goat, mountain lion, bighorn sheep, wolf, wolf hybrid or falcon except as permitted by the commission. (c) No person shall knowingly import into Wyoming or knowingly possess from any source any wildlife or wildlife parts taken illegally in any other state or country."</p>	WY Stat § 23-3-301	<p>"(d) Violation of this section constitutes a high misdemeanor punishable as provided in W.S. 23-6-202(a)(ii)."</p>	WY Stat § 23-3-301

						<p>"No person shall sell, barter, or dispose of for pecuniary consideration or advantage, or obtain by sale or barter any edible portion of any game animal, game bird or game fish in this state except as permitted by this act."</p>	<p>WY Stat § 23-3-302</p>		
			<p>"The department shall issue licenses for game bird farms, and for the propagation, breeding, possession, use, releasing, killing, hunting, and sale of licensed birds therefrom. No license shall authorize any of the acts specified in this section for greater sage grouse unless the licensee has been certified under W.S. 23-5-111."</p>	<p>WY Stat § 23-5-102</p>		<p>"(a) No person shall take and leave, abandon or allow any game bird, game fish, or game animal except trophy game animal, or edible portion, to intentionally or needlessly go to waste. "</p> <p>"(a) No person shall take or wound any game animal, game bird, or game fish by use of any pit, pitfall, net, trap, deadfall, poison, or other similar device except as otherwise provided. [...] (b) No person shall take a game animal, game bird, or game fish, and use any parts thereof, for bait to trap or poison any wildlife of Wyoming."</p> <p>"Any person who owns, or any person who holds or controls fee land, by lease or otherwise which holding, controlling or lease shall be for a period of five (5) years beyond the time of compliance with this act, any continuous tract of land within the state suitable for game birds upon complying with the provisions of this act, may, establish, operate and maintain a game bird farm for the purpose of breeding, propagating, killing, hunting, and selling game birds."</p> <p>"(a) No person shall take game birds on any licensed game bird farm area at any time except during the established season for game bird farms and unless:</p> <p>(i) The person has in his possession at the time a license authorizing the hunting of game birds as required under this act or a special bird license; or</p> <p>(ii) The person is participating in a special competitive game bird hunt as defined by commission regulation conducted on a licensed game bird farm."</p>	<p>WY Stat § 23-3-303</p> <p>WY Stat § 23-3-304</p> <p>WY Stat § 23-3-304</p> <p>WY Stat § 23-5-101</p> <p>WY Stat § 23-5-108</p>	<p>"(c) Violation of this section constitutes a high misdemeanor punishable as provided in W.S. 23-6-202(a)(ii)."</p>	<p>WY Stat § 23-3-304</p>