

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 4/13/2020	Name or number of rule(s): Title 2, Part 1 MDAC Rules, Subpart 4, Chapter 9, Section 118.01 [NEW] 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 level mandating social distancing among the public and limiting travel for only essential matters, the Department issues this temporary rule to provide a twenty-four (24) month, inspection and approval for "Weights and Measures" as that phrase is defined in Section 75-27-3(2) of the Mississippi Code. The Temporary Rule applies only to Weights and Measures that would have otherwise been due for inspection and approval during the period of March 13, 2020 through June 30, 2020. The reasoning for this waiver is to alleviate the requirement during the pendency of emergency conditions that inspectors and scale technicians travel and engage in activities which could result in exposure or further transmission of COVID-19. 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 List all rules repealed, amended, or suspended by the proposed rule: Section 118.01.

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.

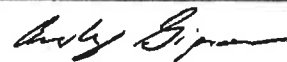
ECONOMIC IMPACT STATEMENT:



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 Withdrawn 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

Printed name and Title of person authorized to file rules: Andy Ginson, Commissioner

Signature of person authorized to file rules:



OFFICIAL FILING STAMP 	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP <div style="border: 1px solid black; height: 100px; width: 100%;"></div>	OFFICIAL FILING STAMP <div style="border: 1px solid black; height: 100px; width: 100%;"></div>
Accepted for filing by #24829 	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.

Subpart 4-Bureau of Regulatory Services
Chapter 09-Weights and Measures Regulations

Temporary Rule Setting Schedule for Inspection of Certain Weights and Measures.

118.01 Pursuant to the authority granted in Section 75-27-23 of the Mississippi Code Annotated, the Commissioner hereby sets the following temporary schedule with regard to certain “Weights and “Measures” as defined in Section 75-27-3(2) of the Mississippi Code Annotated. The inspection period for all Weights and Measures which were due for inspection and testing by the Department between March 13, 2020 and June 30, 2020 shall be extended from a twelve month period to a one-time, twenty-four-month inspection period. This paragraph shall stand repealed July 1, 2020.

(Temporary Rule April 13, 2020.)

Source: *Miss. Code Ann.* §75-27-19.

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