

By: Representative Ellington

To: Conservation and Water Resources

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1167

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

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

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

8 49-15-313. (1) Any resident between the ages of sixteen
9 (16) and sixty-five (65) years, as defined in Section 49-7-3,
10 fishing in the marine waters of the state, shall obtain a
11 saltwater sports fishing license for a fee of Four Dollars
12 (\$4.00). This license shall be valid in any waters south of
13 Interstate 10. Any resident citizen who is blind, paraplegic or a
14 multiple amputee, or who has been adjudged by the Veterans
15 Administration as having a total service-connected disability, or
16 has been adjudged totally disabled by the Social Security
17 Administration shall not be required to purchase or have in his
18 possession a saltwater sports fishing license while engaged in
19 such activities. Any resident exempt under this section shall
20 have on his person while fishing proof of residency and age or
21 disability.

22 (2) The commission shall prescribe the forms, types and fees
23 for nonresident saltwater sports fishing licenses except that the
24 fee for a nonresident saltwater sports fishing license shall not
25 be less than Twenty Dollars (\$20.00). The commission shall
26 require a nonresident to purchase a nonresident freshwater fishing
27 license and a nonresident saltwater sports fishing license if the



28 nonresident's state requires both licenses for a nonresident to
29 fish in its marine waters.

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

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

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

58 (6) Any person authorized to issue a license may collect and
59 retain, for each saltwater fishing license issued, the additional
60 fee authorized under Section 49-7-17.



61 (7) The fees collected from the sale of resident and
62 nonresident saltwater sports fishing licenses shall be deposited
63 into the Seafood Fund and shall be used solely for the management
64 of marine resources.

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

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

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

