Mississippi Secretary of State
700 North Street P. O. Box 136, Jackson, MS 39205-0136

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME	CONTACT PERSON	TELEPHONE NUMBER	
Public Employees' Retirement System	Jane L. Mapp	601-359-3592	
ADDRESS 429 Mississippi Street	CITY Jackson	STATE MS	ZIP 39201
EMAIL JMapp@pers.ms.gov	SUBMIT DATE 2/25/2011	Name or number of rule(s): Regulation 34	

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: The proposed amendments to Regulation 34 reflect the changes to the reemployment provisions made by House Bill 957 (Regular Session 2010), which was approved by the Governor April 28, 2010. Required Separation Period – House Bill 957 modified Miss. Code Ann. §25-11-127 effective July 1, 2011, to provide that a retiree must be retired for not less than 90 consecutive days from his or her effective date of retirement, or such later date as established by the PERS Board of Trustees, before he or she may be reemployed on a limited basis. Sections 102, 106, and 109 of Regulation 34 are being amended to replace the 45-day separation period with the 90-day separation period effective July 1, 2011. Further, the waiver provision in Section 106 is being deleted in its entirety as the statute provides no exceptions to the required 90-day separation period. Section 103.5 is being added to Regulation 34 to incorporate the reemployment provision for special judges which is found in Miss. Code Ann. §9-1-105. Required Employer Contributions – House Bill 957 modified §25-11-127 to provide that the employer of any retired member who is working after retirement will pay the full amount of the employer's contributions on the amount of compensation received by the retiree for his or her post-retirement employment effective July 1, 2011. Section 107 of Regulation 34 is being amended to conform to the statutory provision effective July 1, 2011.

Specific legal authority authorizing the promulgation of rule: 25-11-15(6)

List all rules repealed, amended, or suspended by the proposed rule: Regulation 34

ORAL PROCEEDING:

☐ An oral proceeding is scheduled for this rule on Date: _____ Time: _____ Place: _____

X 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:

X 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 _____ Renewal of effectiveness To be in effect in _____ days Effective date: _____ Immediately upon filing _____ Other (specify): _____	**Action proposed:** _____ New rule(s) __X__ Amendment to existing rule(s) _____ Repeal of existing rule(s) _____ Adoption by reference **Proposed final effective date:** _____ 30 days after filing __X__ Other (specify): July 1, 2011	**Date Proposed Rule Filed:** _____ **Action taken:** _____ Adopted with no changes in text _____ Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed **Effective date:** _____ 30 days after filing _____ Other (specify): _____

Printed name and Title of person authorized to file rules: Jane L. Mapp, Special Assistant Attorney General
Signature of person authorized to file rules: Jane L Mapp

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
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