

MISSISSIPPI COMMISSION ON WILDLIFE, FISHERIES, AND PARKS
MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES, AND PARKS

Title 40: Wildlife, Fisheries, and Parks

Part 5: Museum of Natural Science

Part 5, Chapter 2: Regulations regarding non-game and endangered species.

RULE 2.3 REGULATIONS REGARDING NON-GAME WILDLIFE IN NEED OF MANAGEMENT.

A. Nongame Species In Need Of Management: Definitions.

1. Nongame species in need of management in Mississippi include:

a. Thirty-two (32) species of small mammals, one species of freshwater fish, and all native species of reptiles and amphibians except those regulated by other rules of the Commission on Wildlife, Fisheries and Parks.

b. Species not regulated by this rule include:

i. endangered reptiles and amphibians;

ii. reptiles and amphibians considered game species (Bullfrog, Pig Frog, Bronze Frog);

iii. American Alligator; and

iv. Commercially recognized genetic color mutants, such as albinos or other color variants, of nongame wildlife in need of management.

2. For the purposes of this rule, nongame species in need of management may be referred to as nongame reptiles, nongame turtles, nongame snakes, nongame lizards, nongame amphibians, nongame frogs, nongame salamanders, nongame mammals, nongame fish, or nongame wildlife.

B. The following species of nongame wildlife are deemed to be in need of management and are regulated by this rule:

NONGAME AMPHIBIANS

SALAMANDERS		<i>Ambystoma cingulatum</i>	FLATWOODS
<i>Ambystoma maculatum</i>	SPOTTED	<i>Ambystoma opacum</i>	MARbled
<i>Ambystoma talpoideum</i>	MOLE	<i>Ambystoma texanum</i>	SMALLMOUTH
<i>Ambystoma tigrinum tigrinum</i>	EASTERN TIGER	<i>Amphiuma means</i>	TWO-TOED AMPHIUMA
<i>Amphiuma tridactylum</i>	THREE-TOED AMPHIUMA	<i>Cryptobranchus alleganiensis</i>	HELLBENDER
<i>Desmognathus auriculatus</i>	SOUTHERN DUSKY	<i>Desmognathus conanti</i>	SPOTTED DUSKY
<i>Eurycea cirrigera</i>	TWO-LINED	<i>Eurycea longicauda</i>	LONGTAIL

<i>Eurycea guttolineata</i>	THREE-LINED	<i>Eurycea quadridigitata</i>	DWARF
<i>Hemidactylium scutatum</i>	FOUR-TOED	<i>Plethodon ventralis</i>	SOUTHERN ZIGZAG
<i>Plethodon mississippi</i>	MISSISSIPPI SLIMY	<i>Plethodon websteri</i>	WEBSTER'S SALAMANDER
<i>Pseudotriton montanus</i>	MUD SALAMANDER	<i>Pseudotriton ruber</i>	RED SALAMANDER
<i>Necturus beyeri</i>	GULF COAST WATERDOG	<i>Necturus louisianensis</i>	RED RIVER WATERDOG
<i>Necturus maculosus</i>	MUDPUPPY	<i>Notophthalmus viridescens</i>	EASTERN NEWT
<i>Siren intermedia</i>	LESSER SIREN		
TOADS		<i>Bufo americanus</i>	AMERICAN
<i>Bufo quercicus</i>	OAK	<i>Bufo terrestris</i>	SOUTHERN
<i>Bufo nebulifer</i>	GULF COAST	<i>Bufo fowleri</i>	FOWLER'S
		FROGS	
<i>Acris crepitans</i>	NORTHERN CRICKET	<i>Acris gryllus</i>	SOUTHERN CRICKET
<i>Hyla avivoca</i>	BIRD-VOICED TREE	<i>Hyla chrysoscelis</i>	COPE'S GRAY TREE
<i>Hyla cinerea</i>	GREEN TREE	<i>Hyla femoralis</i>	PINE WOODS TREE
<i>Hyla gratiosa</i>	BARKING TREE	<i>Hyla squirella</i>	SQUIRREL TREE
<i>Hyla versicolor</i>	GRAY TREE	<i>Pseudacris brachyphona</i>	MOUNTAIN CHORUS
<i>Pseudacris crucifer</i>	SPRING PEEPER	<i>Pseudacris foquettei</i>	
<i>Pseudacris nigrita</i>	SOUTHERN CHORUS	<i>Pseudacris ornata</i>	ORNATE CHORUS
<i>Pseudacris feriarum</i>	SOUTHEASTERN CHORUS	<i>Gastrophryne carolinensis</i>	NARROWMOUTH FROG
<i>Scaphiopus holbrookii</i>	EASTERN SPADEFOOT	<i>Rana areolata circulosa</i>	NORTHERN CRAWFISH
<i>Rana heckscheri</i>	RIVER	<i>Rana palustris</i>	PICKEREL
<i>Rana sphenoccephala</i>	SOUTHERN LEOPARD		

NONGAME REPTILES

TURTLES		<i>Macrochelys temminckii</i>	ALLIGATOR SNAPPER
<i>Chelydra serpentina</i>	COMMON SNAPPER	<i>Chrysemys dorsalis</i>	SOUTHERN PAINTED
<i>Deirochelys reticularia</i>	CHICKEN	<i>Gratemys geographica</i>	COMMON MAP
<i>Gratemys gibbonsi</i>	PASCAGOULA MAP	<i>Gratemys pearlensis</i>	PEARL MAP
<i>Gratemys pseudogeographica</i>	MISSISSIPPI MAP	<i>Gratemys pulchra</i>	ALABAMA MAP
<i>Gratemys ouachitensis</i>	OUACHITA MAP	<i>Malaclemys terrapin</i>	DIAMONDBACK TERRAPIN
<i>Pseudemys concinna</i>	RIVER COOTER	<i>Terrapene carolina</i>	BOX
<i>Trachemys scripta</i>	RED EARED SLIDER	<i>Kinosternon subrubrum</i>	EASTERN MUD
<i>Sternotherus carinatus</i>	RAZORBACK MUSK	<i>Sternotherus minor</i>	STRIPENECK MUSK
<i>Sternotherus odoratus</i>	STINKPOT	<i>Apalone mutica</i>	SMOOTH SOFTSHELL
<i>Apalone spinifera</i>	SPINY SOFTSHELL		
LIZARDS		<i>Anolis carolinensis</i>	GREEN ANOLE
<i>Sceloporus undulatus</i>	EASTERN FENCE	<i>Ophisaurus attenuatus</i>	SLENDER GLASS
<i>Ophisaurus mimicus</i>	MIMIC GLASS	<i>Ophisaurus ventralis</i>	EASTERN GLASS
<i>Plestiodon laticeps</i>	BROADHEAD SKINK	<i>Plestiodon anthracinus</i>	COAL SKINK
<i>Plestiodon fasciatus</i>	FIVE-LINED SKINK	<i>Plestiodon inexpectatus</i>	SOUTHEASTERN
<i>Scincella lateralis</i>	GROUND SKINK	<i>Aspidoscelis sexlineatus</i>	SIX-LINED RACERUNNER
		SNAKES	
<i>Carphophis amoenus</i>	WORM	<i>Cemophora coccinea</i>	SCARLET
<i>Coluber constrictor priapus</i>	SOUTHERN BLACK RACER	<i>Coluber constrictor latrunculus</i>	BLACKMASK RACER
<i>Diadophis punctatus</i>	RINGNECK	<i>Pantherophis guttata guttata</i>	CORN OR RED RAT
<i>Pantherophis obsoleta spiloides</i>	GRAY OR TEXAS RAT	<i>Farancia abacura</i>	MUD
<i>Heterodon platirhinos</i>	EASTERN HOGNOSE	<i>Lampropeltis calligaster</i>	PRAIRIE KING
<i>Lampropeltis getula holbrooki</i>	SPECKLED KING	<i>Lampropeltis getula nigra</i>	BLACK KING
<i>Lampropeltis triangulum sypila</i>	RED MILK	<i>Lampropeltis t. elapsoides</i>	SCARLET KING
<i>Masticophis flagellum</i>	COACHWHIP	<i>Nerodia cyclopion</i>	GREEN WATER
<i>Nerodia erythrogaster</i>	PLAINBELLY WATER	<i>Nerodia fasciata</i>	SOUTHERN WATER
<i>Nerodia clarkii</i>	GULF SALT MARSH	<i>Nerodia rhombifer</i>	DIAMONDBACK WATER
<i>Nerodia sipedon</i>	NORTHERN WATER	<i>Opheodrys aestivus</i>	ROUGH GREEN
<i>Regina grahamii</i>	GRAHAM'S CRAYFISH	<i>Regina ridiga</i>	GLOSSY CRAYFISH
<i>Regina septemvittata</i>	QUEEN SNAKE	<i>Rhadinaea flavilata</i>	PINE WOODS
<i>Storeria dekayi</i>	BROWN	<i>Storeria occipitomaculata</i>	REDBELLY
<i>Tantilla coronata</i>	SOUTHEAST CROWNED	<i>Thamnophis proximus</i>	WESTERN RIBBON
<i>Thamnophis sauritus</i>	EASTERN RIBBON	<i>Thamnophis sirtalis</i>	COMMON GARTER
<i>Virginia striatula</i>	ROUGH EARTH	<i>Virginia valeriae</i>	SMOOTH EARTH
<i>Micrurus fulvius</i>	EASTERN CORAL	<i>Agkistrodon contortrix</i>	COPPERHEAD
<i>Agkistrodon piscivorus</i>	COTTONMOUTH	<i>Crotalus adamanteus</i>	EASTERN DIAMONDBACK
<i>Crotalus horridus</i>	CANEBRAKE RATTLER	<i>Sistrurus miliarius</i>	PYGMY RATTLER

NONGAME MAMMALS

SHREWS AND MOLES			
<i>Sorex longirostris</i>	SOUTHEASTERN SHREW		
<i>Blarina carolinensis</i>	SOUTHEASTERN SHORT-TAILED SHREW		
<i>Cryptotis parvus</i>	LEAST SHREW		
<i>Scalopus aquaticus</i>	EASTERN MOLE		
BATS			
<i>Myotis austroriparius</i>	SOUTHEASTERN MYOTIS		
<i>Myotis lucifugus</i>	LITTLE BROWN MYOTIS		
<i>Myotis septentrionalis</i>	NORTHERN LONG-EARED		
<i>Lasiurus borealis</i>	EASTERN RED		
<i>Lasiurus cinereus</i>	HOARY		
<i>Lasiurus intermedius</i>	NORTHERN YELLOW		
<i>Lasiurus seminolus</i>	SEMINOLE		
<i>Lasionycteris noctivagans</i>	SILVER-HAIRED		
<i>Perimyotis subflavus</i>	TRI-COLORED		
<i>Eptesicus fuscus</i>	BIG BROWN		
<i>Nycticeius humeralis</i>	EVENING		
<i>Corynorhinus rafinesquii</i>	RAFINESQUE'S BIG-EAR		
<i>Tadarida brasiliensis</i>	BRAZILIAN FREE-TAIL		
SQUIRRELS			
<i>Tamias striatus</i>	EASTERN CHIPMUNK		
<i>Marmota monax</i>	WOODCHUCK		
<i>Glaucomys volans</i>	SOUTHERN FLYING		
		MICE	
		<i>Reithrodontomys fulvescens</i>	FULVOUS HARVEST
		<i>Reithrodontomys humulis</i>	EASTERN HARVEST
		<i>Peromyscus gossypinus</i>	COTTON
		<i>Peromyscus leucopus</i>	WHITE-FOOTED
		<i>Peromyscus maniculatus</i>	DEER
		<i>Peromyscus polionotus</i>	OLDFIELD
		<i>Ochrotomys nuttalli</i>	GOLDEN
		<i>Microtus pinetorum</i>	WOODLAND VOLE
		<i>Zapus hudsonius</i>	MEADOW JUMPING
		RATS	
		<i>Oryzomys palustris</i>	MARSH RICE
		<i>Sigmodon hispidus</i>	HISPID COTTON
		<i>Neotoma floridana</i>	EASTERN WOOD

NONGAME FISH

<i>Pternotropis welaka</i>	BLUENOSE SHINER
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C. Possession of Nongame Species in Need of Management for Personal Use.

1. Nongame wildlife taken from the wild for personal use may not be bought, sold, offered for sale, bartered, exported for sale, nor exhibited except as otherwise provided by these regulations, other regulations of the Commission, by scientific collecting permits, or by other permits issued by the Mississippi Department of Wildlife, Fisheries, and Parks.

2. License requirements for possession of nongame species for personal use.

a. Mississippi Resident - Valid Resident Sportsman's License, All Game Hunting/Freshwater Fishing License, or Small Game Hunting/Freshwater Fishing License.

b. Nonresident – Valid Nonresident All Game Hunting License.

D. Limits for possession of nongame species for personal use.

1. Nongame Amphibians.

a. Possession limit of no more than twenty (20) individuals.

b. Take from the wild not to exceed 20 per license year.

c. Specimens in possession or taken from the wild not to exceed more than four (4) individuals of any species or subspecies.

2. Nongame Snakes and Nongame Lizards.

a. Possession limit of no more than twenty (20) individuals.

b. Take from the wild not to exceed twenty (20) per license year.

c. Specimens in possession or taken from the wild not to exceed more than four (4) individuals of any species or subspecies.

d. Containers or cages holding venomous snakes shall be prominently labeled with the words "DANGER" along with the common name of the species in a conspicuous place.

3. Nongame Turtles.

a. Alligator Snapping Turtles (also called Loggerhead Snapping Turtles).

i. Possession limit - No more than one (1) individual with a top shell length (carapace length) of 24 inches or greater.

ii. Take from the wild not to exceed more than one (1) individual per license year.

b. Common Snapping Turtles, Smooth Softshell Turtles, and Spiny Softshell Turtles.

i. Daily bag limit of no more than one (1) individual of any of the three species.

ii. Possession limit and take from the wild not to exceed four (4) individuals of any of the three species per license year.

c. All Other Nongame Turtles.

i. Possession limit of no more than ten (10) individuals.

ii. Take from the wild not to exceed ten (10) individuals per license year.

iii. Specimens in possession or taken from the wild not to exceed more than four (4) individuals of any species or subspecies.

E. Seasons. No specimens of any species of nongame turtle may be taken from the wild between April 1st and June 30th except by permit issued by the Mississippi Department of Wildlife, Fisheries, and Parks.

F. Nongame Mammals and Nongame Fish.

1. Possession limit of no more than 10 nongame mammals.
2. Take from the wild of nongame mammals not to exceed 10 per license year.
3. Specimens of mammals in possession or taken from the wild not to exceed two (2) of the same species.
4. Possession limit of no more than four (4) nongame fish.
5. Take from the wild of nongame fish not to exceed four (4) per license year.

G. Exceptions to License Requirements: Residents. A resident who does not hold a Valid Resident Sportsman's License, All Game Hunting/Freshwater Fishing License, or Small Game Hunting/Freshwater Fishing License may kill a nongame snake or a nongame mammal under the following conditions:

1. The venomous snake presents a reasonable danger to human life.
2. The venomous or a non-venomous snake is on lands in which the record title is vested in such persons, or on lands which contain the principal residence of such person.
3. The nongame mammals have entered into or taken up residence in buildings or destroyed or damaged yards, plants, domestic animals, or agricultural products.
4. Nongame mammals or snakes killed under such circumstances must be disposed of or left to decompose naturally and they or their parts may not enter commercial trade nor be retained in possession.

H. Exceptions to License Requirements: Nonresidents. A person who does not hold a Nonresident All Game Hunting License may kill a nongame snake, or a nongame mammal, under the following conditions:

1. If the venomous snake presents a reasonable danger to human life.
2. If the nongame mammal or nongame snake has entered into a building being rented or leased by the nonresident.
3. Nongame snakes or nongame mammals killed under such circumstances or their parts must be disposed of or left to decompose naturally and may not be retained in possession nor enter into commercial trade.

I. Possession of Nongame Wildlife In Need of Management for Commercial Purposes.

1. Captive Propagation for Commercial Purposes.

a. Nongame wildlife may be propagated in captivity for commercial purposes only under permit from the Department of Wildlife, Fisheries and Parks.

b. Commercial purposes include taking, possessing, transporting, exporting, selling, offering for sale, shipping, bartering, exhibiting, or in any way using nongame wildlife in need of management for monetary or financial gain.

2. Permits. A permit shall be required for Commercial Captive Propagation, subject to the following requirements and conditions:

a. The permit shall be valid for one year and shall be signed by the Executive Director of the Department of Wildlife, Fisheries, and Parks or his designee.

b. The propagator shall indicate the species or subspecies of nongame wildlife, by both scientific and common name, which will be propagated in captivity.

c. The propagator shall be a resident of Mississippi and the propagation facilities shall be located in Mississippi.

d. The propagator shall provide evidence of possessing the equipment and experience necessary for successful propagation of nongame wildlife in captivity.

e. The propagator shall provide evidence that the facilities in which captive propagation is to take place are adequate for the species and numbers for which a permit is required.

f. The propagator shall be at least sixteen (16) years of age.

g. The propagator shall hold a valid commercial fishing license.

h. Permits to establish and operate commercial captive propagation facilities for nongame wildlife are not transferable except when incident to sale or other transfer of ownership of the facility, where transferees of the facility have met criteria established by Department rules and the Department has approved the transfer.

3. Non-issuance and Revocation of Permits.

a. The Department may not issue a commercial captive propagation permit for nongame wildlife to any person who has been convicted of any violation of the regulations of the Department relating to nongame wildlife for five years following such conviction.

b. The Department shall revoke any existing commercial captive propagation permit for nongame wildlife upon the permittee's conviction of any violation of

regulations of the Department relating to nongame wildlife, upon conviction of any Class I Fish or Wildlife violation, or upon conviction under any Federal conservation statute.

c. Upon revocation of a commercial captive propagation permit for nongame wildlife, the permittee shall have six (6) months to dispose of legally acquired nongame stock.

d. Nongame stock may not be disposed of to corporations or partnerships in which, by determination of the Department, the permittee is a principal.

e. Permittee must report disposition of nongame stock to the Department within 30 days of final disposition. This report shall specify nongame stock disposed of and recipients of this stock.

f. A captive propagation permit may not be renewed unless the person holding that permit has acquired breeding stock, has established a breeding facility, and is attempting to propagate nongame wildlife in captivity.

4. Special Rule Concerning the Captive Propagation of Alligator Snapping Turtles, *Malaclemys temminckii*.

a. Any alligator snapping turtles encountered at a commercial catfish pond or processing plant must be immediately reported to the Mississippi Department of Wildlife, Fisheries, and Parks Radio Room. The permittee must then make arrangements with agents of the MDWFP to surrender the turtle(s) to MDWFP Conservation Officers for release into the wild.

b. Alligator snapping turtle breeding stock in the possession of a permittee may not be supplemented by importation of alligator snapping turtles from other facilities in Mississippi or from other states, but only by raising hatchling alligator snapping turtles produced at the propagator's facility to adulthood.

c. The permittee may not collect any alligator snapping turtle from the wild for personal use.

d. The only life stage of alligator snapping turtles that may be transported from the propagation facility are hatchlings and these may be transported by the permittee or his agents but then only as part of the process undertaken to export the hatchlings.

J. General Provisions Concerning the Operation of a Commercial Captive Propagation Facility for Nongame Wildlife.

1. The premises of the commercial captive propagation facility shall be subject to inspection by Department personnel at all times.

2. Complete written records of all changes in nongame wildlife breeding stock shall be kept and made available for examination by Department personnel.

3. Shipping tickets, invoices, or bills of lading shall be maintained for five years from the date of transaction to show source of supply or disposition of nongame wildlife.

4. Each commercial propagator shall provide a summary report to the Department upon requesting renewal of a commercial captive propagation permit. Data to be included in the report shall pertain to both breeding stock and specimens raised for resale. This report shall indicate the numbers, by species and subspecies, of all nongame wildlife that were bought or sold during the permit year, the name of the seller or purchaser, and the complete address and telephone number of the seller or purchaser.

5. The permittee shall provide security of the facility premises necessary to ensure that nongame wildlife, their eggs, or parts thereof, cannot be moved in or out of the facility premises without the permittee's knowledge.

6. No provision of this rule shall authorize any person to keep in captivity any nongame wildlife in violation of any city or county ordinance.

7. Containers or cages holding venomous snakes shall be prominently labeled with the words "DANGER" along with the common name of the species in a conspicuous place.

8. Propagation facilities shall be inspected annually, at the permittee's expense, by a wildlife biologist of the permittee's choice. The annual inspection shall include, but not be limited to, the following:

a. The premises of the captive propagation facility to verify the existence of and to locate on a scale map of the facility the following:

b. The ponds, buildings, pens, cages, or other mechanisms and structures designed to hold captive breeding stock.

c. The ponds, buildings, pens, cages, or other mechanisms and structures designed to hold offspring of captive breeding stock prior to their sale.

d. Security features of the propagation facility, that prevent the movement of captive wildlife into or out of the facility.

e. Verification that the wildlife species listed on the captive propagation e present at the facility, and if it can be accomplished in less than thirty minutes, whether breeding stock of these species are present in the numbers claimed on the captive propagation application form. This should not be construed to mean that a census of captive wildlife is to be made.

f. An examination of records of acquisitions of breeding stock made in the previous twelve months. This should include records of both specimens acquired from outside of the State of Mississippi and of specimens acquired by permit within the State of Mississippi. These records should indicate the number and species that were acquired and include appropriate

documentation that the specimens were legally obtained, including permits, bills of sale, and similar documentation.

g. The wildlife biologist shall prepare, at the permittee's expense, a report detailing the results of the inspection. The report may include photographs, line drawings, maps, tables, photocopies of documents, and/or charts, and shall include information on the physical structures of the captive propagation facility, the captive wildlife present, and data on any new breeding stock added to the facility in the previous twelve (12) months. This report must be submitted to the Department of Wildlife, Fisheries, and Parks and deemed acceptable by that agency before a captive propagation permit can be renewed.

K. Acquisition of Breeding Stock for a Commercial Captive Propagation Facility.

1. Any person who holds a valid commercial captive propagation permit may possess, for breeding purposes only:

a. Up to eight (8) individuals of any species or subspecies of nongame reptile taken from the wild in Mississippi.

b. Up to sixteen (16) individuals of any species of nongame amphibian taken from the wild in Mississippi.

c. Up to four (4) individuals of any species of nongame mammals.

d. Up to eight (8) specimens of nongame fish.

2. Additional specimens of nongame wildlife may be possessed, for breeding purposes only, if and only if those specimens

a. Originated outside of Mississippi.

b. Were reared in captivity by a person holding a valid Mississippi commercial captive propagation permit.

c. As permitted by other sections of this rule.

d. By permit.

e. Documentary evidence of the place of origin of the additional specimens and that they were legally obtained must be maintained by the captive propagator.

3. If specimens of nongame wildlife are acquired from outside of Mississippi by a person holding a valid commercial captive propagation permit and transported to that person's facility within Mississippi by someone other than the propagation permit holder, the holder of the captive propagation permit must notify the Regional Office of the Department of Wildlife, Fisheries, and Parks of the district in which his facility is located, and provide in writing the following information:

a. The name, address, telephone number, and permit number of the commercial captive propagation permit holder who will be receiving the shipment on nongame wildlife.

b. The species of nongame wildlife and number of each that will be shipped.

c. The name, address, and telephone number of the shipper of the nongame wildlife, and the date and approximate time that the shipment is expected to enter Mississippi.

d. The type, make, model, and license plate number of the vehicle which will be used to transport the nongame wildlife.

e. The name and driver's license number of the person driving the transport vehicle, if different from that of the shipper.

f. The person driving the transport vehicle must have a bill of lading which includes the information required in subsections a, b, and c, above.

4. Nongame wildlife which are used for breeding purposes by a captive propagator may be replaced upon death by individuals of the same species or subspecies from wild Mississippi populations only if a permit is obtained from the Department of Wildlife, Fisheries, and Parks.

L. Selling Captive Propagated Nongame Wildlife or Their Parts.

1. Nongame wildlife and their parts may enter into commercial trade in accordance with the provisions of this rule subject to the following:

a. Nongame wildlife or their parts may be bought, possessed, transported, exported, sold, offered for sale, shipped, bartered, or exhibited for commercial purposes only if they were born or hatched in captivity in the facilities of a person holding a valid commercial captive propagation permit.

b. Nongame wildlife or their parts taken from wild Mississippi populations may not be bought, possessed, transported, exported, sold, offered for sale, shipped, bartered, or exhibited for commercial purposes.

c. A captive propagator shall provide to the purchaser at the time of purchase an invoice or bill of sale preprinted with the name and address of the propagator, and with the following: "Mississippi Commercial Captive Propagation Permit No. ____".

d. The invoice or bill of sale shall list the name and address of the purchaser, the date of the purchase, and the number by species or subspecies using both scientific and common names, of the nongame wildlife or their parts that are being purchased.

e. The purchaser shall retain the invoice or bill of sale for as long as the nongame wildlife or parts remain in his possession.

2. The purchaser of nongame wildlife or their parts may resell these items with the following restrictions:

a. No person shall sell nongame wildlife or their parts without maintaining documentary evidence showing the name and address of the supplier of such wildlife or parts.

b. No person shall sell nongame wildlife or their parts unless said nongame wildlife or their parts were originally legally obtained from a Mississippi commercial captive propagation facility.

3. All nongame wildlife or their parts and the documentary evidence of their source of acquisition shall be available for inspection upon request by Department personnel.

4. Living specimens of nongame wildlife displayed or advertised for resale shall be clearly marked as captive-propagated specimens.

5. Any person who buys nongame wildlife or its parts from a captive propagator for the purpose of reselling the nongame wildlife or its parts at the retail level, and whose wildlife-related business is conducted primarily at the retail level, shall be termed a Wildlife Retailer. Any person who buys nongame wildlife or its parts from a captive propagator for the purposes of reselling the nongame wildlife or its parts at the wholesale level, and whose wildlife-related business is conducted primarily at the wholesale level, shall be termed a Wildlife Wholesaler.

6. Resident Wildlife Wholesalers shall be required to purchase a Resident Fur Buyers license or to possess a nongame importation permit.

7. Nonresident Wildlife Wholesalers and nonresident Wildlife Retailers who solicit business through the mails, by advertising, or who travel to buy nongame wildlife or its parts within the State of Mississippi shall be required to purchase a Nonresident Fur Buyers License.

M. Importation of nongame wildlife originating from outside of Mississippi for commercial purposes.

1. Nongame wildlife may be imported and exported for commercial purposes only under permit from the Department of Wildlife, Fisheries, and Parks. This permit, valid for one year from date of issuance and signed by the Executive Director or his designee, is subject to the following conditions and restrictions:

a. All nongame wildlife imported or exported under an importer's permit must have originated outside of Mississippi or have been purchased from a person holding a nongame wildlife captive propagation permit.

b. The importer shall maintain documentary evidence of the origin of his stock through receipts, bills of lading, invoices, or valid collecting permits from the state in which the wildlife originated.

c. Each importer shall keep complete records of all nongame wildlife in his possession for the year in which the permit is valid, including records showing the point of origin of imported nongame wildlife, from whom they were acquired, to whom they were sold, how many of each species were sold.

d. Each importer shall provide a summary report to the Department upon requesting a renewal of an importer's permit, and the report shall show the following:

i. Numbers of each species of nongame wildlife imported under the permit.

ii. Number dying while in the permittee's possession.

iii. Number of each species exported.

iv. A profit/loss statement for the importation facility covering the previous twelve (12) months.

e. The premises of the importer's facility and his records relating to the importation and exportation of nongame wildlife shall be subject to inspection by Department personnel at all times.

f. An application for an importer's permit shall be made on forms provided by the Department of Wildlife, Fisheries and Parks.

g. The cost of the permit shall be \$500.

h. An importer of nongame wildlife shall display prominently in his place of business a sign with the following: "NONGAME IMPORTER PERMIT NO._____. WE DO NOT BUY OR SELL ANIMALS COLLECTED IN MISSISSIPPI."

2. The Department shall revoke any existing importer's permit for nongame wildlife upon the permittee's conviction of any violation of regulations of the Department relating to nongame wildlife, upon conviction of any Class I Fish or Wildlife violation, or upon conviction under any Federal conservation statute.

a. Upon revocation of an importer's permit for nongame wildlife, the permittee shall have six months to dispose of legally acquired nongame stock.

b. Nongame stock may not be disposed of to corporations or partnerships in which, by determination of the Department, the permittee is a principal.

c. Permittee must report disposition of nongame stock to the Department within 30 days of final disposition.

d. This report shall specify nongame stock disposed of and recipients of this stock.

3. The permittee shall provide security of the facility premises necessary to ensure that nongame wildlife, their eggs, or parts thereof, cannot be moved in or out of the facility premises without the permittee's knowledge. The permittee shall not release and shall take suitable measures to prevent the escape of nongame wildlife in his possession.

4. The permittee shall maintain and treat all nongame wildlife in possession in a humane manner. Adequate and appropriate food, water, and shelter from the elements shall be provided, and holding cages will be maintained in a sanitary condition. Diseased or dead nongame wildlife shall be disposed of in such a manner so as to prevent the transmission of bacteria or other pathogens to native nongame wildlife.

5. Importation facilities shall be inspected annually, at the permittee's expense, by a wildlife biologist of the permittee's choice. The annual inspection shall include, but not be limited to the premises of the importation facility to verify the existence of and to locate on a scale map of the facility the following:

a. The ponds, buildings, pens, cages, or other mechanisms and structures designed to hold imported wildlife.

b. Security features of the importation facility that prevent the movement of captive wildlife into or out of the facility.

c. Verification that the wildlife species held in captivity are treated in a humane manner, that they have adequate and appropriate food, water, and shelter from the elements, and that holding cages or other holding facilities are maintained in a sanitary condition.

d. Disposal procedures for imported wildlife that die while in possession of the importation facility.

6. The certified wildlife biologist shall prepare, at the permittee's expense, a report detailing the results of the inspection.

7. The report may include photographs, line drawings, maps, tables, photocopies of documents, and/or charts, and shall include information on the physical structures of the importation facility and the condition of the captive wildlife present.

8. This report must be submitted to the Department of Wildlife, Fisheries, and Parks and deemed acceptable by that agency before an importation permit can be renewed.

N. Penalties for Violations. Penalties for violation of any section of these regulations shall be as provided in MISS. CODE ANN. §49-5-115.

History: Revised August 2016.

Source: MISS. CODE ANN. §§ 49-1-29, 49-4-4, 49-1-41, and 49-5-107.

RULE 2.3 REGULATIONS REGARDING NON-GAME WILDLIFE IN NEED OF MANAGEMENT. ~~Public Notice M4-3201 is hereby amended.~~

A. Nongame Species In Need Of Management: Definitions.

1. Nongame species in need of management in Mississippi include:

a. Thirty-two (32) species of small mammals, one species of freshwater fish, and all native species of reptiles and amphibians except those regulated by other rules of the Commission on Wildlife, Fisheries and Parks.

b. Species not regulated by this ~~Public Notice~~ rule include:

i. endangered reptiles and amphibians;

ii. reptiles and amphibians considered game species (Bullfrog, Pig Frog, Bronze Frog);

iii. American Alligator; and

iv. Commercially recognized genetic color mutants, such as albinos or other color variants, of nongame wildlife in need of management.

2. For the purposes of this rule, nongame species in need of management may be referred to as nongame reptiles, nongame turtles, nongame snakes, nongame lizards, nongame amphibians, nongame frogs, nongame salamanders, nongame mammals, nongame fish, or nongame wildlife.

B. The following species of nongame wildlife are deemed to be in need of management and are regulated by this ~~Public Notice~~ rule:

NONGAME AMPHIBIANS

SALAMANDERS		<i>Ambystoma cingulatum</i>	FLATWOODS
<i>Ambystoma maculatum</i>	SPOTTED	<i>Ambystoma opacum</i>	MARBLED
<i>Ambystoma talpoideum</i>	MOLE	<i>Ambystoma texanum</i>	SMALLMOUTH
<i>Ambystoma tigrinum tigrinum</i>	EASTERN TIGER	<i>Amphiuma means</i>	TWO-TOED AMPHIUMA
<i>Amphiuma tridactylum</i>	THREE-TOED AMPHIUMA	<i>Cryptobranchus alleganiensis</i>	HELLBENDER
<i>Desmognathus auriculatus</i>	SOUTHERN DUSKY	<i>Desmognathus conanti</i>	SPOTTED DUSKY
<i>Eurycea cirrigera</i>	TWO-LINED	<i>Eurycea longicauda</i>	LONGTAIL
<i>Eurycea guttolineata</i>	THREE-LINED	<i>Eurycea quadridigitata</i>	DWARF
<i>Hemidactylium scutatum</i>	FOUR-TOED	<i>Plethodon ventralis</i>	SOUTHERN ZIGZAG
<i>Plethodon mississippi</i>	MISSISSIPPI SLIMY	<i>Plethodon websteri</i>	WEBSTER'S SALAMANDER
<i>Pseudotriton montanus</i>	MUD SALAMANDER	<i>Pseudotriton ruber</i>	RED SALAMANDER
<i>Necturus beyeri</i>	GULF COAST WATERDOG	<i>Necturus louisianensis</i>	RED RIVER WATERDOG
<i>Necturus maculosus</i>	MUDPUPPY	<i>Notophthalmus viridescens</i>	EASTERN NEWT
<i>Siren intermedia</i>	LESSER SIREN		

TOADS		<i>Bufo americanus</i>	AMERICAN
<i>Bufo quercicus</i>	OAK	<i>Bufo terrestris</i>	SOUTHERN
<i>Bufo nebulifer</i>	GULF COAST	<i>Bufo fowleri</i>	FOWLER'S
		FROGS	
<i>Acris crepitans</i>	NORTHERN CRICKET	<i>Acris gryllus</i>	SOUTHERN CRICKET
<i>Hyla avivoca</i>	BIRD-VOICED TREE	<i>Hyla chrysoscelis</i>	COPE'S GRAY TREE
<i>Hyla cinerea</i>	GREEN TREE	<i>Hyla femoralis</i>	PINE WOODS TREE
<i>Hyla gratiosa</i>	BARKING TREE	<i>Hyla squirella</i>	SQUIRREL TREE
<i>Hyla versicolor</i>	GRAY TREE	<i>Pseudacris brachyphona</i>	MOUNTAIN CHORUS
<i>Pseudacris crucifer</i>	SPRING PEEPER	<i>Pseudacris foquettei</i>	
<i>Pseudacris nigrita</i>	SOUTHERN CHORUS	<i>Pseudacris ornata</i>	ORNATE CHORUS
<i>Pseudacris feriarum</i>	SOUTHEASTERN CHORUS	<i>Gastrophryne carolinensis</i>	NARROWMOUTH FROG
<i>Scaphiopus holbrookii</i>	EASTERN SPADEFOOT	<i>Rana areolata circulosa</i>	NORTHERN CRAWFISH
<i>Rana heckscheri</i>	RIVER	<i>Rana palustris</i>	PICKEREL
<i>Rana sphenoccephala</i>	SOUTHERN LEOPARD		

NONGAME REPTILES

TURTLES		<i>Macrochelys temminckii</i>	ALLIGATOR SNAPPER
<i>Chelydra serpentina</i>	COMMON SNAPPER	<i>Chrysemys dorsalis</i>	SOUTHERN PAINTED
<i>Deirochelys reticularia</i>	CHICKEN	<i>Graptemys geographica</i>	COMMON MAP
<i>Graptemys gibbonsi</i>	PASCAGOULA MAP	<i>Graptemys pearlensis</i>	PEARL MAP
<i>Graptemys pseudogeographica</i>	MISSISSIPPI MAP	<i>Graptemys pulchra</i>	ALABAMA MAP
<i>Graptemys ouachitensis</i>	OUACHITA MAP	<i>Malaclemys terrapin</i>	DIAMONDBACK TERRAPIN
<i>Pseudemys concinna</i>	RIVER COOTER	<i>Terrapene carolina</i>	BOX
<i>Trachemys scripta</i>	RED EARED SLIDER	<i>Kinosternon subrubrum</i>	EASTERN MUD
<i>Sternotherus carinatus</i>	RAZORBACK MUSK	<i>Sternotherus minor</i>	STRIPENECK MUSK
<i>Sternotherus odoratus</i>	STINKPOT	<i>Apalone mutica</i>	SMOOTH SOFTSHELL
<i>Apalone spinifera</i>	SPINY SOFTSHELL		
LIZARDS		<i>Anolis carolinensis</i>	GREEN ANOLE
<i>Sceloporus undulatus</i>	EASTERN FENCE	<i>Ophisaurus attenuatus</i>	SLENDER GLASS
<i>Ophisaurus mimicus</i>	MIMIC GLASS	<i>Ophisaurus ventralis</i>	EASTERN GLASS
<i>Plestiodon laticeps</i>	BROADHEAD SKINK	<i>Plestiodon anthracinus</i>	COAL SKINK
<i>Plestiodon fasciatus</i>	FIVE-LINED SKINK	<i>Plestiodon inexpectatus</i>	SOUTHEASTERN
<i>Scincella lateralis</i>	GROUND SKINK	<i>Aspidozelis sexlineatus</i>	SIX-LINED RACERUNNER
		SNAKES	
<i>Carphophis amoenus</i>	WORM	<i>Cemophora coccinea</i>	SCARLET
<i>Coluber constrictor priapus</i>	SOUTHERN BLACK RACER	<i>Coluber constrictor latrunculus</i>	BLACKMASK RACER
<i>Diadophis punctatus</i>	RINGNECK	<i>Pantherophis guttata guttata</i>	CORN OR RED RAT
<i>Pantherophis obsoleta spiloides</i>	GRAY OR TEXAS RAT	<i>Farancia abacura</i>	MUD
<i>Heterodon platirhinos</i>	EASTERN HOGNOSE	<i>Lampropeltis calligaster</i>	PRAIRIE KING
<i>Lampropeltis getula holbrookii</i>	SPECKLED KING	<i>Lampropeltis getula nigra</i>	BLACK KING
<i>Lampropeltis triangulum syspila</i>	RED MILK	<i>Lampropeltis t. elapsoides</i>	SCARLET KING
<i>Masticophis flagellum</i>	COACHWHIP	<i>Nerodia cyclopion</i>	GREEN WATER
<i>Nerodia erythrogaster</i>	PLAINBELLY WATER	<i>Nerodia fasciata</i>	SOUTHERN WATER
<i>Nerodia clarkii</i>	GULF SALT MARSH	<i>Nerodia rhombifer</i>	DIAMONDBACK WATER
<i>Nerodia sipedon</i>	NORTHERN WATER	<i>Opheodrys aestivus</i>	ROUGH GREEN
<i>Regina grahamii</i>	GRAHAM'S CRAYFISH	<i>Regina ridiga</i>	GLOSSY CRAYFISH
<i>Regina septemvittata</i>	QUEEN SNAKE	<i>Rhadinaea flavilata</i>	PINE WOODS
<i>Storeria dekayi</i>	BROWN	<i>Storeria occipitomaculata</i>	REDBELLY
<i>Tantilla coronata</i>	SOUTHEAST CROWNED	<i>Thamnophis proximus</i>	WESTERN RIBBON
<i>Thamnophis sauritus</i>	EASTERN RIBBON	<i>Thamnophis sirtalis</i>	COMMON GARTER
<i>Virginia striatula</i>	ROUGH EARTH	<i>Virginia valeriae</i>	SMOOTH EARTH
<i>Micrurus fulvius</i>	EASTERN CORAL	<i>Agkistrodon contortrix</i>	COPPERHEAD
<i>Agkistrodon piscivorus</i>	COTTONMOUTH	<i>Crotalus adamanteus</i>	EASTERN DIAMONDBACK
<i>Crotalus horridus</i>	CANEBRAKE RATTLER	<i>Sistrurus miliarius</i>	PYGMY RATTLER

NONGAME MAMMALS

SHREWS AND MOLES			
<i>Sorex longirostris</i>	SOUTHEASTERN SHREW		
<i>Blarina carolinensis</i>	SOUTHEASTERN SHORT-TAILED SHREW		
<i>Cryptotis parvus</i>	LEAST SHREW		
<i>Scalopus aquaticus</i>	EASTERN MOLE		
BATS			
<i>Myotis austroriparius</i>	SOUTHEASTERN MYOTIS		
<i>Myotis lucifugus</i>	LITTLE BROWN MYOTIS		
<i>Myotis septentrionalis</i>	NORTHERN LONG-EARED		
<i>Lasiurus borealis</i>	EASTERN RED		
<i>Lasiurus cinereus</i>	HOARY		
<i>Lasiurus intermedius</i>	NORTHERN YELLOW		
<i>Lasiurus seminolus</i>	SEMINOLE		
<i>Lasionycteris noctivagans</i>	SILVER-HAIRED		
<i>Perimyotis subflavus</i>	TRI-COLORED		
<i>Eptesicus fuscus</i>	BIG BROWN		
<i>Nycticeius humeralis</i>	EVENING		
<i>Corynorhinus rafinesquii</i>	RAFINESQUE'S BIG-EAR		
<i>Tadarida brasiliensis</i>	BRAZILIAN FREE-TAIL		
SQUIRRELS			
<i>Tamias striatus</i>	EASTERN CHIPMUNK		
<i>Marmota monax</i>	WOODCHUCK		
<i>Glaucomys volans</i>	SOUTHERN FLYING		
		MICE	
		<i>Reithrodontomys fulvescens</i>	FULVOUS HARVEST
		<i>Reithrodontomys humulis</i>	EASTERN HARVEST
		<i>Peromyscus gossypinus</i>	COTTON
		<i>Peromyscus leucopus</i>	WHITE-FOOTED
		<i>Peromyscus maniculatus</i>	DEER
		<i>Peromyscus polionotus</i>	OLDFIELD
		<i>Ochrotomys nuttalli</i>	GOLDEN
		<i>Microtus pinetorum</i>	WOODLAND VOLE
		<i>Zapus hudsonius</i>	MEADOW JUMPING
		RATS	
		<i>Oryzomys palustris</i>	MARSH RICE
		<i>Sigmodon hispidus</i>	HISPID COTTON
		<i>Neotoma floridana</i>	EASTERN WOOD

NONGAME FISH

<i>Pternotropis welaka</i>	BLUENOSE SHINER
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C. Possession of Nongame Species in Need of Management for Personal Use.

1. Nongame wildlife taken from the wild for personal use may not be bought, sold, offered for sale, bartered, exported for sale, nor exhibited except as otherwise provided by these regulations, other regulations of the Commission, by scientific collecting permits, or by other permits issued by the Mississippi Department of Wildlife, Fisheries, and Parks.

2. License requirements for possession of nongame species for personal use.

a. Mississippi Resident - Valid Resident Sportsman's License, All Game Hunting/Freshwater Fishing License, or Small Game Hunting/Freshwater Fishing License.

b. Nonresident – Valid Nonresident All Game Hunting License.

D. Limits for possession of nongame species for personal use.

1. Nongame Amphibians.

a. Possession limit of no more than twenty (20) individuals.

b. Take from the wild not to exceed 20 per license year.

c. Specimens in possession or taken from the wild not to exceed more than four (4) individuals of any species or subspecies.

2. Nongame Snakes and Nongame Lizards.

a. Possession limit of no more than twenty (20) individuals.

b. Take from the wild not to exceed twenty (20) per license year.

c. Specimens in possession or taken from the wild not to exceed more than four (4) individuals of any species or subspecies.

d. Containers or cages holding venomous snakes shall be prominently labeled with the words "DANGER" along with the common name of the species in a conspicuous place.

3. Nongame Turtles.

a. Alligator Snapping Turtles (also called Loggerhead Snapping Turtles).

i. Possession limit - No more than one (1) individual with a top shell length (carapace length) of 24 inches or greater.

ii. Take from the wild not to exceed more than one (1) individual per license year.

b. Common Snapping Turtles, Smooth Softshell Turtles, and Spiny Softshell Turtles.

i. Daily bag limit of no more than one (1) individual of any of the three species.

ii. Possession limit and take from the wild not to exceed four (4) individuals of any of the three species per license year.

c. All Other Nongame Turtles.

i. Possession limit of no more than ten (10) individuals.

ii. Take from the wild not to exceed ten (10) individuals per license year.

iii. Specimens in possession or taken from the wild not to exceed more than four (4) individuals of any species or subspecies.

E. Seasons. No specimens of any species of nongame turtle may be taken from the wild between April 1st and June 30th except by permit issued by the Mississippi Department of Wildlife, Fisheries, and Parks.

~~F. Collection of the Common Snapping Turtle for Commercial Purposes.~~

- ~~1. New permits for commercial collecting of the common snapping turtle (*Chelydra serpentina*) will not be issued after the effective date of this rule.~~
- ~~2. All existing permits for the commercial collection of common snapping turtles will end on the expiration date indicated on the permit and will not be renewed.~~

FG. Nongame Mammals and Nongame Fish.

1. Possession limit of no more than 10 nongame mammals.
2. Take from the wild of nongame mammals not to exceed 10 per license year.
3. Specimens of mammals in possession or taken from the wild not to exceed two (2) of the same species.
4. Possession limit of no more than four (4) nongame fish.
5. Take from the wild of nongame fish not to exceed four (4) per license year.

GH. Exceptions to License Requirements: Residents. A resident who does not hold a Valid Resident Sportsman's License, All Game Hunting/Freshwater Fishing License, or Small Game Hunting/Freshwater Fishing License may kill a nongame snake or a nongame mammal under the following conditions:

1. The venomous snake presents a reasonable danger to human life.
2. The venomous or a non-venomous snake is on lands in which the record title is vested in such persons, or on lands which contain the principal residence of such person.
3. The nongame mammals have entered into or taken up residence in buildings or destroyed or damaged yards, plants, domestic animals, or agricultural products.
4. Nongame mammals or snakes killed under such circumstances must be disposed of or left to decompose naturally and they or their parts may not enter commercial trade nor be retained in possession.

HI. Exceptions to License Requirements: Nonresidents. A person who does not hold a Nonresident All Game Hunting License may kill a nongame snake, or a nongame mammal, under the following conditions:

1. If the venomous snake presents a reasonable danger to human life.
2. If the nongame mammal or nongame snake has entered into a building being rented or leased by the nonresident.
3. Nongame snakes or nongame mammals killed under such circumstances or their parts must be disposed of or left to decompose naturally and may not be retained in possession nor enter into commercial trade.

II. Possession of Nongame Wildlife In Need of Management for Commercial Purposes.

1. Captive Propagation for Commercial Purposes.

a. Nongame wildlife may be propagated in captivity for commercial purposes only under permit from the Department of Wildlife, Fisheries and Parks.

b. Commercial purposes include taking, possessing, transporting, exporting, selling, offering for sale, shipping, bartering, exhibiting, or in any way using nongame wildlife in need of management for monetary or financial gain.

2. Permits. A permit shall be required for Commercial Captive Propagation, subject to the following requirements and conditions:

a. The permit shall be valid for one year and shall be signed by the Executive Director of the Department of Wildlife, Fisheries, and Parks or his designee.

b. The propagator shall indicate the species or subspecies of nongame wildlife, by both scientific and common name, which will be propagated in captivity.

c. The propagator shall be a resident of Mississippi and the propagation facilities shall be located in Mississippi.

d. The propagator shall provide evidence of possessing the equipment and experience necessary for successful propagation of nongame wildlife in captivity.

e. The propagator shall provide evidence that the facilities in which captive propagation is to take place are adequate for the species and numbers for which a permit is required.

f. The propagator shall be at least sixteen (16) years of age.

g. The propagator shall hold a valid commercial fishing license.

h. Permits to establish and operate commercial captive propagation facilities for nongame wildlife are not transferable except when incident to sale or other transfer

of ownership of the facility, where transferees of the facility have met criteria established by Department rules and the Department has approved the transfer.

3. Non-issuance and Revocation of Permits.

a. The Department may not issue a commercial captive propagation permit for nongame wildlife to any person who has been convicted of any violation of the regulations of the Department relating to nongame wildlife for five years following such conviction.

b. The Department shall revoke any existing commercial captive propagation permit for nongame wildlife upon the permittee's conviction of any violation of regulations of the Department relating to nongame wildlife, upon conviction of any Class I Fish or Wildlife violation, or upon conviction under any Federal conservation statute.

c. Upon revocation of a commercial captive propagation permit for nongame wildlife, the permittee shall have six (6) months to dispose of legally acquired nongame stock.

d. Nongame stock may not be disposed of to corporations or partnerships in which, by determination of the Department, the permittee is a principal.

e. Permittee must report disposition of nongame stock to the Department within 30 days of final disposition. This report shall specify nongame stock disposed of and recipients of this stock.

f. A captive propagation permit may not be renewed unless the person holding that permit has acquired breeding stock, has established a breeding facility, and is attempting to propagate nongame wildlife in captivity.

4. Special Rule Concerning the Captive Propagation of Alligator Snapping Turtles, *Malaclemys temminckii*.

a. Any alligator snapping turtles encountered at a commercial catfish pond or processing plant must be immediately reported to the Mississippi Department of Wildlife, Fisheries, and Parks Radio Room. The permittee must then make arrangements with agents of the MDWFP to surrender the turtle(s) to MDWFP Conservation Officers for release into the wild.

b. Alligator snapping turtle breeding stock in the possession of a permittee may not be supplemented by importation of alligator snapping turtles from other facilities in Mississippi or from other states, but only by raising hatchling alligator snapping turtles produced at the propagator's facility to adulthood.

c. The permittee may not collect any alligator snapping turtle from the wild for personal use.

d. The only life stage of alligator snapping turtles that may be transported from the propagation facility are hatchlings and these may be transported by the permittee or his agents but then only as part of the process undertaken to export the hatchlings.

JK. General Provisions Concerning the Operation of a Commercial Captive Propagation Facility for Nongame Wildlife.

1. The premises of the commercial captive propagation facility shall be subject to inspection by Department personnel at all times.

2. Complete written records of all changes in nongame wildlife breeding stock shall be kept and made available for examination by Department personnel.

3. Shipping tickets, invoices, or bills of lading shall be maintained for five years from the date of transaction to show source of supply or disposition of nongame wildlife.

4. Each commercial propagator shall provide a summary report to the Department upon requesting renewal of a commercial captive propagation permit. Data to be included in the report shall pertain to both breeding stock and specimens raised for resale. This report shall indicate the numbers, by species and subspecies, of all nongame wildlife that were bought or sold during the permit year, the name of the seller or purchaser, and the complete address and telephone number of the seller or purchaser.

5. The permittee shall provide security of the facility premises necessary to ensure that nongame wildlife, their eggs, or parts thereof, cannot be moved in or out of the facility premises without the permittee's knowledge.

6. No provision of this rule shall authorize any person to keep in captivity any nongame wildlife in violation of any city or county ordinance.

7. Containers or cages holding venomous snakes shall be prominently labeled with the words "DANGER" along with the common name of the species in a conspicuous place.

8. Propagation facilities shall be inspected annually, at the permittee's expense, by a wildlife biologist of the permittee's choice. The annual inspection shall include, but not be limited to, the following:

a. The premises of the captive propagation facility to verify the existence of and to locate on a scale map of the facility the following:

b. The ponds, buildings, pens, cages, or other mechanisms and structures designed to hold captive breeding stock.

c. The ponds, buildings, pens, cages, or other mechanisms and structures designed to hold offspring of captive breeding stock prior to their sale.

d. Security features of the propagation facility that prevent the movement of captive wildlife into or out of the facility.

e. Verification that the wildlife species listed on the captive propagation e present at the facility, and if it can be accomplished in less than thirty minutes, whether breeding stock of these species are present in the numbers claimed on the captive propagation application form. This should not be construed to mean that a census of captive wildlife is to be made.

f. An examination of records of acquisitions of breeding stock made in the previous twelve months. This should include records of both specimens acquired from outside of the State of Mississippi and of specimens acquired by permit within the State of Mississippi. These records should indicate the number and species that were acquired and include appropriate documentation that the specimens were legally obtained, including permits, bills of sale, and similar documentation.

g. The wildlife biologist shall prepare, at the permittee's expense, a report detailing the results of the inspection. The report may include photographs, line drawings, maps, tables, photocopies of documents, and/or charts, and shall include information on the physical structures of the captive propagation facility, the captive wildlife present, and data on any new breeding stock added to the facility in the previous twelve (12) months. This report must be submitted to the Department of Wildlife, Fisheries, and Parks and deemed acceptable by that agency before a captive propagation permit can be renewed.

K. Acquisition of Breeding Stock for a Commercial Captive Propagation Facility.

1. Any person who holds a valid commercial captive propagation permit may possess, for breeding purposes only:

a. Up to eight (8) individuals of any species or subspecies of nongame reptile taken from the wild in Mississippi.

b. Up to sixteen (16) individuals of any species of nongame amphibian taken from the wild in Mississippi.

c. Up to four (4) individuals of any species of nongame mammals.

d. Up to eight (8) specimens of nongame fish.

2. Additional specimens of nongame wildlife may be possessed, for breeding purposes only, if and only if those specimens

a. Originated outside of Mississippi.

b. Were reared in captivity by a person holding a valid Mississippi commercial captive propagation permit.

c. As permitted by other sections of this rule.

d. By permit.

e. Documentary evidence of the place of origin of the additional specimens and that they were legally obtained must be maintained by the captive propagator.

3. If specimens of nongame wildlife are acquired from outside of Mississippi by a person holding a valid commercial captive propagation permit and transported to that person's facility within Mississippi by someone other than the propagation permit holder, the holder of the captive propagation permit must notify the ~~District~~ Regional Office of the Department of Wildlife, Fisheries, and Parks of the district in which his facility is located, and provide in writing the following information ~~to the Regional Office~~:

a. The name, address, telephone number, and permit number of the commercial captive propagation permit holder who will be receiving the shipment on nongame wildlife.

b. The species of nongame wildlife and number of each that will be shipped.

c. The name, address, and telephone number of the shipper of the nongame wildlife, and ~~the~~ the date and approximate time that the shipment is expected to enter Mississippi.

~~d. The route over which the shipment will travel in Mississippi, starting at the state border and proceeding to the location of the propagator's facility.~~

de. The type, make, model, and license plate number of the vehicle which will be used to transport the nongame wildlife.

ef. The name and driver's license number of the person driving the transport vehicle, if different from that of the shipper.

fg. The person driving the transport vehicle must have a bill of lading which includes the information required in subsections a, b, and c, above.

4. Nongame wildlife which are used for breeding purposes by a captive propagator may be replaced upon death by individuals of the same species or subspecies from wild Mississippi populations only if a permit is obtained from the Department of Wildlife, Fisheries, and Parks.

LM. Selling Captive Propagated Nongame Wildlife or Their Parts.

1. Nongame wildlife and their parts may enter into commercial trade in accordance with the provisions of this rule subject to the following:

a. Nongame wildlife or their parts may be bought, possessed, transported, exported, sold, offered for sale, shipped, bartered, or exhibited for commercial purposes only if they were born or hatched in captivity in the facilities of a person holding a valid commercial captive propagation permit.

b. Nongame wildlife or their parts taken from wild Mississippi populations may not be bought, possessed, transported, exported, sold, offered for sale, shipped, bartered, or exhibited for commercial purposes.

c. A captive propagator shall provide to the purchaser at the time of purchase an invoice or bill of sale preprinted with the name and address of the propagator, and with the following: "Mississippi Commercial Captive Propagation Permit No. ____".

d. The invoice or bill of sale shall list the name and address of the purchaser, the date of the purchase, and the number by species or subspecies using both scientific and common names, of the nongame wildlife or their parts that are being purchased.

e. The purchaser shall retain the invoice or bill of sale for as long as the nongame wildlife or parts remain in his possession.

2. The purchaser of nongame wildlife or their parts may resell these items with the following restrictions:

a. No person shall sell nongame wildlife or their parts without maintaining documentary evidence showing the name and address of the supplier of such wildlife or parts.

b. No person shall sell nongame wildlife or their parts unless said nongame wildlife or their parts were originally legally obtained from a Mississippi commercial captive propagation facility.

3. All nongame wildlife or their parts and the documentary evidence of their source of acquisition shall be available for inspection upon request by Department personnel.

4. Living specimens of nongame wildlife displayed or advertised for resale shall be clearly marked as captive-propagated specimens.

5. Any person who buys nongame wildlife or its parts from a captive propagator for the purpose of reselling the nongame wildlife or its parts at the retail level, and whose wildlife-related business is conducted primarily at the retail level, shall be termed a Wildlife Retailer. Any person who buys nongame wildlife or its parts from a captive propagator for the purposes of reselling the nongame wildlife or its parts at the wholesale level, and whose wildlife-related business is conducted primarily at the wholesale level, shall be termed a Wildlife Wholesaler.

6. Resident Wildlife Wholesalers shall be required to purchase a Resident Fur Buyers license or to possess a nongame importation permit.

7. Nonresident Wildlife Wholesalers and nonresident Wildlife Retailers who solicit business through the mails, by advertising, or who travel to buy nongame wildlife or its parts within the State of Mississippi shall be required to purchase a Nonresident Fur Buyers License.

MN. Importation of nongame wildlife originating from outside of Mississippi for commercial purposes.

1. Nongame wildlife may be imported and exported for commercial purposes only under permit from the Department of Wildlife, Fisheries, and Parks. This permit, valid for one year from date of issuance and signed by the Executive Director or his designee, is subject to the following conditions and restrictions:

a. All nongame wildlife imported or exported under an importer's permit must have originated outside of Mississippi or have been purchased from a person holding a nongame wildlife captive propagation permit.

b. The importer shall maintain documentary evidence of the origin of his stock through receipts, bills of lading, invoices, or valid collecting permits from the state in which the wildlife originated.

c. Each importer shall keep complete records of all nongame wildlife in his possession for the year in which the permit is valid, including records showing the point of origin of imported nongame wildlife, from whom they were acquired, to whom they were sold, how many of each species were sold.

d. Each importer shall provide a summary report to the Department upon requesting a renewal of an importer's permit, and the report shall show the following:

i. Numbers of each species of nongame wildlife imported under the permit.

ii. Number dying while in the permittee's possession.

iii. Number of each species exported.

iv. A profit/loss statement for the importation facility covering the previous twelve (12) months.

e. The premises of the importer's facility and his records relating to the importation and exportation of nongame wildlife shall be subject to inspection by Department personnel at all times.

f. An application for an importer's permit shall be made on forms provided by the Department of Wildlife, Fisheries and Parks.

g. The cost of the permit shall be \$500.

h. An importer of nongame wildlife shall display prominently in his place of business a sign with the following: "NONGAME IMPORTER PERMIT NO._____. WE DO NOT BUY OR SELL ANIMALS COLLECTED IN MISSISSIPPI."

2. The Department shall revoke any existing importer's permit for nongame wildlife upon the permittee's conviction of any violation of regulations of the Department relating to nongame wildlife, upon conviction of any Class I Fish or Wildlife violation, or upon conviction under any Federal conservation statute.

e. Upon revocation of an importer's permit for nongame wildlife, the permittee shall have six months to dispose of legally acquired nongame stock.

f. Nongame stock may not be disposed of to corporations or partnerships in which, by determination of the Department, the permittee is a principal.

g. Permittee must report disposition of nongame stock to the Department within 30 days of final disposition.

h. This report shall specify nongame stock disposed of and recipients of this stock.

3. The permittee shall provide security of the facility premises necessary to ensure that nongame wildlife, their eggs, or parts thereof, cannot be moved in or out of the facility premises without the permittee's knowledge. The permittee shall not release and shall take suitable measures to prevent the escape of nongame wildlife in his possession.

4. The permittee shall maintain and treat all nongame wildlife in possession in a humane manner. Adequate and appropriate food, water, and shelter from the elements shall be provided, and holding cages will be maintained in a sanitary condition. Diseased or dead nongame wildlife shall be disposed of in such a manner so as to prevent the transmission of bacteria or other pathogens to native nongame wildlife.

5. Importation facilities shall be inspected annually, at the permittee's expense, by a wildlife biologist of the permittee's choice. The annual inspection shall include, but not be limited to the premises of the importation facility to verify the existence of and to locate on a scale map of the facility the following:

a. The ponds, buildings, pens, cages, or other mechanisms and structures designed to hold imported wildlife.

b. Security features of the importation facility that prevent the movement of captive wildlife into or out of the facility.

c. Verification that the wildlife species held in captivity are treated in a humane manner, that they have adequate and appropriate food, water, and shelter from the elements, and that holding cages or other holding facilities are maintained in a sanitary condition.

d. Disposal procedures for imported wildlife that die while in possession of the importation facility.

6. The certified wildlife biologist shall prepare, at the permittee's expense, a report detailing the results of the inspection.

7. The report may include photographs, line drawings, maps, tables, photocopies of documents, and/or charts, and shall include information on the physical structures of the importation facility and the condition of the captive wildlife present.

8. This report must be submitted to the Department of Wildlife, Fisheries, and Parks and deemed acceptable by that agency before an importation permit can be renewed.

NØ. Penalties for Violations. Penalties for violation of any section of these regulations shall be as provided in MISS. CODE ANN. §49-5-115.

History: Revised August 2016.

Source: MISS. CODE ANN. §§ 49-1-29, 49-4-4, 49-1-41, and 49-5-107.