

By: Representative Compretta

To: Conservation and
Water Resources

HOUSE BILL NO. 1148

1 AN ACT TO AMEND SECTION 49-15-46, MISSISSIPPI CODE OF 1972,
2 TO CLARIFY THAT THE OYSTER SHELL RETENTION FEE SHALL BE COLLECTED
3 FROM THE CATCHER; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 SECTION 1. Section 49-15-46, Mississippi Code of 1972, is
6 amended as follows:

7 49-15-46. (1) Each in-state vessel used to catch, take,
8 carry or transport oysters from the reefs of the State of
9 Mississippi, or engaged in transporting any oysters in any of the
10 waters within the territorial jurisdiction of the State of
11 Mississippi, for commercial use, shall annually, before beginning
12 operations, be licensed by the commission and pay the following
13 license fee:

14 (a) Fifty Dollars (\$50.00) on all vessels or boats
15 utilized for tonging oysters; or

16 (b) One Hundred Dollars (\$100.00) on all vessels or
17 boats utilized for dredging oysters.

18 (2) Each out-of-state vessel used to catch, take, carry or
19 transport oysters from the reefs of the State of Mississippi, or
20 engaged in transporting any oysters in any of the waters within
21 the territorial jurisdiction of the State of Mississippi, for
22 commercial use, must annually, before beginning operations, be
23 licensed by the commission and pay the following license fee:

24 (a) One Hundred Dollars (\$100.00) on all vessels or
25 boats utilized for tonging oysters; or

26 (b) Two Hundred Dollars (\$200.00) on all vessels or

27 boats utilized for dredging oysters.

28 (3) All oysters harvested in the State of Mississippi shall
29 be tagged. Tags shall be issued by the department and shall bear
30 the catcher's name, the date and origin of the catch, the shell
31 stock dealer's name and permit number. The department shall
32 number all tags issued and shall maintain a record of those tags.

33 (4) Each person catching or taking oysters from the waters
34 of the State of Mississippi for personal use shall obtain a permit
35 from the commission and pay an annual recreational oyster permit
36 fee of Ten Dollars (\$10.00). Oysters caught under a recreational
37 permit shall not be offered for sale. The limits on the allowable
38 catch of oysters for recreational purposes shall be three (3)
39 sacks per week. The department shall issue tags of a
40 distinguishing color to designate recreationally harvested
41 oysters, which shall be tagged on the same day of harvest in the
42 manner prescribed in subsection (3) of this section for
43 commercially harvested oysters.

44 (5) The commission shall assess and collect from the catcher
45 a fee of Fifty Cents (50¢) per sack for the shells taken from
46 waters within the territorial jurisdiction of the State of
47 Mississippi, but processed in other states, in lieu of taking
48 delivery of those shells. Funds received from the shell retention
49 fee shall be paid into a special fund in the State Treasury to be
50 appropriated by the Legislature for use by the commission to
51 further oyster production in this state.

52 SECTION 2. This act shall take effect and be in force from
53 and after July 1, 1999.