

FILED
JUL 15 2009
MISSISSIPPI
SECRETARY OF STATE

NOTICE OF RULE ADOPTION – FINAL RULE

STATE OF MISSISSIPPI
MISSISSIPPI STATE PORT AUTHORITY AT GULFPORT
OPERATIONS DEPARTMENT

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

Reference to Rules repealed, amended or suspended by the
Proposed 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: June 15, 2009

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

The proposed revisions to the Mississippi State Port Authority's Hurricane Procedures are being proposed and/or required by 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 Rule Making Record for this 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:

Date: {Insert Date}

Time: {Insert Time}

Place: {Insert Place}

An oral proceeding was not held on this rule.

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

This rule as adopted is without variance from the proposed rule.

This rule as adopted differs from the proposed rule as there are minor editorial changes which affect the form rather than the substance of the rule.

This rule as adopted differs from the proposed 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 Proposed Rule including the text of any rule being amended or changed is attached.

Effective Date of Rule: Immediately pursuant to § 25-43-3.113(2)(b)(iv) of the Mississippi Code since hurricane season has commenced and the Port Authority's Hurricane Procedures, as amended, are responsive to the imminent peril to public health, safety and welfare created by the threat of hurricanes and tropical storms. In the event § 25-43-3.113(2)(b)(iv) is determined to be inapplicable to the Port Authority's Hurricane Procedures, as amended, the effective date of this Rule shall be as provided in § 25-43-3.113(1) of the Mississippi Code.



Donald Allee, Executive Director
Mississippi State Port Authority at Gulfport