MISSISSIPPI LEGISLATURE REGULAR SESSION 2004

By: Representatives Frierson, Janus

To: Marine Resources

HOUSE BILL NO. 1262

AN ACT TO AMEND SECTION 49-27-15, MISSISSIPPI CODE OF 1972, TO REQUIRE AN APPLICANT FOR A COASTAL WETLANDS PERMIT TO PREPAY THE COSTS OF PUBLICATION FEES; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 49-27-15, Mississippi Code of 1972, is amended as follows:

49-27-15. (1) Not later than sixty (60) days from the receipt of any application, the commission shall publish notice of a date on or before which written objections to any application must be filed. If written objection is filed or if the applicant requests a hearing, then a hearing must be held within twenty (20) days after the date on or before which objections must be filed unless a later date for the hearing is agreed to by all parties. Notice of the date on or before which objections must be filed shall be published once a week for at least three (3) consecutive weeks in at least one (1) newspaper of general circulation in the county in which the affected wetlands are located. The last publication of such notice shall be made not more than seven (7) days prior to such date. The published notice shall describe the site of the proposed activity and shall give a general description of the proposed regulated activity. Further, notice shall be given describing the date, time and place for the hearing by U.S. Mail, postage prepaid, to each of the objectors and to the applicant at the address furnished to the commission by the parties, and by causing a copy of such notice to be published at least one time in one (1) newspaper having a general circulation in the county in which the affected wetlands are located.

(2) An applicant shall pay the estimated costs of public notice and publication fees before the notice is published.

SECTION 2. This act shall take effect and be in force from and after its passage.