

By: Representatives Janus, Frierson

To: Marine Resources

HOUSE BILL NO. 1388

1 AN ACT TO AMEND SECTION 49-15-313, MISSISSIPPI CODE OF 1972,
2 TO ALLOW THE COMMISSION ON MARINE RESOURCES TO EXEMPT PARTICIPANTS
3 OF CERTAIN ORGANIZED FISHING EVENTS FROM THE SPORTS LICENSE AND
4 BOAT FISHING LICENSE REQUIREMENTS; 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). 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. Crew
40 members and customers of the licensed vessels shall not be
41 required to purchase an individual resident or nonresident
42 saltwater fishing license while sponsored by the licensed vessels.
43 An operator of a licensed vessel shall be required to report the
44 number of customers to the department as required by the
45 commission and the information shall be kept confidential and
46 shall not be released, except to other fisheries management
47 agencies or as statistical data. All nonresident vessels engaged
48 in saltwater sport fishing tournaments, not to exceed an aggregate
49 of twenty (20) days per calendar year, shall not be required to
50 purchase an annual license as provided under this subsection.

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

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

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

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

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

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

69 (10) The Commission on Marine Resources or its designee is
70 authorized to exempt participants in an organized fishing event
71 conducted by a qualified nonprofit charitable, governmental or
72 civic organization from the requirements of this section one (1)
73 day per year upon filing an application with the department and
74 review by the commission.

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