AN ACT TO AMEND SECTION 49-15-313, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT CHARTER BOAT CAPTAINS SHOW PROOF OF PARTICIPATION IN A RANDOM DRUG TESTING PROGRAM APPROVED BY THE DEPARTMENT OF TRANSPORTATION; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 49-15-313, Mississippi Code of 1972, is amended as follows:

49-15-313. (1) Any resident between the ages of sixteen (16) and sixty-five (65) years, as defined in Section 49-7-3, fishing in the marine waters of the state, shall obtain a saltwater sports fishing license for a fee of Four Dollars ($4.00). This license shall be valid in any waters south of Interstate 10. Any resident citizen who is blind, paraplegic or a multiple amputee, or who has been adjudged by the Veterans Administration as having a total service-connected disability, or has been adjudged totally disabled by the Social Security Administration shall not be required to purchase or have in his possession a saltwater sports fishing license while engaged in such activities. Any resident exempt under this section shall have on his person while fishing proof of residency and age or disability.

(2) The commission shall prescribe the forms, types and fees for nonresident saltwater sports fishing licenses except that the fee for a nonresident saltwater sports fishing license shall not be less than Twenty Dollars ($20.00). The commission shall require a nonresident to purchase a nonresident freshwater fishing license and a nonresident saltwater sports fishing license if the...
nonresident's state requires both licenses for a nonresident to
fish in its marine waters.

(3) All resident vessels engaged in charter boat fishing,
party boat fishing, head boat and guide boat fishing shall be
issued a separate annual license by the commission at a fee of Two
Hundred Dollars ($200.00). In addition to any other requirements
for charter license eligibility, the captain(s) must show proof of
participation in a random drug testing program approved by the
Department of Transportation. All nonresident vessels engaged in
charter boat fishing, party boat fishing, headboat and guide boat
fishing shall be issued a separate annual license by the
commission. The commission shall set the fees for nonresident
vessel licenses as provided in Section 49-15-30. Crew members and
customers of the licensed vessels shall not be required to
purchase an individual resident or nonresident saltwater fishing
license while sponsored by the licensed vessels. An operator of a
licensed vessel shall be required to report the number of
customers to the department as required by the commission and the
information shall be kept confidential and shall not be released,
except to other fisheries management agencies or as statistical
data. All nonresident vessels engaged in saltwater sport fishing
tournaments, not to exceed an aggregate of twenty (20) days per
calendar year, shall not be required to purchase an annual license
as provided under this subsection.

(4) The saltwater sports fishing license is required for all
recreational methods of finfish harvest.

(5) Any resident who purchases a lifetime sportsman's
license, in accordance with Section 49-7-153, shall be entitled to
fish in the marine salt waters of the state and shall be exempt
from the purchase of a sport saltwater fishing license.

(6) Any person authorized to issue a license may collect and
retain, for each saltwater fishing license issued, the additional
fee authorized under Section 49-7-17.
(7) The fees collected from the sale of resident and nonresident saltwater sports fishing licenses shall be deposited into the Seafood Fund and shall be used solely for the management of marine resources.

(8) Participants in the Very Special Fishing Olympics are exempt from this section.

(9) July 4 of each year is designated as "Free Saltwater Sports Fishing Day." Any person may saltwater sport fish without a license on the "Free Saltwater Sports Fishing Day."

SECTION 2. This act shall take effect and be in force from and after July 1, 2002.