

## Senate Amendments to House Bill No. 935

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

### AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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, purchasing, sale or offer  
27 for sale, or shipment as may be deemed necessary to manage such  
28 nongame wildlife. Such regulation shall become effective sixty  
29 (60) days after being proposed during which period public comment  
30 shall be solicited and received. The commission may hold a public  
31 hearing if deemed appropriate. On the basis of public comments

32 received or the testimony at any such hearing the commission may  
33 make such changes in the proposed regulation as are consistent  
34 with 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, purchase, sell or offer for sale or  
38 ship nongame wildlife deemed by the commission to be in need of  
39 management pursuant to this section. Subject to the same  
40 exception, it shall further be unlawful for any common or contract  
41 carrier knowingly to transport or receive for shipment nongame  
42 wildlife deemed by the commission to be in need of management  
43 pursuant to this section.

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

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

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.

SS26\HB935A.J

John O. Gilbert  
Secretary of the Senate