

By: Representative Zuber

To: Wildlife, Fisheries and
Parks

HOUSE BILL NO. 59

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 Mississippi
29 Constitution, and shall enter into bond in the amount of Thirty

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

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

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

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

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

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

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

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

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

73 **SECTION 2.** This act shall take effect and be in force from
74 and after July 1, 2007.