

By: Representatives Janus, Frierson

To: Marine Resources

HOUSE BILL NO. 1377

1 AN ACT TO AMEND SECTION 49-15-313, MISSISSIPPI CODE OF 1972,
2 TO REQUIRE PROOF OF UNITED STATES COAST GUARD CERTIFICATION FOR
3 CHARTER VESSELS TRANSPORTING MORE THAN SIX PASSENGERS; AND FOR
4 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). All nonresident vessels engaged in
34 charter boat fishing, party boat fishing, head boat and guide boat
35 fishing shall be issued a separate annual license by the
36 commission. In addition to other requirements for charter license
37 eligibility, captains must show proof of participation in a
38 Department of Transportation approved random drug testing program
39 and proof of liability insurance as a charter boat captain.
40 Charter vessels transporting more than six (6) passengers must
41 show proof of applicable United States Coast Guard certification
42 at the time the license is issued. All other charter boat vessels
43 that are otherwise qualified will be issued a license restricted
44 to a maximum of six (6) passengers. Crew members and customers of
45 the licensed vessels shall not be required to purchase an
46 individual resident or nonresident saltwater fishing license while
47 sponsored by the licensed vessels. An operator of a licensed
48 vessel shall be required to report the number of customers to the
49 department as required by the commission and the information shall
50 be kept confidential and shall not be released, except to other
51 fisheries management agencies or as statistical data. All
52 nonresident vessels engaged in saltwater sport fishing
53 tournaments, not to exceed an aggregate of twenty (20) days per
54 calendar year, shall not be required to purchase an annual license
55 as provided under this subsection.

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

58 (5) Any resident who purchases a lifetime sportsman's
59 license, in accordance with Section 49-7-153, shall be entitled to

60 fish in the marine salt waters of the state and shall be exempt
61 from the purchase of a sport saltwater fishing license.

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

65 (7) The fees collected from the sale of resident and
66 nonresident saltwater sports fishing licenses shall be deposited
67 into the Seafood Fund and shall be used solely for the management
68 of marine resources.

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

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

74 **SECTION 2.** This act shall take effect and be in force from
75 and after July 1, 2004.