

By: Senator(s) Hewes, Gollott

To: Ports and Marine Resources

SENATE BILL NO. 2556
(As Sent to Governor)

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

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

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

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

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



29 Harrison County. The commission shall notify each live bait
30 licensee of the public hearing at least ten (10) days prior to the
31 hearing, by first class mail at the last known address of the
32 licensee.

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

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

