

By: Ford

To: Agriculture; Game and  
Fish

HOUSE BILL NO. 336  
(As Passed the House)

1 AN ACT TO AMEND SECTION 79-22-9, MISSISSIPPI CODE OF 1972, TO  
2 EXTEND THE REPEALER DATE ON THE PROVISION OF LAW THAT AUTHORIZES  
3 THE DEPARTMENT OF AGRICULTURE AND COMMERCE TO ISSUE PERMITS FOR A  
4 GAME FISH PILOT PROGRAM; AND FOR RELATED PURPOSES.

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

6 SECTION 1. Section 79-22-9, Mississippi Code of 1972, is  
7 amended as follows:

8 79-22-9. (1) An aquaculturist shall obtain a cultivation  
9 and marketing permit for cultured aquatic products produced from  
10 the following aquatic plants and animals:

11 (a) All nonnative aquatic plants and animals, including  
12 those that are well established in limited or extensive areas of  
13 natural lakes, rivers and streams in this state;

14 (b) Fish classified as game fish in Mississippi;  
15 however, except as authorized in subsection (2), the department  
16 shall not issue any such permits for the following game fish:  
17 black bass, bream, crappie, flathead catfish, walleye and all  
18 members of the family Centrarchidae and Percidae;

19 (c) Endangered, threatened or protected species;

20 (d) Any aquatic plants or animals which have been  
21 genetically modified or are to be genetically modified by means  
22 other than breeding and crossbreeding.

23 (2) The department is authorized, after consultation with  
24 the Department of Wildlife, Fisheries and Parks, the Department of  
25 Marine Resources and the Division of Agriculture, Forestry and  
26 Veterinary Medicine at Mississippi State University, to issue five  
27 (5) cultivation and marketing permits for the production and sale

28 of hybrid bream (*Lepomis* spp.) and hybrid black stripe crappie  
29 (*Pomoxis* spp.) in a pilot program as prescribed by the  
30 department's regulations. Such cultured game fish shall be  
31 marketed through an approved processing facility in a labeled  
32 package and shall remain in the original package when displayed  
33 for sale.

34 This subsection (2) shall stand repealed from and after July  
35 1, 2003.

36 (3) The department shall not issue the permits required in  
37 this section until the department approves the proposed  
38 aquaculture facility design or the actual facility and such  
39 permits shall only be issued to citizens of the United States.  
40 The department shall inspect the aquaculture facility prior to the  
41 introduction of the aquatic products to be cultured to insure  
42 compliance with the approved permit specifications. The  
43 department may also conduct periodic inspections of all facilities  
44 engaged in the propagation of nonnative species to insure that  
45 operational activities comply with approved permit specifications.  
46 All required permits shall be renewed annually. For a resident of  
47 Mississippi, the fee for a marketing or cultivation permit shall  
48 not exceed One Hundred Dollars (\$100.00) for each species of  
49 aquatic products produced. The fee for a marketing or cultivation  
50 permit issued to a nonresident of Mississippi shall equal the  
51 amount imposed by the nonresident's state for such permit on a  
52 resident of Mississippi.

53 SECTION 2. This act shall take effect and be in force from  
54 and after July 1, 2000.