

By: Representative Zuber

To: Wildlife, Fisheries and  
Parks

## HOUSE BILL NO. 388

1 AN ACT TO AMEND SECTION 49-4-4, MISSISSIPPI CODE OF 1972, TO  
2 AUTHORIZE THE COMMISSION ON WILDLIFE, FISHERIES AND PARKS TO ENTER  
3 INTO A MUTUAL AGREEMENT WITH THE STATE OF ALABAMA ESTABLISHING  
4 RECIPROCITY AS TO THE USE OF RESIDENT FISHING LICENSES BY CITIZENS  
5 OF EACH STATE SIXTY-FIVE YEARS OF AGE OR OLDER; AND FOR RELATED  
6 PURPOSES.

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

8 **SECTION 1.** Section 49-4-4, Mississippi Code of 1972, is  
9 amended as follows:

10 49-4-4. (1) There is hereby created the Mississippi  
11 Commission on Wildlife, Fisheries and Parks, to be composed of  
12 five (5) persons appointed by the Governor, with the advice and  
13 consent of the Senate, for a term of five (5) years. One (1)  
14 person shall be appointed from each congressional district. The  
15 initial terms of the members shall be one (1), two (2), three (3),  
16 four (4) and five (5) years, respectively. Thereafter, all terms  
17 shall be for five (5) years. An appointment to fill a vacancy  
18 which arises for reasons other than by expiration of a term of  
19 office shall be made from the respective congressional district  
20 for the unexpired term only.

21 (2) The commission shall elect from its membership a  
22 chairman who shall preside over meetings and a vice chairman who  
23 shall preside in the absence of the chairman or when the chairman  
24 shall be excused.

25 (3) The commission shall adopt rules and regulations  
26 governing times and places for meetings and governing the manner  
27 of conducting its business. Each member of the commission shall  
28 take the oath prescribed by Section 268 of the Mississippi  
29 Constitution, and shall enter into bond in the amount of Thirty

30 Thousand Dollars (\$30,000.00) to be approved by the Secretary of  
31 State, conditioned according to law, and payable to the State of  
32 Mississippi before assuming the duties of office. Any member who  
33 shall not attend three (3) consecutive regular meetings of the  
34 commission shall be subject to removal by a majority vote of the  
35 commission members.

36 (4) The members of the commission shall receive no annual  
37 salary but shall receive per diem compensation as authorized by  
38 law for each day devoted to the discharge of official duties and  
39 shall be entitled to reimbursement for all actual and necessary  
40 expenses incurred in the discharge of their duties, including  
41 mileage as authorized by law.

42 The commission shall be composed of persons with a  
43 demonstrated history of involvement in at least one (1) of the  
44 matters of jurisdiction of the commission and whose employment and  
45 activities are not in conflict. All of the commissioners shall be  
46 an active outdoorsman holding a resident hunting or fishing  
47 license in at least five (5) of the ten (10) years preceding  
48 appointment. A member shall not have a record of conviction of  
49 violation of fish or game laws and regulations within five (5)  
50 years preceding appointment or a record of any felony conviction.

51 (5) The commission shall have the power to adopt, amend and  
52 repeal such regulations and rules as may be necessary for the  
53 operation of the department.

54 (6) The commission shall have the power and authority to  
55 issue all licenses and permits under the jurisdiction of the  
56 department.

57 (7) In the furtherance of its duties and responsibilities,  
58 the commission may conduct hearings, gather testimony and perform  
59 other functions required to carry out its powers and duties as  
60 prescribed by statute.

61 (8) The commission shall have all power for conserving,  
62 managing and developing wildlife and fishery resources except for

63 saltwater aquatic life and marine resources under the jurisdiction  
64 of the Mississippi Commission on Marine Resources.

65 (9) The commission may enter into a reciprocal agreement  
66 with the State of Alabama exempting persons sixty-five (65) years  
67 of age or older from state fishing license requirements. The  
68 agreement shall provide that a citizen of either Alabama or  
69 Mississippi who is sixty-five (65) years of age or older and who  
70 is authorized to fish in either Alabama or Mississippi under each  
71 state's respective statutes or regulations shall be entitled to  
72 fish in both states.

73 **SECTION 2.** This act shall take effect and be in force from  
74 and after July 1, 2006.