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Chapter No. 412

11/HR12/R1186SG

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HOUSE BILL NO. 765

Originated in House Don Richardson Clerk

HOUSE BILL NO. 765

AN ACT TO AMEND SECTION 49-15-64.4, MISSISSIPPI CODE OF 1972, TO ALLOW APPLICATIONS FOR LIVE BAIT CAMPS TO BE SUBMITTED AT ANYTIME; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 49-15-64.4, Mississippi Code of 1972, is amended as follows:

49-15-64.4. (1) Each live bait catcher boat engaged in taking live bait shrimp shall pay an annual privilege tax of One Hundred Dollars (\$100.00) for each boat engaged in those operations. The operations shall not exceed two (2) boats per license.

(2) Each "live bait dealer" engaging in selling or otherwise dispensing live bait to sport fishermen shall pay an annual privilege tax of Fifty Dollars (\$50.00) and must make written application to the commission providing the name of the applicant's "live bait catcher boat," the name of the captain of that "live bait catcher boat," the dealer's Mississippi state sales tax number and a sworn statement that dead shrimp will not be sold in containers having a volume in excess of sixteen (16) ounces. Licensed live bait catcher boats and licensed live bait dealers shall not operate as commercial shrimpers or commercial shrimp dealers or otherwise engage in commercial shrimping operations. Live bait dealers shall only sell or otherwise dispose of bait shrimp when alive or dead with heads attached solely as bait to recreational fishermen or other licensed live bait dealers as regulated by the commission. Only licensed commercial shrimpers may transport shrimp across the state line

for the purpose of selling or delivering live bait to another state. Any person, firm or corporation found guilty of purchasing shrimp from a live bait camp or live bait catcher boat, other than for the purpose described in this section, shall be fined Five Thousand Dollars (\$5,000.00) for the first offense and shall be fined Ten Thousand Dollars (\$10,000.00) and forfeit all seafood licenses for a second or subsequent offense. In addition, each application for a "live bait dealer" license shall contain a statement of the operating hours, at least eight (8) per twenty-four-hour period, and the location of the camp which must be accessible to the general public by public road or waters located within the three (3) coastal counties. Applications for a live bait camp may be submitted anytime. Live bait camps may be inspected within thirty (30) days after receipt of the completed application. Any "live bait dealer" desiring to engage in the catching of live shrimp in one (1) location and then transporting them to the dealer's licensed live bait camp by truck shall first make written application to the commission providing the make and model of the truck, a Mississippi license tag number and shall be responsible for its adherence to all regulations duly adopted by the commission for the transportation of live bait shrimp. Upon receipt of the application, the commission shall verify that the applicant is in compliance with all applicable laws and regulations and after that verification the commission shall issue a permit authorizing the transportation of live shrimp.

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

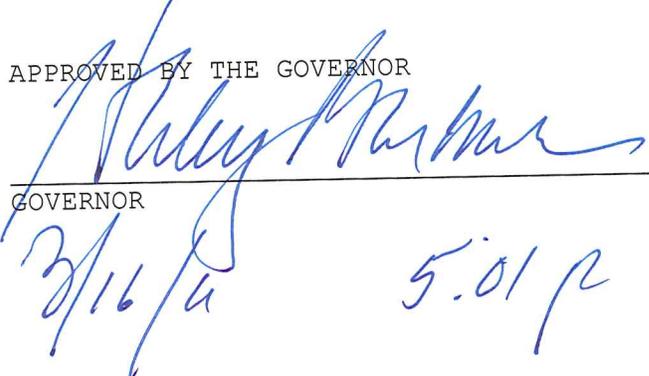
PASSED BY THE HOUSE OF REPRESENTATIVES
February 7, 2011


SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
March 2, 2011


PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR


GOVERNOR

3/16/11 5:01 p