

By: Senator(s) Posey

To: Wildlife, Fisheries and
Parks

SENATE BILL NO. 2797
(As Passed the Senate)

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, 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.