

Page 1 of 3 pages

PROPOSED RULES  
OF  
TENNESSEE DEPARTMENT OF AGRICULTURE  
ADMINISTRATION  
CHAPTER 0080-1-3  
CIVIL PENALTIES

Presented herein is a proposed amendment of the Tennessee Department of Agriculture submitted pursuant to Tennessee Code Annotated, Section 4-5-202 in lieu of a rulemaking hearing. It is the intent of the department to promulgate this rule without a rulemaking hearing unless a petition requesting such hearing is filed within thirty (30) days of the publication date of the issue of the Tennessee Administrative Register in which the proposed amendment is published. Such petition to be effective must be filed in the commissioner's office of the Moss Administration Building, Ellington Agricultural Center, Hogan Road, Nashville, TN 37404 and in the Administrative Procedures Division of the Department of State, Fifth Floor, James K. Polk State Office Building, Sixth and Deaderick, Nashville, TN 37219, and must be signed by twenty-five (25) persons who will be affected by the rule, or submitted by a municipality which will be affected by the rule, or an association of twenty-five (25) or more members, or any standing committee of the general assembly. The text of the proposed rule is as follows:

AMENDMENT

0080-1-3-.01 CIVIL PENALTIES This section is amended by adding the following language immediately following the colon at the end of paragraph (1) and preceding the schedule that currently follows paragraph (1).

Agriculture and Horticulture-Title 43  
Pest Control-(Chapter 6)  
Plant Pest Act-(Part 1)

Violations	Penalties
43-6-106	0-500
43-6-109	0-500
43-6-110	0-500
43-6-111	0-500
43-6-112	0-500

Statutory Authority: T.C.A. 4-3-203 and 4-3-204.

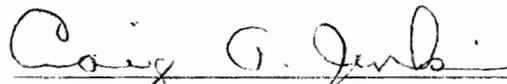
Page 2 of 3 pages

Signature of the agency officer or officers directly responsible for proposing and/or drafting these rules:

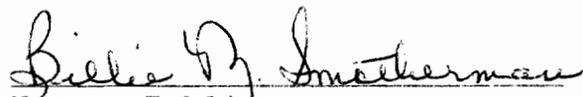
  
\_\_\_\_\_  
Craig A. Jenkins  
Staff Attorney

I certify that this is an accurate and complete copy of proposed rules lawfully promulgated and adopted by the Tennessee Department of Agriculture on the 10th day of February, 1993.

The Secretary of State is hereby instructed that in the absence of a petition of rulemaking hearing being filed under the conditions set out herein and in the locations described, he is to treat the proposed rules as being placed on file in his office as rules at the expiration of thirty (30) days after the publication date of the issue of the Tennessee Administrative Register in which the proposed rules are published.

  
\_\_\_\_\_  
Craig A. Jenkins  
Staff Attorney

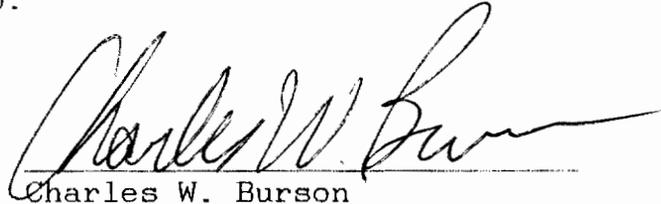
Subscribed and sworn to before me this 10th day of February, 1993.

  
\_\_\_\_\_  
Notary Public

My commission expires on the 27th day of March, 1993.

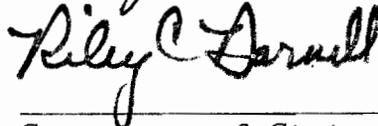
Page 3 of 3 pages

All proposed rules provided for herein have been examined by the Attorney General and Reporter of the State of Tennessee and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.



Charles W. Burson  
Attorney General and Reporter

The proposed rules set out herein were properly filed in the Department of State and pursuant to the instructions set out above, and in the absence of the filing of the appropriate petition calling for a rulemaking hearing, will become effective on the 29 day of June, 1993.



Secretary of State

By: Richard Arnold