SOS APA Form 003
Rev. 6/12

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 Department of Agriculture & Commerce	Dr. Richard Benton, DVM		(601) 359-1191
ADDRESS	CITY	STATE	ZIP
P.O. Box 1609	Jackson	Mississippi	39215-1609
EMAIL	DESCRIPTIVE TITLE OF PROPOSED RULE		
richardb@mdac.ms.gov	Special fees for inspection services provided by the Meat Inspection Division		

Specific Legal Authority Authorizing the promulgation of Rule: *Miss. Code Ann.* §75-33-33	Reference to Rules repealed, amended or suspended by the Proposed Rule: new Rule 111

SIGNATURE	TITLE
	Deputy Commissioner
DATE January 14, 2014	PROPOSED EFFECTIVE DATE OF RULE March 14, 2014

1. Describe the need for the proposed action: State law provides that no state funds shall be used for overtime. The Department must recoup those costs from the state plant. Therefore, the Department charges state plants for the overtime fees incurred by state inspectors. Describe the benefits which will likely accrue as the result of the proposed action:

2. Describe the effect the proposed action will have on the public health, safety, and welfare:
The Department plans to go to a flat fee rather than trying to calculate the hourly rate of an employee at overtime rate plus benefits. This will increase the efficiency of the Department without imposing an excessive burden on the plant.

3. 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: None

4. Estimate the cost or economic benefit to all persons directly affected by the proposed action:
The economic benefit is that consumers will have inspected meat products.

5. 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: Four state plants currently have had overtime services over the past six months.
    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: No change in reporting. Overtime will be submitted on the same form with the same information. Only the rate per hour will change.
    c. State the probable effect on impacted small businesses: At most $3.00-4.00 an hour but it could also be a reduction of that amount. The current overtime is based on the actual inspector's salary. The department has four career levels of inspectors at different salaries.
    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:

6. 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:
   Continued loss of accounting employee's time to stop and calculate overtime for a state plant.
7. 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:
   None.
8. Describe reasonable alternative methods, where applicable, for achieving the purpose of the proposed action which were considered by the agency: None.

9. State reasons for rejecting alternative methods that were described in #9 above: N/A

10 Provide a detailed statement of the data and methodology used in making estimates required by this subsection: Compared the career level salaries at start step of possible inspectors performing overtime services to the proposed flat fee.