

By: Senator(s) Hewes

To: Ports and Marine
ResourcesSENATE BILL NO. 2821
(As Passed the Senate)

1 AN ACT TO AMEND SECTIONS 79-22-15 AND 79-22-23, MISSISSIPPI
2 CODE OF 1972, TO CONFORM TO THE REORGANIZATION OF THE DEPARTMENT
3 OF WILDLIFE, FISHERIES AND PARKS AND THE DEPARTMENT OF MARINE
4 RESOURCES; TO AUTHORIZE THE DEPARTMENT OF MARINE RESOURCES TO
5 REGULATE MARINE AQUACULTURE PROGRAMS; TO REMOVE MARINE AQUACULTURE
6 FROM THE JURISDICTION OF THE DEPARTMENT OF WILDLIFE, FISHERIES AND
7 PARKS; AND FOR RELATED PURPOSES. BE IT ENACTED BY THE
8 LEGISLATURE OF THE STATE OF MISSISSIPPI:

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10 SECTION 1. Section 79-22-15, Mississippi Code of 1972, is
11 amended as follows:

12 79-22-15. (1) The Department of Wildlife, Fisheries and
13 Parks may issue permits to obtain game fish for use as brood stock
14 in accordance with regulations promulgated by the Department of
15 Wildlife, Fisheries and Parks.

16 (2) In promulgating these regulations for game fish used for
17 brood stock, the Commission on Wildlife, Fisheries and Parks may
18 specify that a permittee:

19 (a) Obtain a temporary variance permit from the
20 department; * * *

21 (b) Provide compensation for each fish taken for brood
22 stock as established by the department and outlined in the permit;
23 and

24 (c) Shall not sell or transport out of the state brood
25 fish taken from state waters.

26 (3) The Department of Wildlife, Fisheries and Parks shall
27 not permit the collecting of wild brood stock in any waters where
28 the wildlife department determines that the collection is not in
29 the long-term best interest of the resource.

30 (4) The Department of Marine Resources may issue permits to
31 obtain estuarine and marine brood stock. The commission may
32 promulgate regulations for such permits and may require a
33 permittee to meet any requirements listed in subsection (2).

34 (5) The Commission on Wildlife, Fisheries and Parks and the
35 Commission on Marine Resources may promulgate regulations which
36 specify design criteria to protect the resources within their
37 jurisdiction and to prevent the release of undesirable species
38 from an aquaculture facility into the environment. * * * The
39 Department of Wildlife, Fisheries and Parks and the Department of
40 Marine Resources may advise the Department of Agriculture and
41 Commerce in issuing cultivation and marketing permits. The
42 permits shall be issued in accordance with the applicable
43 regulations * * *. The Department of Wildlife, Fisheries and
44 Parks, the Department of Marine Resources or the Department of
45 Agriculture and Commerce may inspect operations licensed by
46 cultivation and marketing permits. * * * Any violations of the
47 regulations promulgated by the Commission on Wildlife, Fisheries
48 and Parks or the Commission on Marine Resources shall be
49 punishable as provided in Section 79-22-29.

50 SECTION 2. Section 79-22-23, Mississippi Code of 1972, is
51 amended as follows:

52 79-22-23. (1) The Secretary of State, upon recommendation
53 of the Mississippi Department of Marine Resources and the
54 Mississippi Department of Environmental Quality may lease waters
55 as provided by Section 29-1-107, Mississippi Code of 1972, within
56 the jurisdiction of the state to a person for aquaculture or the
57 production of aquatic products. The Department of Marine
58 Resources is authorized to develop a marine aquaculture lease
59 management program and may adopt such rules and regulations as may
60 be necessary to implement the marine aquaculture lease management
61 program and to regulate the growth of aquaculture.

62 (2) All state and governmental entities that are involved in

63 the regulation and enforcement of marine aquaculture activities or
64 related activities shall develop a coordinated procedure for
65 one-stop permitting applicable to marine aquaculture activities.
66 One-stop permitting is defined as a procedure that allows an
67 aquaculturist to fill out a joint application form and deposit it
68 with any of the aforementioned governmental agencies. The
69 receiving agency shall forward the joint application * * * or
70 copies of it to the appropriate entities for review and
71 expeditious action. The one-stop permitting procedure document
72 shall state the time schedules for review and action by the
73 applicable agencies after the permit has been received and dated.

74 SECTION 3. This act shall take effect and be in force from
75 and after its passage.