

Mississippi Secretary of State

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Mississippi Department of Marine Resources		CONTACT PERSON Joe Jewell	TELEPHONE NUMBER (228) 523-4072	
ADDRESS 1141 Bayview Ave.		CITY Biloxi	STATE MS	ZIP 39530
EMAIL Joe.jewell@dmr.ms.gov	SUBMIT DATE 09-21-18	Name or number of rule(s): Title 22 Part 7		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: 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 Chapter 8 Recreational Bag, Possession and Size Limits Section 100 Subsection 100.12.02 may possess five (5) within the ten (10) fish aggregate: Section 102 Subsection 102.06 increasing recreational size limit for Mutton Snapper to 18 inches: Section 100 Subsection 100.11 increases commercial size limit to 18 inches

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List all rules repealed, amended, or suspended by the proposed rule: Title 22, Part 7: (see above summary description; complete description attached).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/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: August 22, 2018 Action taken: <input checked="" type="checkbox"/> Adopted with no changes in text _____ Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed Effective date: <input checked="" type="checkbox"/> 30 days after filing _____ Other (specify): _____

Printed name and Title of person authorized to file rules: Joe Spraggins Executive Director

Signature of person authorized to file rules: *Joe Spraggins*

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
<div style="border: 1px solid black; height: 100px; width: 100%;"></div> Accepted for filing by	<div style="border: 1px solid black; height: 100px; width: 100%;"></div> Accepted for filing by	<div style="border: 1px solid black; height: 100px; width: 100%; text-align: center;"> <p>FILED</p> <p>SEP 21 2018</p> <p>MISSISSIPPI</p> <p>SECRETARY OF STATE</p> </div> Accepted for filing by <i>[Signature]</i> #23663

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

Chapter 8 -Recreational Bag, Possession and Size Limits

Section 100

100.12.02 Mutton Snapper (*Lutjanus analis*) – may possess five (5) within the ten (10) fish aggregate

Section 102

102.05 Red and ~~Mutton~~ Snapper – sixteen (16) inches (total length)

102.06 Mutton Snapper – eighteen (18) inches (total length)

~~102.06~~ 102.07 Vermillion Snapper – ten (10) inches (total length).

~~102.07~~ 102.08 Lane Snapper – eight (8) inches (total length).

~~102.08~~ 102.09 Gray, Schoolmaster, Cubera, Dog, Mahogany, and Yellowtail Snapper – twelve (12) inches (total length).

~~102.09~~ 102.10 Red and Yellowfin Grouper – twenty (20) inches (total length).

~~102.10~~ 102.11 Gag and Black Grouper – twenty-four (24) inches (total length).

~~102.11~~ 102.12 Scamp – sixteen (16) inches (total length).

~~102.12~~ 102.13 Gray Triggerfish – fourteen (14) inches (fork length).

~~102.13~~ 102.14 King Mackerel – twenty-four (24) inches (fork length).

~~102.14~~ 102.15 flounders (*Paralichthys sp.*) – twelve (12) inches (total length).

~~102.15~~ 102.16 small coastal sharks – twenty-five (25) inches total length.

~~102.16~~ 102.17 large coastal sharks – thirty-seven (37) inches total length.

~~102.17~~ 102.18 Lesser Amberjack and Banded Rudderfish – may possess fish between fourteen (14) inches (fork length) to twenty-two (22) inches fork length.

~~102.18~~ 102.19 Bigeye Tuna (*Thunnus obesus*) – twenty-seven (27) inches as measured from the tip of the upper jaw to the fork of the tail along the contour of the middle of the body (curved fork length).

~~102.19~~ 102.20 Yellowfin Tuna (*Thunnus albacares*) – twenty-seven (27) inches as measured from the tip of the upper jaw to the fork of the tail along the contour of the middle of the body (curved fork length).

~~102.20~~ 102.21 Blue Marlin (*Makaira nigricans*) – ninety-nine (99) inches as measured from the tip of the lower jaw to the fork of the tail (lower jaw fork length).

~~102.21~~ 102.22 White Marlin (*Tetrapturus albidus*) – sixty-six (66) inches as measured from the tip of the lower jaw to the fork of the tail (lower jaw fork length).

~~102.22~~ 102.23 Sailfish (*Istiophorus platypterus*) – sixty-three (63) inches as measured from the tip of the lower jaw to the fork of the tail (lower jaw fork length).

~~102.23~~ 102.24 Hogfish – twelve (12) inches (fork length)

~~102.24~~ 102.25 Tripletail (*Lobotes surinamensis*) eighteen (18) inches total length

~~102.25~~ 102.26 Sheepshead (*Archosargus probatocephalus*) fourteen (14) inches total length

Chapter 9 -Commercial Size, Possession and Catch Limits

Section 100

100.11 Mutton Snapper – ~~sixteen (16)~~ eighteen (18) inches (total length)