

Senate Amendments to House Bill No. 1089

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:

18 **SECTION 1.** (1) (a) The Mississippi Commission on Wildlife,
19 Fisheries and Parks shall regulate the feeding of wild animals and
20 game birds and shall have plenary authority in matters related to
21 the feeding of wild animals and game birds and taking of wild
22 animals by use of feed.

23 (b) The commission may allow, restrict or prohibit the
24 taking of wild animals by use of feed.

25 (2) The commission may take any action it deems desirable to
26 prevent the introduction of disease, to control disease and to
27 manage the population of wild animals and game birds by use of
28 feed.

29 (3) A violation of any regulation of the commission
30 promulgated to prevent or control disease related to feeding and
31 regulations related to the taking of wild animals by use of feed
32 shall be a Class II violation punishable, as provided under
33 Section 49-7-143.

34 **SECTION 2.** The Department of Wildlife, Fisheries and Parks
35 may conduct a survey of resident hunters and may hold public
36 meetings on the issue of feeding wild animals and game birds, and
37 shall furnish the findings to the commission.

38 **SECTION 3.** Section 49-7-33, Mississippi Code of 1972, is
39 amended as follows:

40 49-7-33. (1) It is unlawful to hunt, trap or kill any wild
41 bird or wild animal of any kind with the aid of bait, recordings
42 of bird or animal calls, or electrically amplified imitations of
43 calls of any kind, except a person:

44 (a) May use electrically amplified sound devices for
45 hunting coyote and crow;

46 (b) May use liquid scents for any animal or bird; * * *

47 (c) May use lures for trapping furbearing animals,
48 beaver, coyote, fox and nutria according to regulations adopted by
49 the commission; and.

50 (d) May hunt any wild animal with the aid of bait or
51 feed if the commission allows the use of bait or feed under
52 Section 1 of House Bill No. 1089, 2006 Regular Session.

53 (2) The commission, in its discretion, may relax the
54 restrictions regarding the use of lures or sound devices if a
55 condition arises or exists, as decided by the State Board of
56 Health or county board of health, that may endanger persons or
57 livestock in a certain community, county or area.

58 * * *

59 **SECTION 4.** Section 49-7-41, Mississippi Code of 1972, is
60 amended as follows:

61 49-7-41. * * *

62 * * * It is unlawful for a nonresident to kill an
63 antlerless deer except: * * * a nonresident may take antlerless
64 deer on lands that the title is vested in the nonresident or on
65 lands that the nonresident has leased the hunting and fishing
66 rights * * * and a nonresident who has a native son or daughter
67 nonresident lifetime sportsman license or a resident lifetime
68 sportsman license may take antlerless deer on private lands,
69 wildlife management areas or national wildlife refuges.

70 * * *

71 **SECTION 5.** The following shall be codified as Section
72 49-7-28, Mississippi Code of 1972:

73 49-7-28. The commission may establish open seasons and bag
74 limits on any wildlife under its jurisdiction, unless the seasons
75 or bag limits are established by statute.

76 **SECTION 6.** Section 49-7-30, Mississippi Code of 1972, which
77 established the season for taking nongame gross fish by hand or
78 rope, is repealed.

79 **SECTION 7.** Section 49-7-31, Mississippi Code of 1972, which
80 establishes the season on deer, is repealed.

81 **SECTION 8.** Section 49-7-31.2, Mississippi Code of 1972,
82 which establishes the season on game birds, is repealed.

83 **SECTION 9.** Section 49-7-31.3, Mississippi Code of 1972,
84 which establishes the season on game animals other than deer, is
85 repealed.

86 **SECTION 10.** Section 49-7-31.4, Mississippi Code of 1972,
87 which establishes the season on fur-bearing animals, is repealed.

88 **SECTION 11.** Section 49-11-13, Mississippi Code of 1972,
89 which establishes the season for shooting preserves, is repealed.

90 **SECTION 12.** This act shall take effect and be in force from
91 and after July 1, 2006.

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

1 AN ACT TO AUTHORIZE THE COMMISSION ON WILDLIFE, FISHERIES AND
2 PARKS TO REGULATE THE FEEDING OF WILD ANIMALS; TO AUTHORIZE THE
3 COMMISSION ON WILDLIFE, FISHERIES AND PARKS TO REGULATE THE TAKING
4 OF WILD ANIMALS BY USE OF FEED; TO PROVIDE FOR THE REPEAL OF SUCH
5 AUTHORITY; TO AUTHORIZE THE COMMISSION TO REGULATE THE USE OF
6 FEED, AMPLIFIED RECORDINGS, LURE AND OTHER ATTRACTANTS WHEN TAKING
7 GAME; TO AMEND SECTION 49-7-33, MISSISSIPPI CODE OF 1972, TO
8 PROVIDE AN EXCEPTION TO THE PROHIBITION ON THE TAKING OF WILD
9 ANIMALS OR BIRDS WITH THE USE OF BAIT IF THE COMMISSION ON
10 WILDLIFE, FISHERIES AND PARKS ALLOWS THE USE OF BAIT; TO CREATE A
11 NEW SECTION 49-7-28, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE
12 COMMISSION ON WILDLIFE, FISHERIES AND PARKS TO ESTABLISH SEASONS
13 AND BAG LIMITS; TO AMEND SECTION 49-7-41, MISSISSIPPI CODE OF
14 1972, TO CONFORM; TO REPEAL SECTIONS 49-7-30, 49-7-31, 49-7-31.2,
15 49-7-31.3, 49-7-31.4 AND 49-11-13, MISSISSIPPI CODE OF 1972, WHICH
16 ESTABLISH VARIOUS OPEN SEASONS; AND FOR RELATED PURPOSES.

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John O. Gilbert
Secretary of the Senate