

By: Representative Ford

To: Agriculture; Game and Fish

HOUSE BILL NO. 846

1 AN ACT TO AMEND SECTION 79-22-9, MISSISSIPPI CODE OF 1972, TO
2 EXTEND THE REPEALER ON THE ISSUANCE OF CERTAIN CULTIVATION AND
3 MARKETING PERMITS FOR THE PRODUCTION AND SALE OF HYBRID BREEM AND
4 HYBRID BLACK STRIPE CRAPPIE IN A PILOT PROGRAM REGULATED BY THE
5 DEPARTMENT OF AGRICULTURE AND COMMERCE; AND FOR RELATED PURPOSES.

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

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

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

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

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

20 (c) Endangered, threatened or protected species;

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

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



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

35 This subsection (2) shall stand repealed from and after July
36 1, 2004.

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

54 **SECTION 2.** This act shall take effect and be in force from
55 and after July 1, 2003.

