

By: Senator(s) Hewes

To: Ports and Marine Resources

SENATE BILL NO. 2993

1 AN ACT TO AMEND SECTION 49-15-46, MISSISSIPPI CODE OF 1972,
2 TO CLARIFY THE TAKING OF OYSTERS BY HAND; AND FOR RELATED
3 PURPOSES. BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF
4 MISSISSIPPI:

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

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

15 (a) Fifty Dollars (\$50.00) on all vessels or boats
16 utilized for tonging oysters or gathering oysters by hand; or

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

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

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

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

28 boats utilized for dredging oysters.

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

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

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

53 During open seasons, oysters may only be taken by hand, tongs
54 and dredges.

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