

By: Senator(s) Stogner (By Request)

To: Wildlife and Fisheries

SENATE BILL NO. 2887
(As Sent to Governor)

1 AN ACT TO AUTHORIZE THE COMMISSION TO REGULATE THE KEEPING IN
2 CAPTIVITY OF WILD ANIMALS BY A PERSON; TO AUTHORIZE A PERMIT AND A
3 FEE FOR SUCH POSSESSION; TO AMEND SECTION 49-1-29, MISSISSIPPI
4 CODE OF 1972, TO CLARIFY POWERS OF THE COMMISSION ON WILDLIFE,
5 FISHERIES AND PARKS; AND FOR RELATED PURPOSES.

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

7 SECTION 1. (1) The Commission on Wildlife, Fisheries and
8 Parks may allow an individual to keep a wild animal in captivity
9 if the wild animal has been orphaned, crippled or injured and is
10 in need of humane care. The commission may require a permit for
11 such possession and may establish a reasonable fee for the permit.
12 The commission may exercise all powers and establish any
13 regulations necessary to regulate the possession of wild animals
14 in captivity.

15 SECTION 2. Section 49-1-29, Mississippi Code of 1972, is
16 amended as follows:

17 49-1-29. The commission may promulgate rules and
18 regulations, inaugurate studies and surveys, and establish any
19 services it deems necessary to carry out wildlife laws. A
20 violation of any rules or regulations promulgated by the
21 commission shall constitute a misdemeanor and shall be punished as
22 provided in Section 49-7-101.

23 The executive director shall have authority with commission
24 approval:

25 (a) To close or shorten the open season as prescribed
26 by law * * * on any species of game birds, game or fur-bearing
27 animals, reptiles, fish or amphibians, in any locality, when it
28 finds after investigation and public review that the action is

29 reasonably necessary to secure the perpetuation of any species of
30 game birds, game or fur-bearing animals, reptiles, fish or
31 amphibians and to maintain an adequate supply in the affected
32 area. The statutes shall continue in full force and effect,
33 except as restricted and limited by the rules and regulations
34 promulgated by the commission.

35 (b) To designate wildlife refuges, with the consent of
36 the property owner or owners, in any localities it finds necessary
37 to secure perpetuation of any species of game birds, game or
38 fur-bearing animals, reptiles, fish or amphibians and to maintain
39 an adequate supply for the purpose of providing a safe retreat
40 where the animals may rest and replenish adjacent hunting,
41 trapping or fishing grounds or waters.

42 (c) To acquire and hold for the state by purchase,
43 condemnation, lease, or agreement as authorized from time to time
44 by the Legislature, and to receive by gifts or devise, lands or
45 water suitable for fish habitats, game and bird habitats, state
46 parks, access sites, wildlife refuges, or for public shooting,
47 trapping or fishing grounds or waters, to provide areas on which
48 any citizen may hunt, trap or fish under any special regulations
49 as the commission may prescribe.

50 (d) To extend and consolidate lands or waters suitable
51 for the above purposes by exchange of lands or waters under its
52 jurisdiction.

53 (e) To capture, propagate, transport, sell or exchange
54 any species of game birds, game or fur-bearing animals, reptiles,
55 fish or amphibians needed for stocking or restocking any lands or
56 waters of the state.

57 (f) To enter into cooperative agreements with persons,
58 firms, corporations or governmental agencies for purposes
59 consistent with this chapter.

60 (g) To regulate the burning of rubbish, slashings and
61 marshes or other areas it may find reasonably necessary to reduce
62 the danger of destructive fires.

63 (h) To conduct research in improved wildlife and
64 fisheries conservation methods and to disseminate information to
65 the residents of the state through the schools, public media and
66 other publications.

67 (i) To have exclusive charge and control of the
68 propagation and distribution of wild birds, animals, reptiles,
69 fish and amphibians, the conduct and control of hatcheries,
70 biological stations and game and fur farms owned or acquired by
71 the state; to expend for the protection, propagation or
72 preservation of game birds, game or fur-bearing animals, reptiles,
73 fish and amphibians all funds of the state acquired for this
74 purpose arising from licenses, gifts or otherwise; and shall have
75 charge of the enforcement of all wildlife laws.

76 (j) To grant permits and provide regulations for field
77 trials and dog trainers.

78 (k) To prohibit and to regulate the taking of nongame
79 gross fish, except minnows.

80 (l) To enter into agreements with landowners to trap
81 and purchase quail on the premises of the landowner and to provide
82 for the distribution of quail.

83 (m) To operate or lease to third persons concessions or
84 other rights or privileges on lakes owned or leased by the
85 department. Owners of land adjoining land owned or leased by the
86 department shall have priority to the concessions or rights or
87 privileges, if the owners meet the qualifications established by
88 the commission.

89 (n) To implement a beaver control program and to charge
90 fees, upon the recommendation of the Beaver Control Advisory
91 Board, to landowners participating in the beaver control program
92 described in Section 49-7-201.

93 (o) To apply for, receive and expend any federal, state
94 or local funds, contributions or funds from any other source for
95 the purpose of beaver control or eradication.

96 (p) To require the department to divide the districts
97 into zones if necessary, and periodically survey the districts or
98 zones to obtain information that is necessary to properly
99 determine the population and allowable harvest limits of wildlife
100 within the district or zone.

101 SECTION 3. This act shall take effect and be in force from
102 and after its passage.