

APA-1
11/96

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control Department or Agency Alabama Department of Economic and Community Affairs
Rule No. 305-9-1-.11
Rule Title: Voluntary Nonprofit Rescue Squad and Voluntary Nonprofit Ambulance Service*
X New Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? No

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer Edward E. Davis
EDWARD E. DAVIS

Date February 21, 2012

*State Surplus Property Loan Program

(DATE FILED)
(STAMP)

Alabama Department of Economic and
Community Affairs
Surplus Property Division

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Economic and Community Affairs

RULE NO. & TITLE: 305-9-1-.11 Voluntary Nonprofit Rescue Squad and
Voluntary Nonprofit Ambulance Service State Surplus Property Loan Program

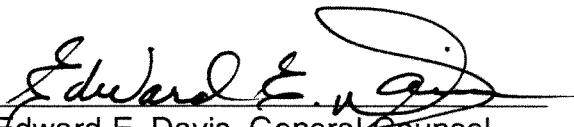
INTENDED ACTION: To adopt new Rule 305-9-1-.11.

SUBSTANCE OF PROPOSED ACTION: To add a new rule establishing a
procedure for loaning state surplus property pursuant to Alabama Code
§41-4-33.2.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Written comments will be
accepted at the office of the Alabama Department of Economic and Community
Affairs, 401 Adams Avenue, P. O. Box 5690, Montgomery, Alabama 36103-5690,
attention Edward E. Davis.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: The Alabama
Department of Economic and Community Affairs will accept comments no later
than April 6, 2012, at 5:00 p.m.

CONTACT PERSON AT AGENCY: Edward E. Davis, General Counsel,
Alabama Department of Economic and Community Affairs, 401 Adams Avenue,
P. O. Box 5690, Montgomery, Alabama 36103-5690, telephone 334 242-5258.


Edward E. Davis, General Counsel
Alabama Department of Economic and
Community Affairs

NEW RULE

ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS
SURPLUS PROPERTY DIVISION

305-9-1-.11 Voluntary Nonprofit Rescue Squad and Voluntary Nonprofit Ambulance Service State Surplus Property Loan Program

(1) This rule applies to voluntary nonprofit ambulance services and voluntary nonprofit rescue squads which are operated as a public service for the benefit of the citizens of the state and establishes a procedure for loaning state-owned surplus property to these entities.

(a) Pursuant to the Alabama Code §41-4-33.2(b), state-owned surplus property will be made available for screening by the Ambulance Advisory Board and the Alabama Association of Rescue Squads for the ambulance/rescue loan program beginning forty-five (45) days prior to an auction and terminating ten (10) days thereafter.

(b) The dates of auctions will be made available to the Ambulance Advisory Board and to the Alabama Association of Rescue Squads at least sixty (60) days prior to the date of an auction.

(c) The state Board of Health Ambulance Advisory Board (the Board) and/or the Alabama Association of Rescue Squads, Inc., (the Association) shall screen state-owned surplus property for volunteer ambulance services and volunteer rescue squads for use in ambulance and rescue purposes exclusively.

(d) The Board and the Association may designate up to five (5) screeners each and shall identify the designated screeners by name in a letter from the Board or the Association to the Division Chief of the Surplus Property Division of ADECA.

(e) The Board and/or the Association shall determine what state-owned surplus property may be of use by the volunteer ambulance services or volunteer rescue squads respectively.

(f) The Board or the Association shall submit a letter of intent of usage to ADECA Surplus Property Division and in the letter of intent shall identify the property and the entity who will receive the property.

(g) In order to be eligible to receive state surplus property under the loan program, each volunteer rescue squad must be an Association member in good standing for a period of not less than one year and must meet the requirements of being an eligible nonprofit organization.

(h) Rescue squads which have been deemed eligible under the previous paragraph must complete a state-owned surplus property conditional loan transfer document for each parcel of property. They must maintain an inventory of all such property along with current pictures and submit the inventory to the Surplus Property Division on an annual basis.

i. Forms for use in the loan program shall be developed by the Surplus Property Division of ADECA and amended from time to time as necessary.

Author: Burt Brownell

Statutory Authority: Code of Alabama 1975, §41-16-120, 41-4-33.2

History: