

## REPORT OF CONFERENCE COMMITTEE

# 2

MR. SPEAKER AND MADAM PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 887: Deer hunting; establish separate seasons for southeastern part of state.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

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

10        SECTION 1. (1) When hunting deer during any gun season on  
11 deer, a hunter must wear in full view at least five hundred (500)  
12 square inches of solid unbroken fluorescent orange. This  
13 requirement shall not apply to a hunter while the hunter is in a  
14 fully enclosed deer stand.

15        (2) A violation of this section is a Class III violation and  
16 is punishable as provided in Section 49-7-143.

17        SECTION 2. The open season for game birds shall be as  
18 follows:

19           (a) On bobwhite quail: The season shall open on  
20 Thanksgiving Day and run through the first Saturday in March next  
21 following.

22           (b) On pheasant: There shall be no open season on  
23 pheasant.

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

27           (d) On migratory birds: The open season for migratory  
28 birds shall be the season prescribed by the Federal Migratory Bird  
29 Treaty regulations.

30           **SECTION 3.** The open season on game animals except deer shall  
31 be as follows:

32                   (a) On squirrel:

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

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

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

44                   (b) On rabbits: The season shall open on the Saturday  
45 nearest October 15 and run through February 28 next following, and  
46 when rabbits are depredating or destroying crops, the owner of the  
47 crops or his tenants may shoot the rabbits with guns.

48           **SECTION 4.** Section 49-7-31, Mississippi Code of 1972, is  
49 amended as follows:

50           49-7-31. (1) The open season \* \* \* on deer shall be as  
51 follows:

52           \* \* \*

53                   (a) With bow and arrow: October 1 through the Friday  
54 prior to Thanksgiving.

55                   (b) With guns and with dogs: From the Saturday prior  
56 to Thanksgiving through December 1.

57                   (c) With primitive weapons and without dogs: December  
58 2 through December 15.

59                   (d) With guns and without dogs: December 16 through  
60 December 23. However, the commission may allow hunting statewide  
61 or in specific areas with any legal weapon which it may designate

62 without dogs after the end of the last season for hunting deer  
63 with guns and with dogs, but the season with legal designated  
64 weapons and without dogs shall not extend beyond January 31.

65 (e) The commission shall establish an extended season  
66 with primitive weapons and bow and arrow without dogs from  
67 February 1 through February 15 for the area south of U.S. Highway  
68 84 and east of Mississippi Highway 35 only for legal bucks. Any  
69 antlered deer taken in this area during any open season under this  
70 section must be a legal buck as defined in this paragraph. For  
71 purposes of this paragraph, the term "legal buck" means a deer  
72 with antlers of four (4) points or more with a minimum inside  
73 spread of ten (10) inches or a minimum main beam length of  
74 thirteen (13) inches. The commission may delay the opening date  
75 and change the length of bow and arrow season in paragraph (1)(a)  
76 in this area.

77 (f) With guns and with dogs: December 24 through a  
78 date fixed by the commission that will provide a total of  
79 thirty-nine (39) days of hunting deer with guns and with dogs when  
80 added to the number of days provided for hunting deer with guns  
81 and with dogs in paragraph (b).

82 \* \* \*

83 (2) \* \* \* The commission may \* \* \* set and regulate the deer  
84 seasons on wildlife management areas which it administers.

85 (3) (a) The commission may allow the harvesting of  
86 antlerless deer in the districts or zones upon the recommendation  
87 of the executive director based upon good and substantial  
88 quantitative data and research evaluations that demonstrate that  
89 the harvesting is necessary to properly manage the herd.

90 (b) The commission, only upon the recommendation of the  
91 executive director, may allow the harvesting of antlerless deer  
92 during the deer season with guns and with dogs by a majority vote  
93 of the commission.

94           (c) Nothing in this subsection prohibits the harvesting  
95 of either-sex deer by landowners or leaseholders on private lands  
96 under a deer management program prescribed or approved by the  
97 executive director.

98           (4) The commission may provide a special permit for the  
99 harvesting of deer when they are depredating and destroying crops.  
100 The department shall supervise the harvesting and provide for the  
101 salvaging of the meat of the animals. The commission may  
102 authorize the department to assist any farmer in this state, who  
103 sustains crop damage by wildlife, in eradication of the problem  
104 wildlife.

105       \* \* \*

106           SECTION 5. (1) The commission shall establish a special  
107 hunting season for youth under the age of sixteen (16) and for  
108 handicapped persons in the Natchez State Park. The commission  
109 shall also establish a primitive weapon season in the Natchez  
110 State Park. The selection of participants in the primitive weapon  
111 season shall be by public drawing from all qualified applications.  
112 The commission shall set the number of permits to be issued and  
113 the length of the special seasons.

114           (2) The commission may also establish a special hunting  
115 season for youth and handicapped persons or a primitive weapon  
116 season as provided in this section in any other state park under  
117 the jurisdiction of the department but shall only do so upon the  
118 recommendation of the staff of the department as approved by the  
119 commission. The commission shall select participants and set the  
120 number of permits to be issued and the length of the special  
121 seasons.

122           (3) The commission may establish and regulate special youth  
123 hunts for all nonmigratory game birds and animals outside of the  
124 open season on wildlife management areas and on private lands.

125           **SECTION 6.** (1) The commission may fix the open season on  
126 fur-bearing animals between November 1 and March 1 next following  
127 and fix the open season for hunting opossums, raccoons and bobcats  
128 with dogs and guns by licensed hunters from October 1 to February  
129 28 next following; but raccoons and bobcats may be run, hunted,  
130 chased or pursued throughout the year with dogs by licensed  
131 hunters.

132           (2) The commission may establish an additional open season  
133 on raccoon from July 1 through October 1, and the bag limit on  
134 raccoon during the additional open season shall be one (1) per  
135 party, per night.

136           **SECTION 7.** (1) (a) The hunting of predatory animals shall  
137 be restricted to the open seasons for hunting any game animal or  
138 game bird, using only the firearms, ammunition, primitive weapons  
139 or archery equipment legal for use during that open season.

140           (b) Landowners, agricultural leaseholders or their  
141 designated agents may take predatory animals year-round on lands  
142 owned or leased by them.

143           (2) The taking of any animal or animals other than beavers,  
144 nutria or coyote by the use of a trap or traps is unlawful except  
145 during the time the season is open for the taking of fur-bearing  
146 animals.

147           (3) Fox and coyote may be run, chased or pursued with dogs  
148 except as provided in Section 49-7-32 year-round by licensed  
149 hunters.

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

153           **SECTION 8.** This act shall take effect and be in force from  
154 and after July 1, 2005.

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

1 AN ACT TO REVISE THE REQUIREMENTS FOR WEARING HUNTER ORANGE;  
2 TO PROVIDE A PENALTY FOR NOT WEARING HUNTER ORANGE; TO RECODIFY  
3 OPEN SEASON LAWS ON GAME ANIMALS AND BIRDS, FUR-BEARING ANIMALS  
4 AND PREDATORS; TO AMEND SECTION 49-7-31, MISSISSIPPI CODE OF 1972,  
5 TO CONFORM; TO FURTHER AMEND 49-7-31, MISSISSIPPI CODE OF 1972, TO  
6 PROVIDE FOR AN EXTENDED DEER SEASON ON BUCKS WITH CERTAIN MINIMUM  
7 ANTLER SIZES IN CERTAIN COUNTIES IN SOUTH MISSISSIPPI; AND FOR  
8 RELATED PURPOSES.

CONFEREES FOR THE HOUSE

X (SIGNED)  
Robinson (84th)

X (SIGNED)  
Hudson

X (SIGNED)  
Parker

CONFEREES FOR THE SENATE

X (SIGNED)  
Posey

X (SIGNED)  
Dearing

X (SIGNED)  
Cuevas