

Mississippi Secretary of State
125 South Congress St., P. O. Box 136, Jackson, MS 39205-0136

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Mississippi Insurance Department		CONTACT PERSON Mark Lampton, Spec. Asst. Att. Gen.	TELEPHONE NUMBER (601)359-2780	
ADDRESS P.O. Box 79		CITY Jackson	STATE MS	ZIP 39205
EMAIL mark.lampton@mid.ms.gov	SUBMIT DATE 01/25/21	Name or number of rule(s): Miss. Admin. Code, Title 19, Part 7, Chapter 14 (Rules and Regulations for Licensed Compressed Gas Installation and Repair: Leak Check Procedures and Requirements; Permitting Procedures)		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: The rules are being implemented to more clearly document and replace already existing requirements from Bulletins and Agency practice.

Specific legal authority authorizing the promulgation of rule: Miss. Code §§ 75-57-3, 75-57-101, and 75-57-105 (Supp. 2019).

List all rules repealed, amended, or suspended by the proposed rule: Not Applicable.

ORAL PROCEEDING:

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

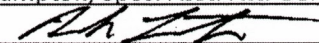
If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) 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.

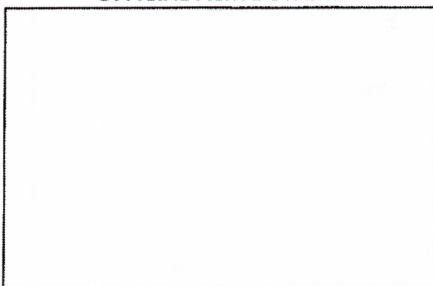
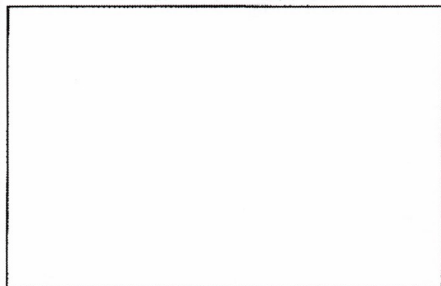
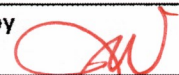
ECONOMIC IMPACT STATEMENT:

- ☐ 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): <u>July 1, 2021</u>	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: Mark Lampton, Spec. Asst. Att. Gen.

Signature of person authorized to file rules: /s/ Mark Lampton 

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
		
Accepted for filing by _____	Accepted for filing by <u>#25332</u> 	Accepted for filing by _____

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



DELBERT HOSEMANN
Secretary of State

CONCISE SUMMARY OF ECONOMIC IMPACT STATEMENT

An Economic Impact Statement is required for this proposed rule by Section 25-43-3.105 of the Administrative Procedures Act. This is a Concise Summary of the Economic Impact Statement which must be filed with the Secretary of State's Office.

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ADDRESS P.O. Box 79	CITY Jackson	STATE MS
EMAIL mark.lampton@mid.ms.gov	ZIP 39205	
DESCRIPTIVE TITLE OF PROPOSED RULE Miss. Admin. Code, Title 19, Part 7, Chapter 14 (Rules and Regulations for Licensed Compressed Gas Installation and Repair: Leak Check Procedures and Requirements; Permitting Procedures)		
Specific Legal Authority Authorizing the promulgation of Rule: Miss. Code §§ 75-57-3, 75-57-101, and 75-57-105 (Supp. 2019).		Reference to Rules repealed, amended or suspended by the Proposed Rule: Not Applicable.

A. Estimated Costs and Benefits

1. Briefly summarize the benefits that may result from this regulation and who will benefit: The Rules proposed will clarify the requirements during Leak Checks and in the Permitting Process. The benefit to small businesses and the Agency will be clarification of the standards, circumstances, and procedures for the performance of leak check procedures and for obtaining a permit. These requirements already exist in statutes, bulletins and agency practice, but will be clarified when consolidated to a set of Rules.
2. Briefly describe the need for the proposed rule: The rules will consolidate the leak check and permitting procedures, which heretofore are located in multiple locations and are more difficult to find.
3. Briefly describe the effect the proposed action will have on the public health, safety, and welfare: The rules will result in clarification of the process for performing leak checks of liquefied compressed gas systems, and increase the efficiency of the permitting process for those in the liquefied compressed gas industry.
4. Estimated Cost of implementing proposed action:
 - a. To the agency
☒ Nothing ☐ Minimal ☐ Moderate ☐ Substantial ☐ Excessive
 - b. To other state or local government entities
☒ Nothing ☐ Minimal ☐ Moderate ☐ Substantial ☐ Excessive

5. Estimated Cost and/or economic benefit to all persons directly affected by the proposed rule:
- c. Cost:
☒ Nothing ☐ Minimal ☐ Moderate ☐ Substantial ☐ Excessive
- d. Economic Benefit:
☐ Nothing ☐ Minimal ☒ Moderate ☐ Substantial ☐ Excessive
6. Estimated impact on small businesses:
☐ Nothing ☒ Minimal ☐ Moderate ☐ Substantial ☐ Excessive
- a. Estimate of the number of small businesses subject to the proposed regulation:
There are approximately 389 businesses currently permitted to operate in the liquefied compressed gas business in Mississippi. Fewer than that would be impacted by the portions of the rule relating to leak check requirements.
- b. Projected costs for small businesses to comply:
The rules will not result in any new or additional cost to the businesses engaged in the liquefied compressed gas industry. The requirements set forth in these new rules are a consolidation of requirements already in place pursuant to statutes, agency bulletins and prior practice.
- c. Statement of probable effect on impacted small businesses:
There should be no effect on impacted small businesses. The effect of the rule is to clarify and consolidate existing requirements.
7. The cost of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):
☐ substantially less than ☐ moderately less than ☐ minimally less than
☒ the same as ☐ minimally more than ☐ moderately more than
☐ substantially more than ☐ excessively more than
8. The benefit of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):
☐ substantially less than ☐ moderately less than ☐ minimally less than
☐ the same as ☐ minimally more than ☒ moderately more than
☐ substantially more than ☐ excessively more than

B. Reasonable Alternative Methods

1. Other than adopting this rule, are there less costly or less intrusive methods for achieving the purpose of the proposed rule?
☐ yes ☒ no
2. If yes, please briefly describe available, reasonable alternative(s) and the reasons for rejecting those alternatives in favor of the proposed rule. (Please see §25-43-4.104 for factors you must consider.)

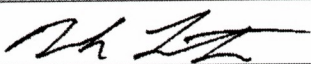
C. Data and Methodology

1. Please briefly describe the data and methodology you used in making the estimates required by this form: The numbers regarding impacted businesses equals the number of current Liquefied Compressed Gas permitted businesses, as maintained by the LC Gas Division of the Mississippi Insurance Department. The amendments to the rules impose no new or additional financial responsibility on anyone.

D. Public Notice

1. Where, when, and how may someone present their views on the proposed rule and request an oral proceeding on the proposed rule if one is not already scheduled? A person may send comments, suggestions, and a request for an oral proceeding to:

Mississippi Insurance Dept.
Attn: Mark Lampton, Special Asst. Att. Gen.
P.O. Box 79
Jackson, MS 39205-0079
or via email at: mark.lampton@mid.ms.gov

SIGNATURE /s/ Mark Lampton 	TITLE Special Assistant Attorney General
DATE January 25, 2021	PROPOSED EFFECTIVE DATE OF RULE July 1, 2021