MISSISSIPPI LEGISLATURE REGULAR SESSION 2021

By: Representative Boyd

To: Wildlife, Fisheries and Parks

HOUSE BILL NO. 431

AN ACT TO REQUIRE THE MISSISSIPPI COMMISSION ON WILDLIFE, FISHERIES AND PARKS TO PROVIDE NOTICE OF PROPOSED REGULATORY CHANGES AFFECTING HUNTING, FISHING AND WILDLIFE GAMING IN THE AFFECTED COUNTY OR STATE; TO REQUIRE THAT THE NOTICE BE PROVIDED IN A NEWSPAPER AND BY RADIO PUBLIC SERVICE ANNOUNCEMENTS; TO REQUIRE THE COMMISSION TO GIVE LEGISLATORS IN THE AFFECTED AREA WRITTEN NOTICE OF THE PROPOSED REGULATORY CHANGE; TO SPECIFY DETAILS REGARDING THE FREQUENCY AND FORMAT OF THE NOTICE; TO AUTHORIZE THE COUNTY BOARD OF SUPERVISORS TO REQUEST A PUBLIC MEETING WITH REPRESENTATIVES OF THE COMMISSION WITHIN FIFTEEN DAYS AFTER THE LAST REQUIRED NOTICE; TO PROVIDE AN ADDITIONAL PERIOD TO RESIDENTS OF AFFECTED COUNTIES TO PROVIDE PUBLIC COMMENT TO THE COMMISSION EXPRESSING APPROVAL OR DISAPPROVAL OF THE PROPOSED CHANGE, ITS NECESSITY AND IMPACT; AND FOR RELATED PURPOSES.

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

SECTION 1. (1) Upon the decision of the Mississippi Commission on Wildlife, Fisheries and Parks to impose new regulations or revise existing hunting, fishing and wild game regulations in any county or within the state in its entirety, the commission shall provide the following notice:

(a) Public notice shall be provided at least once a week for at least three (3) consecutive weeks in a newspaper published within the affected county of the proposed regulatory change, or if no newspaper is published in that county, then in a

newspaper having a general circulation in the county. Public notice in the instance of a statewide regulation shall be published at least once a week for at least three (3) consecutive weeks in a newspaper having mass statewide circulation. The size of the notice must be no smaller than one-fourth (1/4) of a standard newspaper page and must be printed in bold print. The notice must begin as follows: "By authority of Section 49-4-4, Mississippi Code of 1972, as amended, the Mississippi Commission on Wildlife, Fisheries and Parks, in the performance of its powers and duties, has proposed a new regulation and/or change in regulations relating to wildlife gaming activities in [_____ County(ies)/State of Mississippi] as follows: [provide language of regulation change.]" The notice also may include, in the discretion of the commission, any or all details relating to the purpose of the regulation and the duration of the proposed change's effect. Public notices issued under this paragraph are subject to Section 13-3-31 and are not contrary to other laws regarding newspaper publication;

(b) Public notice shall be provided at least once a day for at least three (3) consecutive weeks via public service announcements aired free of charge by at least one (1) radio station that broadcasts in the affected county of the proposed regulatory change. The public service announcement must include no less than the following information: "The Mississippi Commission on Wildlife, Fisheries and Parks, in the performance of

its powers and duties, has proposed a new regulation and/or change in regulations relating to wildlife gaming activities in _____ County(ies), Mississippi. The commission is proposing [provide language of regulation change.]" The public service announcement also may include, in the discretion of the commission, any or all details relating to the purpose of the regulation and the duration of the proposed change's effect; and

(c) Written notice shall be provided to each member of the Legislature whose district includes, in whole or in part, the affected area. The notice to legislators shall be provided as soon as practicable after the commission has taken action proposing a new regulation or change in regulations relating to wildlife gaming activities and shall include the proposed new regulation or change, a description of the affected area and the effective date of the new or changed regulation. In addition, the notice shall include details relating to the purpose of the regulation and the duration of the proposed change's effect.

(2) (a) Any county affected by a proposed regulatory change of the commission shall be given reasonable opportunity to conduct a community-wide meeting at the request of the county board of supervisors with representatives of the commission to discuss the necessity of and the impact of the regulation within that county. The meeting shall be requested no later than fifteen (15) days after the final notice of the proposed change required under subsection (1). If no meeting is requested within the first

fifteen (15) days after the notice, residents of the county shall be afforded fifteen (15) additional days to provide comments to the commission expressing the approval or disapproval of the proposed regulatory change.

(b) If multiple counties are affected by the commission's proposed regulatory change, the boards of supervisors of those affected counties shall coordinate a joint meeting of the counties with representatives of the commission for the purposes specified in paragraph (a). The times stipulated in paragraph (a) for the requesting of meetings and public commentary are applicable to multiple counties acting jointly under this paragraph.

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