

Mississippi Secretary of State

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Mississippi Board of Registration for Foresters		CONTACT PERSON Kim Turner	TELEPHONE NUMBER (601) 359-3803	
ADDRESS Post Office Box 220		CITY Jackson	STATE MS	ZIP 39205
EMAIL Kim.turner@ago.ms.gov	SUBMIT DATE: 10/4/22	Name or number of rule(s): Title 30, Part 1001		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: Clean-up and update to rules, implementation of the Military Family Freedom Act and Universal Recognition of Occupational Licenses Act, and increase of license renewal and late renewal fees (*see*, Rules 5.4 and 5.5; economic impact statement attached)

Specific legal authority authorizing the promulgation of rule: *Miss. Code Ann. § 73-36-19(1)(a)*

List all rules repealed, amended, or suspended by the proposed rule: Title 30, Part 1001

ORAL PROCEEDING:

☐ An oral proceeding is scheduled for this rule on Date: _____ Time: _____ Place: _____

☒ Presently, an oral proceeding is not scheduled on this rule.

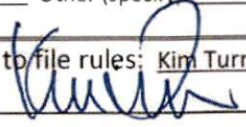
If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) 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. ☒ Economic impact statement re: **Rules 5.4 and 5.5 only** is 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) <u>XX</u> Amendment to existing rule(s) _____ Repeal of existing rule(s) _____ Adoption by reference Proposed final effective date: <u>XX</u> 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: Kim Turner, office of the Attorney General, Board counsel

Signature of person authorized to file rules: 

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
	 OCT 04 2022 MISSISSIPPI SECRETARY OF STATE	
Accepted for filing by _____	Accepted for filing by <u>26587 Jom</u>	Accepted for filing by _____

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



Michael Watson

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.

AGENCY NAME MS Board of Registration for Foresters	CONTACT PERSON Kim Turner, Assistant Attorney General	TELEPHONE NUMBER (601) 359-3803
ADDRESS Post Office Box 220	CITY Jackson	STATE MS
EMAIL Kim.turner@ago.ms.gov	ZIP 39205	
DESCRIPTIVE TITLE OF PROPOSED RULE Title 30, Part 1001, Chapter 5, Rules 5.4 and 5.5 : increase of license renewal and late renewal fees		
Specific Legal Authority Authorizing the promulgation of Rule: Miss. Code Ann. § 73-36-19(1)(a)		Reference to Rules repealed, amended or suspended by the Proposed Rule: Title 30, Part 1001

A. Estimated Costs and Benefits

- Briefly summarize the benefits that may result from this regulation and who will benefit: The MS Board of Registration for Foresters (BORF) is a self-supporting Board, receiving no general appropriation from the MS Legislature. An increase in its licensing renewal and late renewal fees, to amounts comparable to those of other states, will ensure the Board is able to continue to effectively serve the State without need for an appropriation of general funds from the Legislature. While the increase in fees benefits the Board, the Board benefits and protects the public and forest resources of the State through its regulation of the practice of forestry and those practicing or offering to practice in this State.
- Briefly describe the need for the proposed rule: BORF seeks to increase its fees in order to continue to serve the MS public and practice of forestry without the need for an appropriation from the Legislature. The total number of MS licensed foresters has declined. With fewer foresters seeking or renewing MS licenses, the Board has realized a decrease in operating funds. This fiscal year, BORF expects to request a deficit appropriation from the Legislature. An increase in fees to amounts comparable or less than those of other states will allow BORF to remain self-funding and self-supporting, without assistance from the Legislature.
- Briefly describe the effect the proposed action will have on the public health, safety, and welfare: BORF current fees are much lower and fewer than other states. BORF's application fee is set by statute at \$50.00. BORF charges no first year license fee or examination fee for an applicant's first two attempts. BORF renewal fees are charged biennially. The proposed increase in renewal and late renewal fees will have no effect upon public health, safety and welfare.
- Estimated Cost of implementing proposed action:
 - To the agency
☒ Nothing ☐ Minimal ☐ Moderate ☐ Substantial ☐ Excessive
 - 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: Few, if any.

b. Projected costs for small businesses to comply: Minimal, if any.

c. Statement of probable effect on impacted small businesses:

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. BORF researched fees charged by other states in proposing the increase of its fees by amendment to Rules 5.4 and 5.5. BORF relied upon its roster in an effort to determine what affect, if any, its proposed rule changes would have upon small businesses.

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? Comments and requests for hearing may be made in writing sent to Kim Turner, Post Office Box 220, Jackson, MS 39205 or kim.turner@ago.ms.gov.

SIGNATURE

DATE
10/4/2022

TITLE
Board Counsel

PROPOSED EFFECTIVE DATE OF
RULE
11/4/2022