

Mississippi Secretary of State
700 North Street P. O. Box 136, Jackson, MS 39205-0136

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Mississippi Department of Marine Resources		CONTACT PERSON Joe Jewell	TELEPHONE NUMBER 228-523-4072	
ADDRESS 1141 Bayview Avenue		CITY Biloxi	STATE MS	ZIP 39530
EMAIL Joe.jewell@dmr.ms.gov	SUBMIT 4-21-2015	Name or number of rule(s): Title 22 Part 7		

Short explanation of rule/amendment/pepeal and reason(s) for proposing rule/amendment/pepeal: **TITLE 22 -- MISSISSIPPI DEPARTMENT OF MARINE RESOURCES PART 7: Regulations to Provide Size Limits and Bag Limits on Certain Fish Species and to Prevent Sale of Seafood by Recreational Fishermen.** A licensed for-hire vessel may obtain a two-day bag limit endorsement from the Department for a fee of \$100 per year. The endorsement allows the vessel to possess a two-day bag limit (whole or filleted) of spotted seatrout, red drum, and southern flounder.

Specific legal authority authorizing the promulgation of rule: Mississippi Code Ann. § 49-15-15, APA, § 25-43-1.101 *et seq.*

List all rules repealed, amended, or suspended by the proposed rule: Title 22, Part 7: (see above summary description; complete description attached).

ORAL PROCEEDING:

- An oral proceeding is scheduled for this rule on Date: _____ Time: _____ Place: _____
- Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more 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, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/pepeal may be submitted to the filing agency.

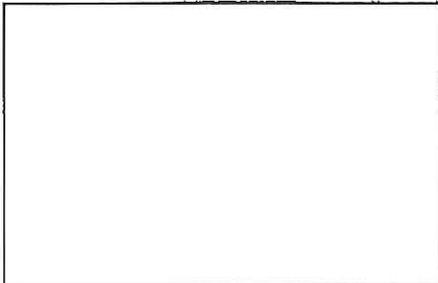
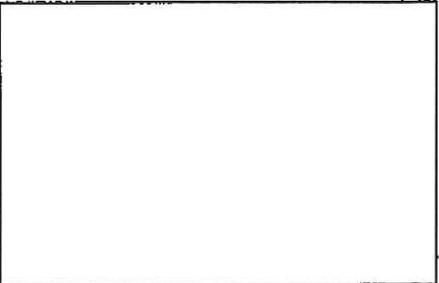
ECONOMIC IMPACT STATEMENT:

- Economic impact statement not required for this rule. Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
<input type="checkbox"/> Original filing <input type="checkbox"/> Renewal of effectiveness To be in effect in _____ days Effective date: <input type="checkbox"/> Immediately upon filing <input type="checkbox"/> Other (specify): _____	Action proposed: <input type="checkbox"/> New rule(s) <input type="checkbox"/> Amendment to existing rule(s) <input type="checkbox"/> Repeal of existing rule(s) <input type="checkbox"/> Adoption by reference Proposed final effective date: <input type="checkbox"/> 30 days after filing <input type="checkbox"/> Other (specify): _____	Date Proposed Rule Filed: 2-26-2015 Action taken: <input checked="" type="checkbox"/> Adopted with no changes in text <input type="checkbox"/> Adopted with changes <input type="checkbox"/> Adopted by reference <input type="checkbox"/> Withdrawn <input type="checkbox"/> Repeal adopted as proposed Effective date: <input type="checkbox"/> 30 days after filing <input checked="" type="checkbox"/> Other (specify): <u>June 1, 2015</u>

Printed name and Title of person authorized to file rules: Jamie M. Miller, Executive Director

Signature of person authorized to file rules: *Jamie M. Miller*

OFFICIAL FILING STAMP  Accepted for filing by	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP  Accepted for filing by	OFFICIAL FILING STAMP  Accepted for filing by <i>#21195 [Signature]</i>
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The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Complete description of proposed changes:

TITLE 22 – MISSISSIPPI DEPARTMENT OF MARINE RESOURCES PART 7: Regulations to Provide Size Limits and Bag Limits on Certain Fish Species and to Prevent Sale of Seafood by Recreational Fishermen

101 A licensed for-hire vessel may obtain a two-day bag limit endorsement from the Department for a fee of \$100 per year. The endorsement allows the vessel to possess a two-day bag limit (whole or filleted) of spotted seatrout, red drum, and southern flounder under all of the following conditions:

- 101.01 The endorsement only applies while fishing in Mississippi territorial waters.
- 101.02 The trip must extend beyond 24 hours before returning to the mainland.
- 101.03 The harvest must comply with Mississippi's current size limits, regardless of the place of harvest.
- 101.04 The harvest must comply with Mississippi daily catch limits. This endorsement does not authorize any person to take more than one daily Mississippi bag limit during one calendar day.
- 101.05 The vessel must obtain a float plan from the Department prior to each trip.
- 101.06 The vessel may possess the two-day limit only during its final return to the mainland. During the final return, fishing is prohibited.

102 The vessel operator must file a float plan with the Department during regular office hours prior to disembarking. A copy of the float plan must be on board the vessel for the duration of the trip. The float plan must be submitted on forms provided by the Department and must contain the following:

- 102.01 Name of the applicant.
- 102.02 Owner of the vessel.
- 102.03 Name of the vessel captain.
- 102.04 Official vessel registration number.
- 102.05 Description of the vessel.
- 102.06 Date, time, and location of departure.
- 102.07 Passenger manifest.
- 102.08 Destinations.
- 102.09 Anticipated date, time, and location of return.
- 102.10 Signatures of the applicant and the Department official receiving the plan.

103 The vessel's captain and crew are prohibited from keeping a recreational bag limit of spotted seatrout, red drum, or southern flounder while exercising the endorsement. The presence of the captain and crew does not count towards the vessel's daily possession limit for the species listed above.

104 This Chapter expires one year after the date of adoption. The Commission must review the efficacy of this endorsement, and determine whether to extend this Chapter, during its regular meeting the month prior to expiration.