

APA-1  
07/04

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control No. \_\_\_\_\_ Department or Agency Forestry Commission  
Rule No. 390-X-6-.04  
Rule Title: Reciprocity (Repeal) Recertification Process (New)  
X New \_\_\_\_\_ Amend X Repeal \_\_\_\_\_ Adopt by Reference \_\_\_\_\_

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? \_\_\_\_\_ NO \_\_\_\_\_

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? \_\_\_\_\_ N/A \_\_\_\_\_

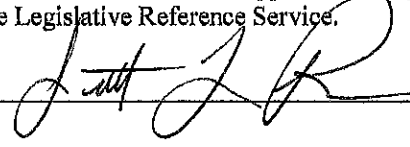
Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? \_\_\_\_\_ YES \_\_\_\_\_

\*\*\*\*\*  
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.

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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 \_\_\_\_\_  \_\_\_\_\_  
Date 2/18/2015

(DATE FILED)  
(STAMP)

APA-2  
07/04

**ALABAMA FORESTRY COMMISSION  
FOREST PROTECTION DIVISION**

**NOTICE OF INTENDED ACTION**

AGENCY NAME: Alabama Forestry Commission

RULE NO. & TITLE: 390-X-6-.04 Reciprocity [Repealed]  
390-X-6-.04 Recertification Process [New Rule]

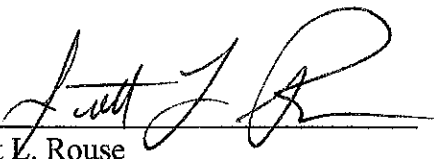
INTENDED ACTION: To repeal the existing rule and replace it with a new rule.

SUBSTANCE OF PROPOSED ACTION: The existing rule regarding reciprocity would be repealed. In its place, a new rule would be promulgated which specifies the process through which certified prescribed burn managers may be recertified. This rule specifies that all continuing education requirements must be satisfied prior to expiration of the current certification. So long as this is done, individuals may apply for recertification up to one year after expiration of their current certifications. Otherwise, individuals must start the certification process anew.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Views may be presented orally or in writing on or before April 6, 2015. Such input should be addressed to John Goff, Forest Protection Division Chief, Alabama Forestry Commission, 513 Madison Avenue, Montgomery, Alabama 36104.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: April 6, 2015

CONTACT PERSON AT AGENCY: John Goff, Forest Protection Division Chief, Alabama Forestry Commission, 513 Madison Avenue, Montgomery, Alabama 36104, (334) 240-9335.

  
\_\_\_\_\_  
Scott L. Rouse  
Secretary of Administrative Procedure

ALABAMA FORESTRY COMMISSION  
FOREST PROTECTION DIVISION

CHAPTER 390-X-6  
PRESCRIBED BURNING CERTIFICATION AND PRESCRIPTION

**390-X-6-.04 Reciprocity [REPEALED]**. Several other states have similar prescribed burning laws and requirements. Certified prescribe burners in other States whose training meets or exceeds Alabama's standards, can be certified by submitting an Application for Prescribed Burning Certification, proof of certification in the other state, and the processing fee to:

Alabama Forestry Commission  
Attn: Prescribe Burn Certification Program  
P.O. Box 302550  
Montgomery, AL 36130-2550

**Author:** John Goff

**Statutory Authority:** Code of Ala. 1975, §§ 9-3-9, 9-13-273(c)

**History:** May 20, 1996; **Amended:** November 19, 2003; **Repeal proposed:** February 27, 2015.

ALABAMA FORESTRY COMMISSION  
FOREST PROTECTION DIVISION

CHAPTER 390-X-6  
PRESCRIBED BURNING CERTIFICATION AND PRESCRIPTION

**390-X-6-.04 Recertification Process [NEW RULE].**

Submit an Application for Prescribed Burn Manager Recertification (FC-18B), proof of continuing education accomplishment, and a non-refundable recertification fee to:

Alabama Forestry Commission  
Attn: CPBM Program  
P.O. Box 302550  
Montgomery, AL 36130-2550

In the event that a certified prescribed burn manager meets his/her continuing education requirement but fails to apply for recertification by his/her renewal date, he/she will be allowed a grace period of one (1) year to apply for recertification.

Certifications that have not been renewed within one (1) year of the expiration date will be considered nonrenewable and the burn manager must begin the process again by meeting the educational requirements for initial certification and reapplying for CPBM status.

Continuing education credits must be earned before the certification expires to be applicable for recertification purposes. Any continuing education credits earned after a certification expires will not be considered for meeting the educational requirements for recertification.

**Author:** John Goff

**Statutory Authority:** Code of Ala. 1975, §§ 9-3-9, 9-13-273(c)

**History:** May 20, 1996; **Amended:** November 19, 2003; **New Rule**

**proposed:** February 27, 2015.