

Mississippi Secretary of State
700 North Street P. O. Box 136, Jackson, MS 39205-0136

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Mississippi Department of Agriculture & Commerce		CONTACT PERSON Ricky G. Luke		TELEPHONE NUMBER (601)359-1154	
ADDRESS P.O. Box 1609		CITY Jackson		STATE MS	ZIP 39215 -1609
EMAIL ricky@mdac.ms.gov	SUBMIT DATE 4/6/2020	Name or number of rule(s): Title 2, Part 1 MDAC Rules, Subpart 4, Chapter 9, Section 115.04 of the Weights and Measures Regulations			

Due to the continuing escalation in the number of cases of COVID-19 and the emergency orders and guidance issued at the local, state and federal mandating social distancing among the public and limiting travel for only essential matters, the Department issues this temporary rule to provide a waiver of the annual verification and calibration for field standards used by scale and other service repair persons and companies. The reasoning for this waiver is to alleviate the requirement during the pendency of emergency conditions that such repair persons and companies travel to the State Metrology Lab to obtain verification and calibration. This rule will reduce exposure of the public and Department employees in a manner consistent with local, state and federal guidance and directives.

Specific legal authority authorizing the promulgation of rule: *Miss. Code Ann. § 75-27-19.*

List all rules repealed, amended, or suspended by the proposed rule: Section 115.04.

ORAL PROCEEDING:

- ☐ An oral proceeding is scheduled for this rule on Date: _____ Time: _____ Place: _____
- ☒ Presently, an oral proceeding is not scheduled on this rule.

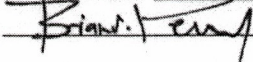
If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

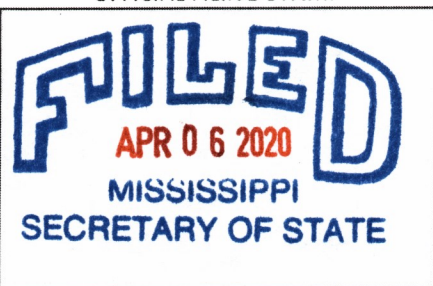
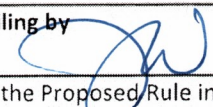
ECONOMIC IMPACT STATEMENT:

- ☒ Economic impact statement not required for this rule. ☐ Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
☒ Original filing ☐ Renewal of effectiveness To be in effect in _____ days Effective date: ☒ Immediately upon filing ☐ Other (specify): _____	Action proposed: ☐ New rule(s) ☐ Amendment to existing rule(s) ☐ Repeal of existing rule(s) ☐ Adoption by reference Proposed final effective date: ☐ 30 days after filing ☐ Other (specify): _____	Date Proposed Rule Filed: _____ Action taken: ☐ Adopted with no changes in text ☐ Adopted with changes ☐ Adopted by reference ☐ Withdrawn ☐ Repeal adopted as proposed Effective date: ☐ 30 days after filing ☐ Other (specify): _____

Printed name and Title of person authorized to file rules: Brian Percy, Chief of Staff, MS Department of Agriculture & Commerce

Signature of person authorized to file rules: 

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
		
Accepted for filing by <u>#24822 </u>	Accepted for filing by	Accepted for filing by

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.