

By: Ford

To: Agriculture; Game and
Fish

HOUSE BILL NO. 336
(As Sent to Governor)

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34 This subsection (2) shall stand repealed from and after July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.