

By: Representative Frierson

To: Marine Resources

HOUSE BILL NO. 1288

1 AN ACT TO AMEND SECTION 49-15-304, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE THE COMMISSION ON MARINE RESOURCES TO ADOPT RULES
3 THAT CREATE EMERGENCY LIMITS ON COMMERCIAL AND SPORT FISHING; AND
4 FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 49-15-304, Mississippi Code of 1972, is
7 amended as follows:

8 49-15-304. The commission may adopt, modify or repeal rules
9 or regulations to utilize, manage, conserve, preserve and protect
10 the flora, fauna, tidelands, coastal wetlands, coastal preserves,
11 marine waters and any other matter pertaining to marine resources
12 under its jurisdiction. Rules and regulations adopted by the
13 commission shall be consistent with the public policy expressed in
14 Section 29-15-3 (public trust tidelands), Section 39-7-3
15 (antiquities and historic preservation), Section 49-15-1
16 (seafood), Section 49-17-3 (pollution control), Section 49-27-3
17 (coastal wetlands protection) and Section 57-15-6 (coastal zone
18 management). The commission may make exceptions to and grant
19 variances from any rules and regulations adopted by the
20 commission, including adopting rules to create emergency limits
21 for commercial and sport fishing when acts of God or man require
22 the commission to adopt such rules. The commission shall give due
23 consideration to permissible uses of the natural resources within
24 its jurisdiction when promulgating rules and regulations.

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