

By: Senator(s) Posey

To: Wildlife, Fisheries and
Parks

SENATE BILL NO. 2797

1 AN ACT TO AMEND SECTION 49-5-107, MISSISSIPPI CODE OF 1972,
2 TO CORRECT TYPOGRAPHICAL ERROR IN LIST OF PROHIBITIONS PERTAINING
3 TO NONGAME WILDLIFE IN NEED OF MANAGEMENT; AND FOR RELATED
4 PURPOSES.

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

6 **SECTION 1.** Section 49-5-107, Mississippi Code of 1972, is
7 amended as follows:

8 49-5-107. (a) The commission shall conduct investigations
9 on nongame wildlife in order to develop information relating to
10 population, distribution, habitat needs, limiting factors, and
11 other biological and ecological data to determine management
12 measures necessary for their continued ability to sustain
13 themselves successfully. On the basis of such determinations the
14 commission shall issue proposed regulations * * * and develop
15 management programs, designed to insure the continued ability of
16 nongame wildlife to perpetuate themselves successfully. Such
17 proposed regulations shall set forth species or subspecies of
18 nongame wildlife which the commission deems in need of management
19 pursuant to this section, giving their common and scientific names
20 by species and subspecies. The commission shall conduct ongoing
21 investigations of nongame wildlife and may from time to time amend
22 such regulations by adding or deleting * * * species or subspecies
23 of nongame wildlife.

24 (b) The commission shall by such regulations establish
25 proposed limitations relating to taking, possession,
26 transportation, exportation, processing, sale or offer for sale,
27 or shipment as may be deemed necessary to manage such nongame
28 wildlife. Such regulation shall become effective sixty (60) days

29 after being proposed during which period public comment shall be
30 solicited and received. The commission may hold a public hearing
31 if deemed appropriate. On the basis of public comments received
32 or the testimony at any such hearing the commission may make such
33 changes in the proposed regulation as are consistent with
34 effective management of nongame wildlife.

35 (c) Except as provided in regulations issued by the
36 commission, it shall be unlawful for any person to take, possess,
37 transport, export, process, sell or offer for sale or ship nongame
38 wildlife deemed by the commission to be in need of management
39 pursuant to this section. Subject to the same exception, it shall
40 further be unlawful for any common or contract carrier knowingly
41 to transport or receive for shipment nongame wildlife deemed by
42 the commission to be in need of management pursuant to this
43 section.

44 **SECTION 2.** This act shall take effect and be in force from
45 and after its passage.