

By: Senator(s) Posey

To: Wildlife and Fisheries

SENATE BILL NO. 2589

1 AN ACT TO AMEND SECTION 49-7-29, MISSISSIPPI CODE OF 1972, TO
2 CLARIFY THE DEFINITION OF MINNOW; TO MAKE TECHNICAL CHANGES TO THE
3 WHOLESALE MINNOW DEALERS LAW; AND FOR RELATED PURPOSES.

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

5 SECTION 1. Section 49-7-29, Mississippi Code of 1972, is
6 amended as follows:

7 49-7-29. (1) This section shall be known as the
8 "Mississippi Wholesale Minnow Dealers Law * * *."

9 (2) Definitions. For the purposes of this section, the
10 following definitions shall apply:

11 (a) The term "wholesale minnow dealer" means any person
12 selling minnows to a person for resale.

13 (b) The term "person" means any person, firm or
14 corporation.

15 (c) The term "minnow" shall only mean golden shiner
16 (Notemigonus crysoleucas), fathead minnow (Pimephales promelas),
17 goldfish (Carassius auratus), common carp or Israeli carp
18 (Cyprinus carpio), emerald shiner (Notropis atherinoides), western
19 mosquitofish (Gambusia affinis), eastern mosquitofish (Gambusia
20 holbrooki) and gulf killfish (Fundulus grandis) * * *.

21 * * *

22 (3) The department * * * shall license wholesale minnow
23 dealers, as required under this section. However, bona fide
24 residents of Mississippi growing minnows on their own property
25 within the State of Mississippi shall be exempt from these license
26 requirements.

27 (4) It is unlawful for any person except those exempted by
28 subsection (3) * * * to sell minnows at wholesale within the State
29 of Mississippi without a commercial fishing license.

30 (5) A resident wholesale minnow dealer * * * shall certify
31 that he is a resident of the state * * * and shall apply to the
32 department for a commercial fishing license.

33 (6) A nonresident wholesale minnow dealer shall apply to the
34 department for a nonresident commercial fishing license * * *.
35 This nonresident license fee shall be set by the department.

36 (7) Each sale of minnows in violation of this section shall
37 be punishable as a Class I violation as provided in Section
38 49-7-141.

39 (8) A copy of the commercial fishing license shall be
40 carried at all times in each vehicle which transports minnows into
41 or within the State of Mississippi. Each violation of this
42 subsection shall be punishable as a Class I violation as provided
43 in Section 49-7-1141.

44 SECTION 2. This act shall take effect and be in force from
45 and after July 1, 2001.