DELBERT HOSEMANN
Secretary of State

ECONOMIC IMPACT STATEMENT

An Economic Impact Statement is required for this proposed rule by Section 25-43-3.105 of the Administrative Procedures Act. An Economic Impact Statement must be attached to this Form and address the factors below. A PDF document containing this executed Form and the Economic Impact Statement must be filed with any proposed rule, if required by the aforementioned statute.

AGENCY NAME	CONTACT PERSON		TELEPHONE NUMBER
Mississippi Dept. of Agriculture and Commerce	John Campbell		662-325-7760
ADDRESS	CITY	STATE	ZIP
P.O. Box 5207	Mississippi State	MS	39762
EMAIL	DESCRIPTIVE TITLE OF PROPOSED RULE		
johnca@mdac.ms.gov	Non-native Plant Species		

Specific Legal Authority Authorizing the promulgation of Rule:	Reference to Rules repealed, amended or suspended by the Proposed Rule:
Miss. Code of 1972, §69-25-10	N/A

SIGNATURE	TITLE
	Deputy Commissioner
DATE	PROPOSED EFFECTIVE DATE OF RULE
October 12, 2012	December 6, 2012

1. Describe the need for the proposed action: This rule is needed to minimize the risk of an invasive plant species being introduced into Mississippi.
2. Describe the benefits which will likely accrue as the result of the proposed action: The benefit of this rule is to reduce the risk of an invasive plant species being introduced into the Mississippi.
3. Describe the effect the proposed action will have on the public health, safety, and welfare: This rule will have a positive effect on the public health and welfare by reducing the threat of an invasive plant species being introduced into Mississippi.
4. Estimate the cost to the agency and to any other state or local government entities, of implementing and enforcing the proposed action, including the estimated amount of paperwork, and any anticipated effect on state or local revenues: The estimated cost to the state is very minimal, no additional personnel will be needed and there is no fee to obtain a permit. The only cost associated with the rule is the requirement for the permittee to obtain a surety bond.
5. Estimate the cost or economic benefit to all persons directly affected by the proposed action: The estimated cost to all persons affected is minimal, and the economic benefit is substantial by reducing the risk of an invasive species being introduced into Mississippi.
6. Provide an analysis of the impact of the proposed rule on small business:
    a. Identify and estimate the number of small businesses subject to the proposed regulation: 15

b. Provide the projected reporting, recordkeeping, and other administrative costs required for compliance with the proposed regulation, including the type of professional skills necessary for preparation of the report or record: The cost to companies is minimal. In order to comply, companies must complete an annual permit application and obtain a surety bond. No advanced skills are necessary to comply with this rule.
c. State the probable effect on impacted small businesses: Small businesses must first obtain a permit and surety bond before planting a non-native species in Mississippi, which will reduce the risk of introducing an invasive plant species in the state.
d. Describe any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation including the following regulatory flexibility analysis:
    i. The establishment of less stringent compliance or reporting requirements for small businesses;
    ii. The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;
    iii. The consolidation or simplification of compliance or reporting requirements for small businesses;
    iv. The establishment of performance standards for small businesses to replace design or operational standards required in the proposed regulation; and
    v. The exemption of some or all small businesses from all or any part of the requirements contained in the proposed regulations: There are no less costly alternative methods available. The rule has been written in such a manner that small businesses can easily comply with minimal paperwork and reporting requirements.

7. Compare the costs and benefits of the proposed rule to the probable costs and benefits of not adopting the proposed rule or significantly amending an existing rule: The cost to implement the rule is minimal to the state and small businesses, and the potential benefits are great in reducing the risk of an invasive plant species being introduced into Mississippi. If the rule is not adopted, the state could potentially spend considerable amounts of money, time and resources to control an invasive plant species.
8. Determine whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rule where reasonable alternative methods exist which are not precluded by law: There are no less costly or intrusive methods for implementing the rule.
9. Describe reasonable alternative methods, where applicable, for achieving the purpose of the proposed action which were considered by the agency: Several meetings were held with stakeholders in the development of the proposed rule. Therefore, no alternative methods to achieve the purpose of this action are available.
10. State reasons for rejecting alternative methods that were described in #9 above: There were no alternative methods listed.
11. Provide a detailed statement of the data and methodology used in making estimates required by this subsection: The proposed rule was presented to stakeholders in order to estimate how many companies would be engaged in this type of work. The estimated cost to small businesses was determined by talking to insurance providers and taking into account the typical cost of a surety bond.