

By: Representative Zuber

To: Wildlife, Fisheries and
Parks

HOUSE BILL NO. 30

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

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

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

10 49-4-4. (1) There is hereby created the Mississippi
11 Commission on Wildlife, Fisheries and Parks, to be composed of
12 five (5) persons appointed by the Governor, with the advice and
13 consent of the Senate, for a term of five (5) years. One (1)
14 person shall be appointed from each congressional district. The
15 initial terms of the members shall be one (1), two (2), three (3),
16 four (4) and five (5) years, respectively. Thereafter, all terms
17 shall be for five (5) years. An appointment to fill a vacancy
18 which arises for reasons other than by expiration of a term of
19 office shall be made from the respective congressional district
20 for the unexpired term only.

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

25 (3) The commission shall adopt rules and regulations
26 governing times and places for meetings and governing the manner
27 of conducting its business. Each member of the commission shall
28 take the oath prescribed by Section 268 of the Constitution, and
29 shall enter into bond in the amount of Thirty Thousand Dollars

30 (\$30,000.00) to be approved by the Secretary of State, conditioned
31 according to law, and payable to the State of Mississippi before
32 assuming the duties of office. Any member who shall not attend
33 three (3) consecutive regular meetings of the commission shall be
34 subject to removal by a majority vote of the commission members.

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

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

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

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

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

60 (8) The commission shall have all power for conserving,
61 managing and developing wildlife and fishery resources except for

62 saltwater aquatic life and marine resources under the jurisdiction
63 of the Mississippi Commission on Marine Resources.

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

72 **SECTION 2.** This act shall take effect and be in force from
73 and after July 1, 2005.