

*****Adopted*****

AMENDMENT No. 1 PROPOSED TO

Senate Bill NO. 2556

By Representative(s) Committee

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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 in the county or counties

26 which will be affected by the regulation or change.

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

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

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

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.