

By: Moody

To: Game and Fish

HOUSE BILL NO. 1331

1 AN ACT TO AMEND SECTION 49-7-31, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE THE COMMISSION ON WILDLIFE, FISHERIES AND PARKS TO ALLOW
3 THE HUNTING OF DEER OVER CORN OR OTHER SUPPLEMENTAL FEED; TO
4 REQUIRE DEER HUNTERS WHO FEED DEER WITH BAIT TO PURCHASE A PERMIT
5 AND TO PROVIDE INFORMATION ON THE LOCATION OF THE FEEDER OR FEED;
6 TO REQUIRE THE DEER HUNTER TO MAKE FEED AVAILABLE TO THE DEER
7 TWELVE MONTHS A YEAR AND TO PROVIDE A PENALTY FOR VIOLATION OF
8 THIS PROVISION; TO AMEND SECTION 49-7-33, MISSISSIPPI CODE OF
9 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

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

11 SECTION 1. Section 49-7-31, Mississippi Code of 1972, is
12 amended as follows:

13 49-7-31. (1) The open season for game birds and game
14 animals shall be as follows:

15 (a) On bobwhite quail: The season shall open on
16 Thanksgiving day and run through the first Saturday in March next
17 following.

18 (b) On pheasant: There shall be no open season on
19 pheasant.

20 (c) On wild turkey: The commission shall fix the
21 spring season between the Saturday nearest March 20 and May 1 in
22 designated areas. In addition, the commission may fix special
23 fall either-sex seasons.

24 (d) On squirrel:

25 (i) Zone 1: For areas north of Highway 82 plus
26 those portions of Sunflower County and Washington County south of
27 Highway 82 the season shall open on the Saturday nearest October 1
28 and run through February 28.

29 (ii) Zone 2: For areas between Highway 82 and

30 Highway 84, plus such portions of the state south of Highway 84
31 and west of Interstate 55, the season shall open on the Saturday
32 nearest October 15 and run through February 28.

33 (iii) Zone 3: For areas south of Highway 84 and
34 east of Interstate 55 the season shall open on the last Saturday
35 in October and run through February 28.

36 (e) On deer:

37 (i) With bow and arrow: October 1 through the
38 Friday prior to Thanksgiving.

39 (ii) With guns and with dog: From the Saturday
40 prior to Thanksgiving through December 1.

41 (iii) With primitive weapons and without dogs:
42 December 2 through December 15.

43 (iv) With guns and without dogs: December 16
44 through December 23. However, the commission may allow hunting
45 statewide or in specific areas with any legal weapon which it may
46 designate without dogs after the end of the last season for
47 hunting deer with guns and with dogs, but the season with legal
48 designated weapons and without dogs shall not extend beyond
49 January 31.

50 (v) With guns and with dogs: December 24 through
51 a date fixed by the commission that will provide a total of
52 thirty-nine (39) days of hunting deer with guns and with dogs when
53 added to the number of days provided for hunting deer with guns
54 and with dogs in paragraph (e)(ii).

55 (vi) When hunting deer during any gun season on
56 deer, a hunter must wear in full view five hundred (500) square
57 inches of solid unbroken fluorescent orange.

58 (vii) In order to set and regulate the deer
59 seasons, the commission may:

60 1. Set and regulate the deer seasons on
61 wildlife management areas which it administers;

62 2. Allow the harvesting of antlerless deer in

63 the districts or zones upon the recommendation of the executive
64 director based upon good and substantial quantitative data and
65 research evaluations that demonstrate that the harvesting is
66 necessary to properly manage the herd. The commission, only upon
67 the recommendation of the executive director, may allow the
68 harvesting of antlerless deer during the deer season with guns and
69 with dogs by a majority vote of the commission. Nothing in this
70 section prohibits the harvesting of either sex deer by landowners
71 or leaseholders on private lands under a deer management program
72 prescribed or approved by the executive director.

73 3. Provide a special permit for the
74 harvesting of deer when they are depredating and destroying crops.

75 The department shall supervise the harvesting and provide for the
76 salvaging of the meat of the animals. The commission may
77 authorize the department to assist any farmer in this state, who
78 sustains crop damage by wildlife, in eradication of the problem
79 wildlife.

80 (viii) The commission, by rule and regulation,
81 shall authorize the hunting of deer over corn or other
82 supplemental feed under the following conditions:

83 1. The hunter must purchase a Twenty-five
84 Dollar (\$25.00) permit from an area officer or local conservation
85 officer.

86 2. The hunter must provide information on the
87 specific location of the feeder or the place where corn or feed is
88 located.

89 3. The feed must remain available twelve (12)
90 months out of the year.

91 a. A conservation officer may
92 periodically conduct an inspection for enforcement of this
93 provision.

94 b. Failure to comply with subparagraph
95 (viii) (3.) of this subsection shall result in revocation of the

96 feeding permit.

97 4. No deer stand or hunting shall be
98 permitted within three hundred (300) feet of the feeder or place
99 where the feed is set out.

100 (ix) The commission shall establish a special
101 hunting season for youth under the age of sixteen (16) and for
102 handicapped persons in the Natchez State Park. The commission
103 shall also establish a primitive weapon season in the Natchez
104 State Park. The selection of participants in the primitive weapon
105 season shall be by public drawing from all qualified applications.
106 The commission shall set the number of permits to be issued and
107 the length of the special seasons. The commission may also
108 establish a special hunting season for youth and handicapped
109 persons or a primitive weapon season as provided in this
110 subparagraph in any other state park under the jurisdiction of the
111 department but shall only do so upon the recommendation of the
112 staff of the department as approved by the commission. The
113 commission shall select participants and set the number of permits
114 to be issued and the length of the special seasons in the manner
115 provided in this subparagraph.

116 (x) The commission may establish and regulate
117 special youth hunts for all nonmigratory game birds and animals
118 outside of the open season on wildlife management areas * * * and
119 on private lands.

120 (f) On fur-bearing animals: The commission may fix the
121 open season on fur-bearing animals between November 1 and March 1
122 next following and fix the open season for hunting opossums,
123 raccoons and bobcats with dogs and guns by licensed hunters from
124 October 1 to February 28 next following; but raccoons and bobcats
125 may be run, hunted, chased or pursued throughout the year with
126 dogs by licensed hunters. The commission may establish an
127 additional open season on raccoon from July 1 through October 1,
128 and the bag limit on raccoon during the additional open season

129 shall be one (1) per party, per night.

130 (g) On rabbits: The season shall open on the Saturday
131 nearest October 15 and run through February 28 next following, and
132 when rabbits are depredating or destroying crops, the owner of the
133 crops or his tenants may shoot the rabbits with guns.

134 (h) On predatory animals: The hunting of predatory
135 animals shall be restricted to the open seasons for hunting any
136 game animal or game bird, using only the firearms, ammunition,
137 primitive weapons or archery equipment legal for use during that
138 open season. Landowners, agricultural leaseholders or their
139 designated agents may take predatory animals year-round on lands
140 owned or leased by them. The taking of any animal or animals
141 other than beavers or coyote by the use of a trap or traps is
142 unlawful except during the time the season is open for the taking
143 of fur-bearing animals. Fox and coyote may be run, chased or
144 pursued with dogs except as provided in Section 49-7-32 year-round
145 by licensed hunters.

146 (i) On migratory birds: The open season for migratory
147 birds shall be the season prescribed by the Federal Migratory Bird
148 Treaty regulations.

149 (j) On nongame gross fish: The season for taking
150 nongame gross fish by hand or with grappling tongs shall be from
151 May 1 to July 15.

152 (k) It is unlawful to trap fox after the closed season
153 for trapping of other fur-bearing animals, except on property
154 owned or leased by the person trapping.

155 (2) It is the intent of the Legislature that the open season
156 for game birds and game animals shall be stabilized unless some
157 unforeseen calamity affecting the resource necessitates earlier
158 change.

159 SECTION 2. Section 49-7-33, Mississippi Code of 1972, is
160 amended as follows:

161 49-7-33. Except as otherwise provided in Section 49-7-31(1)

162 it is unlawful to hunt, trap or kill any wild bird or wild animal
163 of any kind with the aid of bait, recordings of bird or animal
164 calls, or electrically amplified imitations of calls of any kind,
165 except a person may use electrically amplified sound devices for
166 hunting coyote and crow. The commission, in its discretion, may
167 relax the restrictions regarding the use of lures or sound devices
168 if a condition arises or exists, as decided by the State Board of
169 Health or county board of health, that may endanger persons or
170 livestock in a certain community, county or area.

171 A person may use liquid scents for any animal or bird.

172 SECTION 3. This act shall take effect and be in force from
173 and after July 1, 2000.