

TITLE 22 – MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

PART 11 EQUIPMENT AND/OR NETS SEIZED BY THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES IN THE STATE OF MISSISSIPPI

Chapter 1 INTRODUCTION

Rule 1.1 This Part establishes procedures for the disposition of equipment and/or nets seized by the Mississippi Department of Marine Resources (MDMR).

MISS. CODE ANN. §§49-15-1, 49-15-15, 49-15-21, 49-15-65, 49-15-100, 49-15-100.1, 49-15-100.3, 49-15-201, 49-15-203, 49-15-205 and 49-15-207.

Chapter 02 SALE AND DISPOSITION OF SEIZED EQUIPMENT AND/OR NETS

Rule 2.1 Forfeiture proceedings for property seized will be in accordance with Miss. Code Ann. §§ 49-15-201 through 49-15-205 or 49-15-207.

Rule 2.2 All property subject to forfeiture shall be sold at public auction in accordance with Miss. Code Ann. §§49-15-205(4) or destroyed upon approval of the MDMR Executive Director.

Rule 2.3 Prior to the sale of any equipment or nets seized the MDMR shall review each item and determine which shall be sold and which shall be destroyed.

Rule 2.4 At the discretion of the agency, the equipment or nets to be sold may be viewed by the public prior to the auction, whereupon notice of same shall be included in the advertisements of public auction.

Rule 2.5 Sales of equipment or nets seized shall be held each year, forty-five days, more or less, following the opening of shrimp season. Additional sales may be scheduled at the discretion of the MDMR.

MISS. CODE ANN. §§49-15-1, 49-15-15, 49-15-21, 49-15-65, 49-15-100, 49-15-100.1, 49-15-100.3, 49-15-201, 49-15-203, 49-15-205 and 49-15-207.

Chapter 03 CHAPTERS AND SUBCHAPTERS DECLARED SEPARABLE

Rule 3.1 Each chapter and subchapter of this Part is hereby declared separable, and if any chapter or subchapter or part thereof shall be held invalid or unconstitutional, the balance of said Title 22 Part 11 shall remain in full force and effect.

MISS. CODE ANN. §§49-15-1, 49-15-15, 49-15-21, 49-15-65, 49-15-100, 49-15-100.1, 49-15-100.3, 49-15-201, 49-15-203, 49-15-205 and 49-15-207.