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Chapter No. 365
10/HR03/R348CS
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HOUSE BILL NO. 203

Originated in House Don Richardson Clerk

HOUSE BILL NO. 203

AN ACT TO AMEND SECTION 49-7-33, MISSISSIPPI CODE OF 1972, TO DELETE THE REPEALER ON THE PROVISION THAT ALLOWS THE COMMISSION ON WILDLIFE, FISHERIES AND PARKS TO PERMIT THE TAKING OF CERTAIN WILD ANIMALS WITH THE AID OF BAIT; TO AMEND SECTION 49-7-33.1, MISSISSIPPI CODE OF 1972, TO REQUIRE THE COMMISSION ON WILDLIFE, FISHERIES AND PARKS TO ALLOW THE TAKING OF DEER WITH THE USE OF SUPPLEMENTAL FEED; TO DELETE THE REPEALER ON THIS SECTION; TO REVISE THE PENALTIES FOR VIOLATIONS OF THIS SECTION; TO AMEND SECTION 49-7-96, MISSISSIPPI CODE OF 1972, TO DELETE THE REPEALER ON THE PROVISION THAT ALLOWS THE COMMISSION TO ESTABLISH DEER MANAGEMENT ZONES WITHIN THE STATE; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 49-7-33, Mississippi Code of 1972, is amended as follows:

49-7-33. (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;

(c) May use lures for trapping fur-bearing animals, according to regulations adopted by the commission;

(d) May take nuisance animals as provided in Section 49-7-31.5; and

(e) May take deer with the use of supplemental feed. * * *

(2) The commission, in its discretion, may relax the restrictions regarding the use of lures or sound devices if a condition arises or exists, as decided by the State Board of

Health or county board of health, that may endanger persons or livestock in a certain community, county or area.

SECTION 2. Section 49-7-33.1, Mississippi Code of 1972, is amended as follows:

49-7-33.1. (1) (a) The Commission on Wildlife, Fisheries and Parks shall allow the taking of deer with the use of supplemental feed and may place any reasonable conditions or restrictions on such taking.

(b) The Commission on Wildlife, Fisheries and Parks shall establish a zone or zones of contiguous counties for the management and implementation of a program to allow the taking of deer with the use of supplemental feed.

(c) The commission shall allow the taking of deer with the use of supplemental feed on private lands only.

(2) The commission shall take any action it deems necessary and use its emergency powers to prevent the introduction of disease, to control disease, to eradicate disease, and to manage the taking of deer with the use of supplemental feed.

(3) (a) * * * The Department of Wildlife, Fisheries and Parks shall study and analyze all relevant data and issues with regard to the taking of deer with the supplemental feed program, including, but not limited to, the impact that the program has upon the health and density of deer populations and other wildlife, its effect on surrounding habitat, the effectiveness of wildlife law enforcement, the extent to which hunters who participate in the program are successful in harvesting deer and are supportive of the program, the perception of the program by the general public, and the extent to which the program has a favorable impact on economic development and tourism.

(b) The department shall file annual progress reports with the Legislature. The department shall file a final report with recommendations on the feasibility of continuing the taking of deer with the use of supplemental feed.

(4) A violation of this section or any regulation of the commission promulgated under this section shall be punishable as a Class II violation as defined in Section 49-7-143, and if the violator is a nonresident, then upon conviction, he or she shall lose the opportunity to obtain a nonresident license as defined in Section 49-7-8.

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SECTION 3. Section 49-7-96, Mississippi Code of 1972, is amended as follows:

49-7-96. (1) (a) The Commission on Wildlife, Fisheries and Parks may establish deer management zones within the state.

(b) The commission may establish antler restrictions within the zones for the proper management of antlered deer.

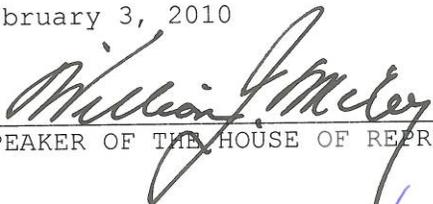
(2) The antler restrictions in Sections 49-7-31 and 49-7-41 shall not apply to those zones with antler restrictions established by the commission.

(3) If the commission establishes deer management zones or establishes antler restrictions, the department shall study and analyze all relevant data and shall file annual progress reports with the Legislature. The department shall file a final report on the effectiveness of the program with recommendations on the continuation of such restrictions.

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SECTION 4. This act shall take effect and be in force from and after July 1, 2010.

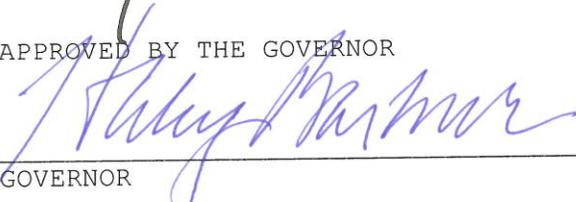
PASSED BY THE HOUSE OF REPRESENTATIVES
February 3, 2010


SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
March 3, 2010


PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR


GOVERNOR

3/15/10

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