

3/11/11 4:26pm

Chapter No. 410
11/HR40/R1182PH
EW / CT

HOUSE BILL NO. 761

Originated in House Don Richardson Clerk

HOUSE BILL NO. 761

AN ACT TO AMEND SECTION 49-27-15, MISSISSIPPI CODE OF 1972, TO REVISE THE PROCEDURE REQUIRED TO OBJECT TO A COASTAL WETLANDS PERMIT APPLICATION RELATED TO ACTIVITIES ON COASTAL WETLANDS; 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) (a) The department may schedule a hearing on any application; however, the department shall schedule a hearing on each application if, during the time period in which written objections are required to be filed, (i) a written request for a hearing is submitted by the applicant, or (ii) a hearing is requested or written objections are submitted to the application by a political subdivision, an agency, or five (5) or more persons affected by the application. At such hearing, any person may present oral or written comments on the application. Not later than sixty (60) days from the receipt of a complete application, the commission shall publish notice of the time period in which written objections to any application must be filed. * * *

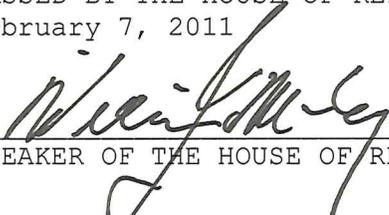
(b) The hearing must be held within twenty (20) days after the time period in which objections are required to be filed ends, unless a later date for the hearing is agreed to by all parties. Notice of the date on or before which objections must be filed shall be published once a week for at least three (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 United States 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.

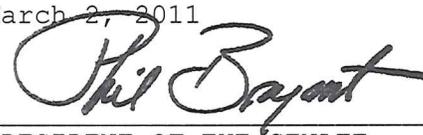
(2) An applicant shall pay the publication fees and the costs of providing notice to the public.

SECTION 2. This act shall take effect and be in force from and after July 1, 2011.

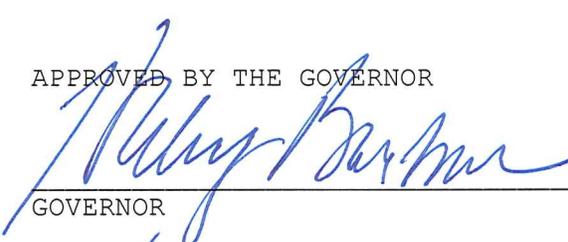
PASSED BY THE HOUSE OF REPRESENTATIVES
February 7, 2011


SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
March 2, 2011


PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR


GOVERNOR

3/1/11 4:26p