HOUSE BILL NO. 1179

AN ACT TO AMEND SECTION 49-4-4, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSION ON WILDLIFE, FISHERIES AND PARKS TO ENTER INTO A MUTUAL AGREEMENT WITH THE STATE OF ALABAMA ESTABLISHING RECIPROCITY AS TO THE USE OF RESIDENT FISHING LICENSES BY CITIZENS OF EACH STATE SIXTY-FIVE YEARS OF AGE OR OLDER; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 49-4-4, Mississippi Code of 1972, is amended as follows:

49-4-4. (1) There is hereby created the Mississippi Commission on Wildlife, Fisheries and Parks, to be composed of five (5) persons appointed by the Governor, with the advice and consent of the Senate, for a term of five (5) years. One (1) person shall be appointed from each congressional district. The initial terms of the members shall be one (1), two (2), three (3), four (4) and five (5) years, respectively. Thereafter, all terms shall be for five (5) years. An appointment to fill a vacancy which arises for reasons other than by expiration of a term of office shall be made from the respective congressional district for the unexpired term only.

(2) The commission shall elect from its membership a chairman who shall preside over meetings and a vice chairman who shall preside in the absence of the chairman or when the chairman shall be excused.

(3) The commission shall adopt rules and regulations governing times and places for meetings and governing the manner of conducting its business. Each member of the commission shall take the oath prescribed by Section 268 of the Constitution, and shall enter into bond in the amount of Thirty Thousand Dollars...
($30,000.00) to be approved by the Secretary of State, conditioned according to law, and payable to the State of Mississippi before assuming the duties of office. Any member who shall not attend three (3) consecutive regular meetings of the commission shall be subject to removal by a majority vote of the commission members.

(4) The members of the commission shall receive no annual salary but shall receive per diem compensation as authorized by law for each day devoted to the discharge of official duties and shall be entitled to reimbursement for all actual and necessary expenses incurred in the discharge of their duties, including mileage as authorized by law.

The commission shall be composed of persons with a demonstrated history of involvement in at least one (1) of the matters of jurisdiction of the commission and whose employment and activities are not in conflict. All of the commissioners shall be an active outdoorsman holding a resident hunting or fishing license in at least five (5) of the ten (10) years preceding appointment. A member shall not have a record of conviction of violation of fish or game laws and regulations within five (5) years preceding appointment or a record of any felony conviction.

(5) The commission shall have the power to adopt, amend and repeal such regulations and rules as may be necessary for the operation of the department.

(6) The commission shall have the power and authority to issue all licenses and permits under the jurisdiction of the department.

(7) In the furtherance of its duties and responsibilities, the commission may conduct hearings, gather testimony and perform other functions required to carry out its powers and duties as prescribed by statute.

(8) The commission shall have all power for conserving, managing and developing wildlife and fishery resources except for
saltwater aquatic life and marine resources under the jurisdiction of the Mississippi Commission on Marine Resources.

(9) The commission may enter into a reciprocal agreement with the State of Alabama exempting persons sixty-five (65) years of age or older from state fishing license requirements. The agreement shall provide that a citizen of either Alabama or Mississippi who is sixty-five (65) years of age or older and who is authorized to fish in either Alabama or Mississippi under each state’s respective statutes or regulations shall be entitled to fish in both states.

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