

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

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Mississippi Department of Employment Security		CONTACT PERSON LeAnne Brady	TELEPHONE NUMBER 601-321-6073	
ADDRESS P.O. Box 1699		CITY Jackson	STATE MS	ZIP 39215
EMAIL lbrady@mdes.ms.gov	SUBMIT DATE 7/20/12	Name or number of rule(s): Employment Services Chapter 800 Rule 800.00, Rule 800.01, Rule 800.02, Rule 800.03, Rule 800.04		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: This a new rule being submitted as an emergency rule. The "Mississippi First" law went into effect July 1, 2012 and governs hiring practices for public works projects that utilize funds received by entities resulting from a federally declared disaster/spill of national significance. Under this law, Contractors will be required to post job orders with MDES and these rules provide explanation and clarification of the process. Since there are currently oil spill related projects in process now and it is hurricane season, MDES has determined that rules governing the process need to be put in effect immediately to prevent imminent peril to the public health, safety and/or welfare. Additionally, an identical rule for adoption with be filed under the normal administrative process and will supersede the interim rule once the general public has had a chance to review and comment on the proposed regulation.

Specific legal authority authorizing the promulgation of rule: Miss. Code Ann. § 71-5-115 and § 71-5-117

List all rules repealed, amended, or suspended by the proposed rule: N/A New Rule

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 <u>90</u> 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: LeAnne Brady, Sr. Attorney LeAnne Brady, Sr. Attorney
 Signature of person authorized to file rules: /s/ LeAnne Brady *[Signature]*

<p>OFFICIAL FILING STAMP</p> <div style="border: 1px solid black; height: 150px; width: 100%;"></div> <p>Accepted for filing by</p>	<p>DO NOT WRITE BELOW THIS LINE</p> <p>OFFICIAL FILING STAMP</p> <div style="border: 1px solid black; height: 150px; width: 100%;"></div> <p>Accepted for filing by</p>	<p>OFFICIAL FILING STAMP</p> <div style="border: 1px solid black; height: 150px; width: 100%;"></div> <p>Accepted for filing by</p>
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The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.