14646

NOTICE OF RULE ADOPTION-FINAL RULE

FILED
DEC 17 2009
MISSISSIPPI
SECRETARY OF STATE

STATE OF MISSISSIPPI
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

Public Employees' Retirement System
c/o Denise Mounger
429 Mississippi Street
Jackson, Mississippi 39201

(601) 359-2281
DMounger@pers.ms.gov

Specific Legal Authority authorizing the promulgation of Rule: MCA Section 25-11-15(6)

Reference to Rules repealed, amended or suspended by the Proposed Rule: Regulation 33

Date Rule Proposed: Final Adoption February 1, 2010

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

- To clarify that actual travel expenses which are reimbursed by the employer shall not be reported to PERS as maintenance or as earned compensation.
- To clarify that the imputed taxable income reported to the Internal Revenue Service by an employer for an employee's personal or commuting use of a government-provided vehicle shall not be reported to PERS as maintenance or as earned compensation.
- To clarify that a cash allowance provided to an employee or official in lieu of a government-provided vehicle shall not be reported to PERS as maintenance or as earned compensation.

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:
Time:
Place:

☒ An oral proceeding was not held on this rule.

The Agency has considered the written comments and the presentation 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. See attached letter.

☐ The 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: December 15, 2009

Denise Owens-Mounger Deputy Director
Signature and Title of Person Submitting Rule for Filing

SAS FORM APA 002
Effective Date 07/29/2005