

By: Senator(s) Hewes, Gollott

To: Ports and Marine Resources

SENATE BILL NO. 2556

1 AN ACT TO AMEND SECTION 49-15-64.3, MISSISSIPPI CODE OF 1972,
2 TO REMOVE THE REQUIREMENT THAT THE COMMISSION ON MARINE RESOURCE
3 HOLD A PUBLIC HEARING IN EVERY COAST COUNTY BEFORE ADOPTION OF
4 LIVE BAIT REGULATION; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 49-15-64.3, Mississippi Code of 1972, is
7 amended as follows:

8 49-15-64.3. (1) It is unlawful for any person, firm or
9 corporation to take, catch or have in their possession within
10 territorial waters of the State of Mississippi shrimp of a size
11 weighing in the raw state less than one (1) pound to each
12 sixty-eight (68) shrimp, except when a valid permit or affidavit
13 of another state identifies the catch as having been taken in
14 non-Mississippi waters, or except in case of live bait shrimp.

15 (2) It is unlawful to take, catch or have in possession live
16 bait shrimp of a size weighing in the raw state less than one (1)
17 pound to each one hundred (100) shrimp. This provision may be
18 changed by a two-thirds (2/3) vote of the commission. The
19 commission may adopt rules, regulations, guidelines and other
20 operation criteria in conjunction with licensing live bait dealers
21 and live bait catcher boats as it deems appropriate to ensure that
22 only bona fide operations will be licensed. The commission shall
23 consult with existing live bait dealers and live bait catcher boat
24 operators before adoption of any regulations and before any future
25 changes, and shall hold a public hearing * * *.

26 (3) If a live bait dealer or live bait catcher boat is
27 convicted of a violation of this chapter or a duly adopted
28 ordinance of the commission, the commission may, in addition to



29 punishment duly adjudicated, revoke the license of the vessel or
30 dealer to whom it is issued for a period not exceeding two (2)
31 weeks following conviction of the first offense, not exceeding six
32 (6) months following conviction of the second offense, and up to
33 one (1) year following conviction of the third and subsequent
34 offenses, if the subsequent offenses are committed within three
35 (3) years of the first offense. Upon the revocation of the
36 license, the commission may require the posting of a cash
37 performance bond not to exceed One Thousand Dollars (\$1,000.00)
38 before the reissuance of that revoked license. The commission may
39 require the forfeiture of that bond upon the subsequent conviction
40 of any violation of this chapter or a duly adopted ordinance of
41 the commission. If a person who posts bond under this section
42 desires to no longer engage in the live bait business, that person
43 shall certify that fact to the commission who shall return the
44 bond. If that person desires to again engage in the live bait
45 business, a cash performance bond may be required before the
46 issuance of a license.

47 **SECTION 2.** This act shall take effect and be in force from
48 and after its passage.

