



NOTICE OF PROPOSED RULE ADOPTION

STATE OF MISSISSIPPI
MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS

BUREAU OF FISHERIES

MS Department of Wildlife, Fisheries and Parks
c/o Sam Polles, Ph.D., Executive Director
1505 Eastover Drive
Jackson, MS 39211-6374
(601) 432-2400
Sharon@mdwfp.state.ms.us

Specific Legal Authority authorizing the
Promulgation of Rule: 41-1-29-; 25-43.3.103
49-7-8; 49-7-9; 49-7-81; 49-7-90

Reference to Rules repealed, amended or suspended by the
Proposed Rule: NEW RULE

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule:

Permits relative to commercial harvest of paddlefish (spoonbill catfish)

This rule is proposed as a [X] Final Rule, and/or a [X] Temporary Rule (Check one or both boxers as applicable.)

Persons may present their views on the proposed rule by addressing written comments to the agency at the above address. Persons making comments should include their name and address, as well as other contact information, and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Oral Proceeding: Check one box below:

- [] An oral proceeding is scheduled on this rule on
Date: July 23, 2008
Time: 8:00 a.m.
Place: 1505 Eastover Drive, Jackson, MS

If you wish to be heard and present evidence at the oral proceeding you must make a written request to the agency at the above address at least five (5) days prior to the proceeding to be placed on the agenda. The request should include your name, address, telephone number as well as other contact information; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

- [] An oral proceeding is not scheduled on this rule. Where an oral proceeding is not scheduled, an oral proceeding will be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address and telephone number of the person(s) making the request; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Economic Impact Statement: Check one box below:

- [] The agency has determined that an economic impact statement is not required for this rule, or
[] The concise summary of the economic impact statement required is attached.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Date Rule Proposed: July 23, 2008

Proposed Effective Date of Rule: September 23, 2008

Signature of Sam Polles, Ph.D., Executive Director



**MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES & PARKS
Bureau of Fisheries and Wildlife
1505 Eastover Drive
Jackson, MS 39211**

PUBLIC NOTICE 3798(I)

TO: The Honorable Delbert Hosemann
Secretary of State
Post Office Box 136
Jackson, MS 39205

AND
ALL INTERESTED PERSONS

The Mississippi Commission on Wildlife, Fisheries and Parks at a meeting in Jackson, Mississippi on July 23, 2008, under authority of Section 25-43-7, Mississippi Code of 1972, make known it's intent to adopt the following regulations on commercial fishing under authority of Sections 49-1-29; 49-7-8; 49-7-9; 49-7-81 and 49-7-90.

Be it ordered that the following rules, regulations and required licenses and permits relative to commercial harvest of paddlefish (spoonbill catfish) be adopted.

Definition

Paddlefish Harvester - Resident person permitted to fish for and take Paddlefish and is allowed to sell only to persons with Paddlefish Buyer/Exporter Permit or Paddlefish Processor permit.

Paddlefish Harvester Helper – Resident person who assists a Paddlefish Harvester in the boat or transporting vehicle. Helpers cannot sell, resell or ship for sale Paddle fish or Paddlefish parts. Helper must be in the presence of Paddlefish Harvester when in possession of paddlefish or paddlefish parts.

Paddlefish Buyer/Exporter – Persons who buys, sells or ships Paddlefish or Paddlefish parts.

Paddlefish Processor - Persons who buys, sells or ships Paddlefish or Paddlefish parts with 40% of roe by weight purchased made into a retail product ready for consumption and packaged in a container with label listing that the product is paddlefish roe or caviar and that the product is "Product of Mississippi, USA".