

**Mississippi Secretary of State**  
125 S. Congress Street, Jackson, MS 39201

**ADMINISTRATIVE PROCEDURES NOTICE FILING**

|                                                                   |                        |                                                                                                     |                                  |              |
|-------------------------------------------------------------------|------------------------|-----------------------------------------------------------------------------------------------------|----------------------------------|--------------|
| AGENCY NAME<br>Mississippi Department of Agriculture and Commerce |                        | CONTACT PERSON<br>Laura Vollar                                                                      | TELEPHONE NUMBER<br>662-325-5561 |              |
| ADDRESS<br>P.O. Box 5207                                          |                        | CITY<br>Mississippi State                                                                           | STATE<br>MS                      | ZIP<br>39762 |
| EMAIL<br>LauraV@mdac.ms.gov                                       | SUBMIT DATE<br>4/25/23 | Name or number of rule(s):<br>MDAC Rules Subpart 3, Chapter 11, Subchapter 01, Regulation 118.05(3) |                                  |              |

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: This rule is being repealed because the use of termiticide baits are used as post construction treatments when final grade is performed.

Specific legal authority authorizing the promulgation of rule: Miss. Code. Ann. §69-23-109.

List all rules repealed, amended, or suspended by the proposed rule: MDAC Rules Subpart 3, Chapter 11, Subchapter 01, Regulation 118.05(3).

**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<br>_____ Renewal of effectiveness<br>To be in effect in _____ days<br>Effective date:<br>_____ Immediately upon filing<br>_____ Other (specify): _____ | <b>Action proposed:</b><br>_____ New rule(s)<br>_____ Amendment to existing rule(s)<br><input checked="" type="checkbox"/> Repeal of existing rule(s)<br>_____ Adoption by reference<br><b>Proposed final effective date:</b><br><input checked="" type="checkbox"/> 30 days after filing<br>_____ Other (specify): _____ | <b>Date Proposed Rule Filed:</b> _____<br><b>Action taken:</b><br>_____ Adopted with no changes in text<br>_____ Adopted with changes<br>_____ Adopted by reference<br>_____ Withdrawn<br>_____ Repeal adopted as proposed<br><b>Effective date:</b><br>_____ 30 days after filing<br>_____ Other (specify): _____ |

Printed name and Title of person authorized to file rules: Bicky Luke, Deputy Commissioner

Signature of person authorized to file rules: 

| OFFICIAL FILING STAMP                                                                                 | DO NOT WRITE BELOW THIS LINE<br>OFFICIAL FILING STAMP                                                                                                                                                                | OFFICIAL FILING STAMP                                                                                 |
|-------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|
| <div style="border: 1px solid black; height: 100px; width: 100%;"></div> Accepted for filing by _____ | <div style="border: 1px solid black; padding: 10px; text-align: center;">  </div> Accepted for filing by <u>26910</u> <u>138</u> | <div style="border: 1px solid black; height: 100px; width: 100%;"></div> Accepted for filing by _____ |

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