

By: Senator(s) Posey, Albritton, Butler, Chaney, Clarke, Dawkins, Dearing, Gollott, Harden, Hewes, Hyde-Smith, Jackson (15th), King, Little, Michel, Morgan, Nunnelee, Pickering, Robertson, Ross, Thames, Walley, Walls, Williamson

To: Wildlife, Fisheries and Parks

SENATE BILL NO. 2893
(As Passed the Senate)

1 AN ACT TO AMEND SECTION 49-7-31, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE THE COMMISSION ON WILDLIFE, FISHERIES AND PARKS TO OPEN
3 THE REGULAR OPEN SEASON ON TURKEY BETWEEN MARCH 1 AND MAY 15; AND
4 FOR RELATED PURPOSES.

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

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

8 49-7-31. (1) The open season for game birds and game
9 animals shall be as follows:

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

13 (b) On pheasant: There shall be no open season on
14 pheasant.

15 (c) *On wild turkey: The commission may fix the spring*
16 *season between * * * March 1 and May 15 * * *. In addition, the*
17 *commission may fix special fall either-sex seasons.*

18 (d) On squirrel:

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

23 (ii) Zone 2: For areas between Highway 82 and
24 Highway 84, plus such portions of the state south of Highway 84
25 and west of Interstate 55, the season shall open on the Saturday
26 nearest October 15 and run through February 28.

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

30 (e) On deer:

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

33 (ii) With guns and with dogs: From the Saturday
34 prior to Thanksgiving through December 1.

35 (iii) With primitive weapons and without dogs:
36 December 2 through December 15.

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

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

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

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

54 A. Set and regulate the deer seasons on
55 wildlife management areas which it administers;

56 B. Allow the harvesting of antlerless deer in
57 the districts or zones upon the recommendation of the executive
58 director based upon good and substantial quantitative data and
59 research evaluations that demonstrate that the harvesting is

60 necessary to properly manage the herd. The commission, only upon
61 the recommendation of the executive director, may allow the
62 harvesting of antlerless deer during the deer season with guns and
63 with dogs by a majority vote of the commission. Nothing in this
64 section prohibits the harvesting of either sex deer by landowners
65 or leaseholders on private lands under a deer management program
66 prescribed or approved by the executive director.

67 C. Provide a special permit for the
68 harvesting of deer when they are depredating and destroying crops.
69 The department shall supervise the harvesting and provide for the
70 salvaging of the meat of the animals. The commission may
71 authorize the department to assist any farmer in this state, who
72 sustains crop damage by wildlife, in eradication of the problem
73 wildlife.

74 (viii) The commission shall establish a special
75 hunting season for youth under the age of sixteen (16) and for
76 handicapped persons in the Natchez State Park. The commission
77 shall also establish a primitive weapon season in the Natchez
78 State Park. The selection of participants in the primitive weapon
79 season shall be by public drawing from all qualified applications.
80 The commission shall set the number of permits to be issued and
81 the length of the special seasons. The commission may also
82 establish a special hunting season for youth and handicapped
83 persons or a primitive weapon season as provided in this
84 subparagraph in any other state park under the jurisdiction of the
85 department but shall only do so upon the recommendation of the
86 staff of the department as approved by the commission. The
87 commission shall select participants and set the number of permits
88 to be issued and the length of the special seasons in the manner
89 provided in this subparagraph.

90 (ix) The commission may establish and regulate
91 special youth hunts for all nonmigratory game birds and animals

92 outside of the open season on wildlife management areas and on
93 private lands.

94 (f) On fur-bearing animals: The commission may fix the
95 open season on fur-bearing animals between November 1 and March 1
96 next following and fix the open season for hunting opossums,
97 raccoons and bobcats with dogs and guns by licensed hunters from
98 October 1 to February 28 next following; but raccoons and bobcats
99 may be run, hunted, chased or pursued throughout the year with
100 dogs by licensed hunters. The commission may establish an
101 additional open season on raccoon from July 1 through October 1,
102 and the bag limit on raccoon during the additional open season
103 shall be one (1) per party, per night.

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

108 (h) On predatory animals: The hunting of predatory
109 animals shall be restricted to the open seasons for hunting any
110 game animal or game bird, using only the firearms, ammunition,
111 primitive weapons or archery equipment legal for use during that
112 open season. Landowners, agricultural leaseholders or their
113 designated agents may take predatory animals year-round on lands
114 owned or leased by them. The taking of any animal or animals
115 other than beavers or coyote by the use of a trap or traps is
116 unlawful except during the time the season is open for the taking
117 of fur-bearing animals. Fox and coyote may be run, chased or
118 pursued with dogs except as provided in Section 49-7-32 year-round
119 by licensed hunters.

120 (i) On migratory birds: The open season for migratory
121 birds shall be the season prescribed by the Federal Migratory Bird
122 Treaty regulations.

123 (j) It is unlawful to trap fox after the closed season
124 for trapping of other fur-bearing animals, except on property
125 owned or leased by the person trapping.

126 (2) It is the intent of the Legislature that the open season
127 for game birds and game animals shall be stabilized unless some
128 unforeseen calamity affecting the resource necessitates earlier
129 change.

130 **SECTION 2.** This act shall take effect and be in force from
131 and after July 1, 2004.