

By: Rotenberry

To: Game and Fish

HOUSE BILL NO. 1323

1 AN ACT TO AMEND SECTION 49-1-29, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE THE COMMISSION ON WILDLIFE, FISHERIES AND PARKS TO
3 PROHIBIT THE HARVESTING OF DOE IN SIMPSON COUNTY; AND FOR RELATED
4 PURPOSES.

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

6 SECTION 1. Section 49-1-29, Mississippi Code of 1972, is
7 amended as follows:

8 49-1-29. The commission may promulgate rules and
9 regulations, inaugurate studies and surveys, and establish any
10 services it deems necessary to carry out wildlife laws. A
11 violation of any rules or regulations promulgated by the
12 commission shall constitute a misdemeanor and shall be punished as
13 provided in Section 49-7-101.

14 The executive director shall have authority with commission
15 approval:

16 (a) To close or shorten the open season as prescribed
17 by law in cases of urgent emergency on any species of game birds,
18 game or fur-bearing animals, reptiles, fish or amphibians, in any
19 locality, when it finds after investigation and public review that
20 the action is reasonably necessary to secure the perpetuation of
21 any species of game birds, game or fur-bearing animals, reptiles,
22 fish or amphibians and to maintain an adequate supply in the
23 affected area. The statutes shall continue in full force and
24 effect, except as restricted and limited by the rules and
25 regulations promulgated by the commission.

26 (b) To designate wildlife refuges, with the consent of
27 the property owner or owners, in any localities it finds necessary

28 to secure perpetuation of any species of game birds, game or
29 fur-bearing animals, reptiles, fish or amphibians and to maintain
30 an adequate supply for the purpose of providing a safe retreat
31 where the animals may rest and replenish adjacent hunting,
32 trapping or fishing grounds or waters.

33 (c) To acquire and hold for the state by purchase,
34 condemnation, lease, or agreement as authorized from time to time
35 by the Legislature, and to receive by gifts or devise, lands or
36 water suitable for fish habitats, game and bird habitats, state
37 parks, access sites, wildlife refuges, or for public shooting,
38 trapping or fishing grounds or waters, to provide areas on which
39 any citizen may hunt, trap or fish under any special regulations
40 as the commission may prescribe.

41 (d) To extend and consolidate lands or waters suitable
42 for the above purposes by exchange of lands or waters under its
43 jurisdiction.

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

48 (f) To enter into cooperative agreements with persons,
49 firms, corporations or governmental agencies for purposes
50 consistent with this chapter.

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

54 (h) To conduct research in improved wildlife and
55 fisheries conservation methods and to disseminate information to
56 the residents of the state through the schools, public media and
57 other publications.

58 (i) To have exclusive charge and control of the
59 propagation and distribution of wild birds, animals, reptiles,
60 fish and amphibians, the conduct and control of hatcheries,
61 biological stations and game and fur farms owned or acquired by
62 the state; to expend for the protection, propagation or
63 preservation of game birds, game or fur-bearing animals, reptiles,
64 fish and amphibians all funds of the state acquired for this

65 purpose arising from licenses, gifts or otherwise; and shall have
66 charge of the enforcement of all wildlife laws.

67 (j) To grant permits and provide regulations for field
68 trials and dog trainers.

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

71 (l) To enter into agreements with landowners to trap
72 and purchase quail on the premises of the landowner and to provide
73 for the distribution of quail.

74 (m) To operate or lease to third persons concessions or
75 other rights or privileges on lakes owned or leased by the
76 department. Owners of land adjoining land owned or leased by the
77 department shall have priority to the concessions or rights or
78 privileges, if the owners meet the qualifications established by
79 the commission.

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

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

87 (p) To require the department to divide the districts
88 into zones if necessary, and periodically survey the districts or
89 zones to obtain information that is necessary to properly
90 determine the population and allowable harvest limits of wildlife
91 within the district or zone; however, the commission shall
92 prohibit the harvesting of doe in Simpson County.

93 SECTION 2. This act shall take effect and be in force from
94 and after July 1, 2000.