

By: Representative Mettetal

To: Wildlife, Fisheries and  
Parks

## HOUSE BILL NO. 1077

1 AN ACT TO AMEND SECTION 49-7-9, MISSISSIPPI CODE OF 1972, TO  
2 REDUCE THE MINIMUM SIZE REQUIREMENT OF THE SLOT OPENINGS USED ON  
3 SLAT BASKETS FOR TRAPPING FISH FROM ONE AND ONE-HALF INCHES TO ONE  
4 AND ONE-FOURTH INCHES; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 49-7-9, Mississippi Code of 1972, is  
7 amended as follows:

8 49-7-9. (1) (a) Each resident of the State of Mississippi,  
9 as defined in Section 49-7-3, fishing in the public fresh waters  
10 of the state, including lakes and reservoirs, but not including  
11 privately owned ponds and streams, shall pay an annual license fee  
12 of Eight Dollars (\$8.00). Any resident purchasing a public  
13 freshwater fishing license as prescribed in this subsection shall  
14 be entitled to fish, in accordance with the regulations and  
15 ordinances of the commission, in all public fresh waters within  
16 the territory of the State of Mississippi.

17 (b) A resident may purchase a resident fishing license  
18 valid for a period of three (3) days for the sum of Three Dollars  
19 (\$3.00).

20 (c) No license shall be required of any resident  
21 citizen of the State of Mississippi who has not reached the age of  
22 sixteen (16) years or who has reached the age of sixty-five (65)  
23 years or who is blind, paraplegic, a multiple amputee or has been  
24 adjudged by the Veterans Administration as having a total  
25 service-connected disability, or has been adjudged totally  
26 disabled by the Social Security Administration. Such person shall  
27 not be required to purchase or have in his possession a hunting or  
28 fishing license while engaged in such activities.



29           (d) A person exempt by reason of age, total  
30 service-connected disability as adjudged by the Veterans  
31 Administration or total disability as adjudged by the Social  
32 Security Administration or who is blind, paraplegic or a multiple  
33 amputee, shall have in their possession and on their person proof  
34 of their age, residency, disability status or other respective  
35 physical impairment while engaged in the activities of hunting or  
36 fishing.

37           (e) Any resident who is a member of the Armed Forces,  
38 including the Reserves and National Guard, and on active duty  
39 outside the State of Mississippi is not required to purchase or  
40 have in his possession a hunting or fishing license while engaged  
41 in such activities on leave from active duty. Such resident shall  
42 have in his possession and on his person such proof as may be  
43 required by the commission.

44           (2) Any resident engaged in fishing for commercial purposes  
45 and selling or peddling nongame gross fish at retail or selling or  
46 shipping same at wholesale, as to markets, dealers or canning  
47 plants, shall pay Thirty Dollars (\$30.00) for a commercial fishing  
48 license. Each piece of commercial fishing equipment must have a  
49 commercial fishing equipment tag (at a cost of Three Dollars  
50 (\$3.00) each) attached. A piece of commercial fishing equipment  
51 is defined as: One (1) each hoop or barrel net; one thousand  
52 (1,000) feet or less of trotline; one thousand (1,000) feet or  
53 less of snagline; three thousand (3,000) feet or less of gill  
54 netting; or three thousand (3,000) feet or less of trammel  
55 netting. Netting of over three thousand (3,000) feet is  
56 prohibited.

57           Upon payment of the Thirty Dollars (\$30.00) license and tags  
58 for use of hoop or barrel nets, the purchaser of the license is  
59 hereby permitted to use lead nets thirty-five (35) yards in length  
60 for each two (2) barrel nets used, but not to exceed seven (7)  
61 lead nets.



62 (3) Each person taking nongame gross fish as defined in  
63 Section 49-7-1, of any kind from the fresh waters of the state  
64 shall be considered a producer and shall be entitled to sell his  
65 own catch to anyone.

66 (4) Each resident buying or handling nongame gross fish  
67 secured from commercial fishermen or others for the purpose of  
68 resale, whether handled on a commission basis or otherwise, and  
69 each resident shipping nongame gross fish not his own catch out of  
70 the State of Mississippi shall be considered a wholesale dealer  
71 and shall pay a commercial fishing license in the sum of Thirty  
72 Dollars (\$30.00) per annum. Resident wholesale dealers' licenses  
73 shall be issued only to persons who have been bona fide residents  
74 of the State of Mississippi for at least six (6) months.

75 (5) Each resident buying nongame gross fish from a licensed  
76 wholesale dealer or licensed commercial fisherman for retail sale  
77 to the consumer only on rural or urban routes shall pay the sum of  
78 Thirty Dollars (\$30.00) per annum for a commercial fishing license  
79 to do so.

80 (6) Each resident engaged in the buying and selling of  
81 nongame gross fish as a wholesale dealer's agent, whether on a  
82 commission or salary basis, or otherwise, and not selling in the  
83 open market, or any vessel buying nongame gross fish to make up a  
84 cargo, shall pay a commercial fishing license in the sum of Thirty  
85 Dollars (\$30.00) per annum and shall be responsible for any  
86 illegal transaction ensuing between the time he purchases from the  
87 fisherman and the time the fish are accepted by the wholesaler by  
88 whom he is employed.

89 (7) Any resident using a wooden or plastic slat basket shall  
90 pay a fee of Thirty Dollars (\$30.00) per basket per annum in  
91 addition to a commercial license. Slat baskets are defined as  
92 commercial fishing devices used solely for the capture of catfish  
93 and made entirely of wood and/or plastic slats in a boxlike or  
94 cylindrical shape. Slat baskets shall not exceed six (6) feet in



95 length nor exceed fifteen (15) inches in width and height or  
96 diameter, may have no more than two (2) throats, and must have at  
97 least four (4) slot openings of a minimum one and one-fourth  
98 (1-1/4) by twenty-four (24) inches evenly spaced around the sides  
99 of the catch area. The one and one-fourth-inch (1-1/4) wide slots  
100 must begin at the rear of the basket and run twenty-four (24)  
101 inches toward the throat end of the basket. Slat baskets may only  
102 be fished in public waters of the State of Mississippi that are  
103 opened to commercial fishing. Slat baskets shall be placed at  
104 least one hundred (100) yards apart and may not be used with any  
105 form of leads, netting or guiding devices. Each slat basket shall  
106 have a metal slat basket tag attached to it with the tag number of  
107 the owner imprinted on it. Such slat basket tags shall be  
108 purchased from the department at a fee of Three Dollars (\$3.00)  
109 per tag. Any other identification of the owner of the basket  
110 shall meet such specifications as set by the department. Slat  
111 baskets may be fished statewide except where specifically  
112 prohibited.

113 Any violation of the provisions of this subsection shall be a  
114 Class I violation as prescribed in Section 49-7-141.

115 (8) It is unlawful for any person coming under the terms of  
116 this section to offer for sale undersized nongame gross fish, as  
117 set out and classified herein.

118 (9) All persons fishing in privately owned lakes or ponds  
119 shall have specific permission to do so from the owner of such  
120 lake or pond.

121 (10) The first weekend of "National Fishing and Boating  
122 Week" in June of each year is designated as "Free Fishing  
123 Weekend." Any person may sport fish without a license on "Free  
124 Fishing Weekend," additionally, July 4 is still designated as free  
125 fishing day on the Mississippi Gulf Coast.



126           (11) Any person authorized to issue any license under this  
127 section may collect and retain for issuing each license the  
128 additional fee authorized under Section 49-7-17.

129           **SECTION 2.** This act shall take effect and be in force from  
130 and after July 1, 2012.

