

MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS  
1505 EASTOVER DRIVE  
JACKSON, MS 39211-6374

PUBLIC NOTICE OF PROPOSED RULE LE5-3779

TO: The Honorable Delbert Hosemann  
Secretary of State  
Post Office Box 136  
Jackson, MS 39205  
AND  
ALL INTERESTED PERSONS

The Mississippi Commission on Wildlife, Fisheries and Parks, at a meeting in Greenwood, Mississippi on January 23, 2012, under authority of §25-43-3.103 Mississippi Code of 1972, made known its intent to adopt the following regulations concerning nuisance animals. The following regulation is promulgated under authority of §49-7-1.

Be it ordered that Public Notice LE4-3779 is hereby repealed and all regulations below are adopted.

Miss. Code Ann. §49-7-1, as amended, classifies nutria, beaver, fox, skunks, wild hogs and coyotes (as defined in Miss. Code Ann. Section 49-7-140) as “nuisance” animals. Pursuant to the same authority in the amended statute, the Commission issues this regulation stating that nuisance animals may be taken at any time subject to the following:

Nuisance animals may be hunted, taken, killed, chased, or pursued during daylight hours on private lands and/or on public lands, where the governmental agency charged with the management of said lands has passed laws or regulations allowing the taking of nuisance animals, from opening day of deer archery season to the last day of February and during spring turkey season with the type of weapons and ammunition legal to hunt with during that season. Outside of the above mentioned time-frames, the hunting of nuisance animals is allowed during daylight hours on private lands with no caliber restrictions.

Except for the following:

Landowners may hunt nuisance animals year-round at any time of day or night with no caliber restrictions on property deeded in their name.

Anyone hunting wild hogs on property that is not deeded in their name must have written permission from the landowner in their possession when hunting with weapons and ammunition that are not legal from opening day of deer archery season to the last day of

February and during spring turkey season or that exceed nighttime weapons and ammunition restrictions.

- Permission letters must be signed and dated by the landowner, shall include the contact information of the landowner and the permitted person, and specify a date of expiration, not to exceed 30 days from date of issuance. Landowners may designate up to 3 persons during any time period.
  - Persons hunting property that is not deeded in their name during nighttime hours must notify the appropriate MDWFP Regional Office at least 24 hours in advance of their intent to hunt.

Nuisance animals may not be hunted or pursued with dogs during the open spring turkey season.

For the purpose of this public notice, "Wild hogs" are hereby defined as any feral hog, wild swine, Russian boar, or any pig that is not domesticated or has a wild-looking appearance or behavior.

Wild hogs may not be transported within the State of Mississippi between the hours of sunset and sunrise and may not be released or removed alive from any mobile device or vehicle, except that wild hogs may be released alive for the purpose of slaughter into an enclosure no larger than 500 square feet in size and constructed in a manner that prevents the escape of any wild hog. A violation of this is a Class 1 violation and is punishable as provided under section 49-7-141.

- Anyone transporting a live wild hog within the State of Mississippi must first obtain a Live Wild Hog Transportation Permit for each wild hog being transported. Permits may be obtained by contacting the department's 24 hour Communications Dispatcher at ph. (601) 432-2170. A violation of this regulation is a Class III violation, punishable as provided in Section 49-7-101, Mississippi Code of 1972.
  - Required information for a Live Wild Hog Transportation Permit will be:
    1. Date and time of transportation
    2. Name and physical address of permittee
    3. Hunting License No.
    4. County
    5. Point of origin (Road or Highway No.)
    6. Number of live wild hogs being transported
    7. Final destination
    8. Description of the transporting vehicle and license plate number

Wild hogs may not be caught or trapped and released into the wild at a location different from the location where the wild hog was caught or trapped. A violation of this is a Class 1 violation and is punishable as provided under section 49-7-141.

Wild hogs may be hunted with the aid of feed/bait with the following exceptions:

- Any food or food products, except whole grains, chopped or ground-up grains, may be placed upon the ground, above the ground, in any type container year round for the purpose of hunting wild hogs only.
- Grain or grain products may be used, if placed inside any legally designed live capture-type trapping device for the sole purpose of trapping wild hogs.

Any live cage-type trap used to trap wild hogs must be tagged or labeled in plain view (written in waterproof ink or stamped) with the owner or users name, address, phone number and/or trapper license ID#. All live cage-type traps must be checked every 36 hours. All non-targeted wild or domestic animals caught must be released immediately upon detection. A wild hog live-cage-type trap is described as a permanent or mobile containment system made of any type material capable of confining the mobility of a wild hog until otherwise removed. The trap must consist of a trap door, slide gate, or similar mechanism. The roof or tops of these traps must be constructed in a manner with ample opening in the top to allow non-targeted deer, turkey, or bear to escape.

Persons trapping nuisance animals, *other than wild hogs*, must have a valid Mississippi trapping license, unless otherwise exempt.

Persons trapping wild hogs must possess a valid Lifetime, All Game, Sportsman, or Trapping License.

Persons hunting nuisance animals must possess a valid Lifetime, All Game, or Sportsman's License, unless otherwise exempt.

Persons hunting nuisance animals with crossbows must possess either the General Crossbow License or the Special Crossbow License in addition to the All-Game or Sportsman, unless otherwise exempt.

Unless otherwise exempt, persons hunting nuisance animals with archery equipment and/or with primitive weapons during archery or primitive weapons season must possess either a Sportsman License or an All Game Hunting License and the Archery/Primitive Weapon Permit.

The holder of a Lifetime, All Game, Sportsman or Trapping License may sell any part of any nuisance animal year-round.

Persons hunting wild hogs during any open gun season on deer will be required to wear, in full view, 500 square inches of solid unbroken hunter orange, unless they are hunting from a fully enclosed stand.

Nuisance animals may be hunted with the aid of electronic calls.

Exceptions to nuisance animal regulations may be allowed by making application to the MDWFP for an Animal Control Permit.

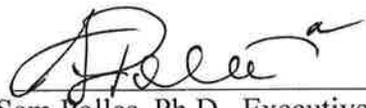
LES 3779(I)  
January 23, 2012 Commission Meeting

Anyone wishing to comment on the above proposed action may do so in writing to the Executive Director, Mississippi Department of Wildlife, Fisheries and Parks, P. O. Box 451, Jackson, MS 39205, no later than February 25, 2012.

Mississippi Commission on  
Wildlife, Fisheries and Parks

  
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William "Billy" Deviney, Chairman

Mississippi Department of  
Wildlife, Fisheries and Parks

  
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Sam Folles, Ph.D., Executive Director

MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS  
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PUBLIC NOTICE OF PROPOSED RULE LE5-3779

TO: The Honorable Delbert Hosemann  
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Post Office Box 136  
Jackson, MS 39205  
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ALL INTERESTED PERSONS

The Mississippi Commission on Wildlife, Fisheries and Parks, at a meeting in Greenwood, Mississippi on January 23, 2012, under authority of §25-43-3.103 Mississippi Code of 1972, made known its intent to adopt the following regulations concerning nuisance animals. The following regulation is promulgated under authority of §49-7-1.

Be it ordered that Public Notice LE43-3779 and LE-3760a is hereby repealed and all regulations below are adopted.

Miss. Code Ann. §49-7-1, as amended, classifies nutria, beaver, fox, skunks, wild hogs and coyotes (as defined in Miss. Code Ann. Section 49-7-140) as “nuisance” animals. Pursuant to the same authority in the amended statute, the Commission issues this regulation stating that nuisance animals may be taken at any time subject to the following:

**~~From March 1 to the day prior to the opening of deer archery season~~**

Nuisance animals may be hunted, taken, killed, chased, or pursued during daylight hours on private lands and/or on public lands, where the governmental agency charged with the management of said lands has passed laws or regulations allowing the taking of nuisance animals, from opening day of deer archery season to the last day of February and during spring turkey season with the type of weapons and ammunition legal to hunt with during that season at any time with no weapon restriction. Outside of the above mentioned time-frame, the hunting of nuisance animals is allowed during daylight hours on private lands with no caliber restrictions.

Except for the following:

Landowners may hunt nuisance animals year-round at any time of day or night with no caliber restrictions on property deeded in their name.

Anyone hunting wild hogs on property that is not deeded in their name must have written permission from the landowner in their possession when hunting with weapons and ammunition that are not legal from opening day of deer archery season to the last day of February and during spring turkey season or that exceed nighttime weapons and ammunition restrictions.

- Permission letters must be signed and dated by the landowner, shall include the contact information of the landowner and the permitted person, and specify a date of expiration, not to exceed 30 days from date of issuance. Landowners may designate up to 3 persons during any time period.
  - Persons hunting property that is not deeded in their name during nighttime hours must notify the appropriate MDWFP Regional Office at least 24 hours in advance of their intent to hunt.

However, Nuisance animals may not be hunted or pursued with dogs during the open spring turkey season.

For the purpose of this public notice, "Wild hogs" are hereby defined as any feral hog, wild swine, Russian boar, or any pig that is not domesticated or has a wild-looking appearance or behavior.

Wild hogs may not be transported within the State of Mississippi between the hours of sunset and sunrise and may not be released or removed alive from any mobile device or vehicle, except that wild hogs may be released alive for the purpose of slaughter into an enclosure no larger than 500 square feet in size and constructed in a manner that prevents the escape of any wild hog. A violation of this is a Class I violation and is punishable as provided under section 49-7-141.

- Anyone transporting a live wild hog within the State of Mississippi must first obtain a Live Wild Hog Transportation Permit for each wild hog being transported. Permits may be obtained by contacting the department's 24 hour Communications Dispatcher at ph. (601) 432-2170. A violation of this regulation is a Class III violation, punishable as provided in Section 49-7-101, Mississippi Code of 1972.
  - Required information for a Live Wild Hog Transportation Permit will be:
    9. Date and time of transportation
    10. Name and physical address of permittee
    11. Hunting License No.
    12. County
    13. Point of origin (Road or Highway No.)
    14. Number of live wild hogs being transported

15. Final destination

16. Description of the transporting vehicle and license plate number

Wild hogs may not be caught or trapped and released into the wild at a location different from the location where the wild hog was caught or trapped. A violation of this is a Class 1 violation and is punishable as provided under section 49-7-141.

Wild hogs may be hunted with the aid of feed/bait with the following exceptions:

- Any food or food products, except whole grains, chopped or ground-up grains, may be placed upon the ground, above the ground, in any type container year round for the purpose of hunting wild hogs only.
- Grain or grain products may be used, if placed inside any legally designed live capture-type trapping device for the sole purpose of trapping wild hogs.

Any live cage-type trap used to trap wild hogs must be tagged or labeled in plain view (written in waterproof ink or stamped) with the owner or users name, address, phone number and/or trapper license ID#. All live cage-type traps must be checked every 36 hours. All non-targeted wild or domestic animals caught must be released immediately upon detection. A wild hog live-cage-type trap is described as a permanent or mobile containment system made of any type material capable of confining the mobility of a wild hog until otherwise removed. The trap must consist of a trap door, slide gate, or similar mechanism. The roof or tops of these traps must be constructed in a manner with ample opening in the top to allow non-targeted deer, turkey, or bear to escape.

Persons trapping nuisance animals, *other than wild hogs*, must have a valid Mississippi trapping license, unless otherwise exempt.

Persons trapping wild hogs must possess a valid Lifetime, All Game, Sportsman, or Trapping License.

Persons hunting nuisance animals must possess a valid Lifetime, All Game, or Sportsman's License, unless otherwise exempt. ~~Persons trapping nuisance animals, except wild hogs, must possess a valid Trapping License.~~

Persons hunting nuisance animals with Crossbows may be used to hunt nuisance animals by persons must possessing either the General Crossbow License or the Special Crossbow License in addition to the All-Game or Sportsman, unless otherwise exempt.

Unless otherwise exempt, persons hunting nuisance animals with archery equipment and/or with primitive weapons during archery or primitive weapons season must possess

either a Sportsman License or an All Game Hunting License and the Archery/Primitive Weapon Permit.

The holder of a Lifetime, All Game, Sportsman or Trapping License may sell any part of any nuisance animal year-round.

Persons hunting wild hogs during any open gun season on deer will be required to wear, in full view, 500 square inches of solid unbroken hunter orange, unless they are hunting from a fully enclosed stand.

Nuisance animals may be hunted with the aid of electronic calls.

Exceptions to nuisance animal regulations may be allowed by making application to the MDWFP for an Animal Control Permit.

**~~(1) From opening of deer archery season to the last day of February~~**

~~(Private Lands and open public lands that have statewide seasons without special regulations)~~

~~Nuisance animals may be hunted, taken, killed, or pursued during daylight hours with weapons legal to use for the hunting season open at the time. Persons hunting nuisance animals from one half hour (1/2) after sunset until one half hour (1/2) before sunrise, with or without the aid of a light, are restricted to using standard rim fire rifles or handguns no larger than .22-caliber (all magnums are excluded) and/or shotguns with shot size no larger than No. 6. Unless otherwise exempt, persons hunting nuisance animals with archery equipment and/or with primitive weapons during archery or primitive weapons season must possess either a Sportsman License or an All Game Hunting License and the Archery/Primitive Weapon Permit. Persons trapping nuisance animals, other than wild hogs, must have a valid trapping license, unless otherwise exempt.~~

**~~(2) Wild Hogs~~**

~~Wild hogs may be hunted, taken, killed, chased or pursued on private lands during daylight and nighttime hours throughout the year with no firearm restrictions. Wild hogs may also be hunted, taken, killed, chased or pursued, with dogs, except during the spring turkey season.~~

LE5 3779(I)  
January 23, 2012 Commission Meeting

Anyone wishing to comment on the above proposed action may do so in writing to the Executive Director, Mississippi Department of Wildlife, Fisheries and Parks, P. O. Box 451, Jackson, MS 39205, no later than February 25, 2012.

Mississippi Commission on  
Wildlife, Fisheries and Parks

Mississippi Department of  
Wildlife, Fisheries and Parks

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Billy Deviney, Chairman

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Sam Polles, Ph.D., Executive Director