

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 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. Reduces the weight of a dredge from 140 pounds to 115 pounds and prohibits the taking of oyster with a basket dredge.**
 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List all rules repealed, amended, or suspended by the proposed rule: Title 22, Part 1: (see above summary description: complete description attached).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: _____ Time: _____ Place: _____
 Presently, an oral proceeding is not scheduled on this rule.

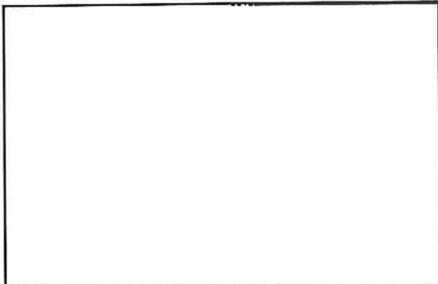
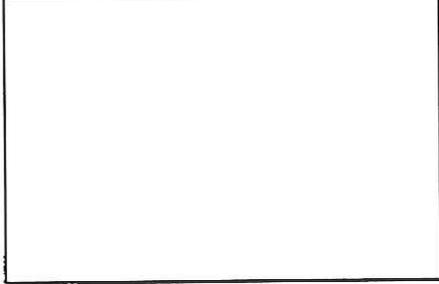
If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) 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/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) <u>X</u> Amendment to existing rule(s) _____ Repeal of existing rule(s) _____ Adoption by reference Proposed final effective date: <u>X</u> 30 days after filing _____ Other (specify): _____	Date Proposed Rule Filed: Action taken: _____ Adopted with no changes in text _____ Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed Effective date: _____ 30 days after filing _____ Other (specify): _____

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 
Accepted for filing by _____	Accepted for filing by <u>#21188</u> <i>[Signature]</i>	Accepted for filing by _____

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 ~~shall be~~ 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 ~~one hundred forty (140)~~ 115 pounds and the tooth bar cannot have more than ~~sixteen (16)~~ teeth and the teeth on the tooth bar cannot exceed five (5) 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 (2) such dredges.

102 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 basket dredge. A basket dredge is a type of oyster dredge, also known as a "self-dumping dredge" that utilizes a rigid framed basket, instead of a flexible bag made out of rope or chain, to retain the harvested oysters.