

NOTICE OF RULE ADOPTION – TEMPORARY RULE

**STATE OF MISSISSIPPI
MISSISSIPPI STATE PORT AUTHORITY AT GULFPORT
OPERATIONS DEPARTMENT**

Mississippi State Port Authority at Gulfport
c/o Donald R. Allee
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Gulfport, Mississippi 39502
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Specific Legal Authority authorizing the promulgation of
Rule: Miss. Code §§ 33-15-31, 59-1-1, 59-1-9, 59-5-5 and
59-5-21

Reference to Rules repealed, amended or suspended by the
Temporary Rule: Mississippi State Port Authority's
Hurricane Procedures as part of the 1998 Mississippi State
Port Authority's Operations and Procedures Manual

Date Rule Proposed: 6/15/09

Explanation of the Purpose of the Temporary Rule and the reason(s) for the rule:

The temporary amendments to the Mississippi State Port Authority's Hurricane Procedures have been adopted and made effective to incorporate requirements of the Port Authority and the U.S. Coast Guard to further protect the public health, safety and welfare during a hurricane or tropical storm.

The Agency finds that an imminent peril to the public health, safety and welfare requires the adoption of a rule upon fewer than twenty-five (25) days notice. The Agency Rule Making Record for this temporary rule including any written comments received during the comment period and the record of any oral proceeding is available for public inspection by contacting the Agency at the above address.

- An oral proceeding was held on this rule:
 An oral proceeding was not held on this rule.

The Agency has considered any written comments received and the presentations made in any oral proceeding, and

- This rule as adopted is without variance from the proposed temporary rule.
 This rule as adopted differs from the proposed temporary rule as there are minor editorial changes which affect the form rather than the substance of the rule.
 The rule as adopted differs from the proposed temporary rule. The differences however are:
Within the scope of the matters in the Notice of Proposed Rule Adoption, the logical outgrowth of the contents of the Notice of Proposed Rule Adoption and the comments submitted in response thereto, and the Notice of Proposed Rule Adoption provided fair warning that the outcome of the proposed rule adoption could be the rule in question.

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

Effective Date of Rule: 6/15/09



Donald R. Allee, Executive Director
Mississippi State Port Authority at Gulfport