SOS APA Form 001

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

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME		CONTACT PERSON	TELEPHONE NUMBER	
Mississippi Department of Marine Resources		Joe Jewell	228-523-4072	
ADDRESS 1141 Bayview Avenue		CITY Biloxi	STATE MS	ZIP 39530
EMAIL Joe.jewell@dmr.ms.gov	SUBMIT 6-18-2015	Name or number of rule(s): Title 22 Part 1		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: TITLE 22 – MISSISSIPPI DEPARTMENT OF MARINE RESOURCES PART 1: Rules and Regulations for Shellfish Harvesting, Tagging, Landing, Unloading, Transporting, Relaying, Management, Area Classification, and Other Shellfish Related Activities in the State, and the Leasing of Territorial Waters under the Jurisdiction of the State of Mississippi. Weight of dredge reduced from 140 pounds to 115 pounds.

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List all rules repealed, amended, or suspended by the proposed rule: Title 22, Part 1: **(see above summary description; complete description attached)**.

ORAL PROCEEDING:

☒ An oral proceeding is scheduled for this rule on Date: 5-28-2015 Time: 6:00 p.m. Place: Bolton Bldg., Biloxi, MS

☐ 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/repeal 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
_____ Original filing _____ Renewal of effectiveness To be in effect in _____ days Effective date: _____ Immediately upon filing _____ Other (specify): _____	**Action proposed:** _____ New rule(s) _____ Amendment to existing rule(s) _____ Repeal of existing rule(s) _____ Adoption by reference **Proposed final effective date:** _____ 30 days after filing _____ Other (specify): _____	**Date Proposed Rule Filed: 4-21-2015** **Action taken:** _____ Adopted with no changes in text _X_ Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed **Effective date:** _____ 30 days after filing _X_ Other (specify): **August 1, 2015**

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	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
		FILED JUN 18 2015 MISSISSIPPI SECRETARY OF STATE
Accepted for filing by	**Accepted for filing by**	**Accepted for filing by** #21351

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 1: Rules and Regulations for Shellfish Harvesting, Tagging, Landing, Unloading, Transporting, Relaying, Management, Area Classification, and Other Shellfish Related Activities in the State, and the Leasing of Territorial Waters under the Jurisdiction of the State of Mississippi.

Chapter 07 Dredge Specifications

100 It is unlawful for any person, firm, or corporation to take or attempt to take any oysters from the waters under the territorial jurisdiction of the State of Mississippi by the use of a dredge having a weight in excess of 115 pounds and the tooth bar cannot have more than 16 teeth and the teeth on the tooth bar cannot exceed five inches unless otherwise permitted by the MCMR or as hereby authorized the MDMR, its Executive Director, Director of Marine Fisheries, Bureau Director, Program Coordinator or other MDMR designee.

101 No person, firm or corporation may use more than two such dredges.