MISSISSIPPI LEGISLATURE
REGULAR SESSION 2003

By: Representative Ford

To: Agriculture; Game and Fish

HOUSE BILL NO. 846

AN ACT TO AMEND SECTION 79-22-9, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEALER ON THE ISSUANCE OF CERTAIN CULTIVATION AND MARKETING PERMITS FOR THE PRODUCTION AND SALE OF HYBRID BREAM AND HYBRID BLACK STRIPE CRAPPIE IN A PILOT PROGRAM REGULATED BY THE DEPARTMENT OF AGRICULTURE AND COMMERCE; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 79-22-9, Mississippi Code of 1972, is amended as follows:

79-22-9. (1) An aquaculturist shall obtain a cultivation and marketing permit for cultured aquatic products produced from the following aquatic plants and animals:

(a) All nonnative aquatic plants and animals, including those that are well established in limited or extensive areas of natural lakes, rivers and streams in this state;

(b) Fish classified as game fish in Mississippi; however, except as authorized in subsection (2), the department shall not issue any such permits for the following game fish: black bass, bream, crappie, flathead catfish, walleye and all members of the family Centrarchidae and Percidae;

(c) Endangered, threatened or protected species;

(d) Any aquatic plants or animals which have been genetically modified or are to be genetically modified by means other than breeding and crossbreeding.

(2) The department is authorized, after consultation with the Department of Wildlife, Fisheries and Parks, the Department of Marine Resources and the Division of Agriculture, Forestry and Veterinary Medicine at Mississippi State University, to issue five (5) cultivation and marketing permits for the production and sale...
of hybrid bream (Lepomis spp.) and hybrid black stripe crappie (Pomoxis spp.) in a pilot program as prescribed by the department's regulations. Such cultured game fish shall be marketed through an approved processing facility in a labeled package and shall remain in the original package when displayed for sale.

This subsection (2) shall stand repealed from and after July 1, 2004.

(3) The department shall not issue the permits required in this section until the department approves the proposed aquaculture facility design or the actual facility and such permits shall only be issued to citizens of the United States. The department shall inspect the aquaculture facility prior to the introduction of the aquatic products to be cultured to insure compliance with the approved permit specifications. The department may also conduct periodic inspections of all facilities engaged in the propagation of nonnative species to insure that operational activities comply with approved permit specifications. All required permits shall be renewed annually. For a resident of Mississippi, the fee for a marketing or cultivation permit shall not exceed One Hundred Dollars ($100.00) for each species of aquatic products produced. The fee for a marketing or cultivation permit issued to a nonresident of Mississippi shall equal the amount imposed by the nonresident's state for such permit on a resident of Mississippi.

SECTION 2. This act shall take effect and be in force from and after July 1, 2003.