

APA-1  
07/04

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control No. \_\_\_\_\_ Department or Agency Alabama Department of Economic and Community Affairs

Rule No. 305-2-4-.03

Rule Title: Officers

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? NO

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

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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 Claudia Kennedy Smith AWT

Date 1/20/2017

(DATE FILED)  
(STAMP)

ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS  
ALABAMA ENERGY AND RESIDENTIAL CODES BOARD

**NOTICE OF INTENDED ACTION**

**RULE NO. & TITLE:**

305-2-4-.03 "Officers"

**INTENDED ACTION:** Repeal rule 305-2-4-.03 "Administration" and replace it with rule number 305-2-4-.03 "Officers".

**SUBSTANCE OF PROPOSED ACTION:** The Alabama Energy and Residential Codes Board, under the Alabama Department of Economic and Community Affairs, proposes to repeal rule 305-2-4-.03 "Administration" and replace it with rule number 305-2-4-.03 "Officers".

**TIME, PLACE, MANNER OF PRESENTING VIEWS:**

All interested parties may submit written comments, and if requested in advance, may personally appear before a representative of the Alabama Energy and Residential Codes Board/ADECA Energy Division. Written comments or requests to appear may be submitted to:

Heather Goggin  
ADECA Energy Division  
P.O. Box 5690  
Montgomery, AL 36103-5690.

Anyone desiring to comment in person must first submit their comment in writing as stated above, and shall be limited to ten minutes per person.


All comments must be received by the end of business on Tuesday, March 7, 2017.

**FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:**

March 7, 2017

**CONTACT PERSON AT AGENCY:**

Heather Goggin, ADECA Energy Division  
401 Adams Avenue, Suite 560  
Montgomery, AL 36104  
(334) 242-5330 - Codes.Board@adeca.alabama.gov

  
\_\_\_\_\_  
Claudia Kennedy Smith  
Alabama Department of Economic and  
Community Affairs, General Counsel

~~305-2-4-.03 Administration.~~ The Alabama Energy and Residential Codes Board is administered by the Energy Division of the Alabama Department of Economic and Community Affairs.

~~Author: Karen Clifton~~

~~Statutory Authority: Code of Ala. 1975, §§ 41-23-82, as amended~~

~~History: New Rule: Filed April 5, 2012; effective May 10, 2012.~~

305-2-4-.03 Officers.

(1) The Board shall elect from its members a Chairman and a Vice Chairman.

(2) The term of office for an officer of the Board shall be two years.

(3) An officer of the Board may serve two consecutive full terms in each elected office.

(4) The duties of the officers shall be as follows:

(a) The chairman shall preside at meetings of the Board and shall appoint members to serve on committees not defined by statute.

(b) The vice chairman shall preside in the absence of the chairman and shall assume the duties of the chairman when necessary.

**Author: Heather Goggin**

**Statutory Authority: Code of Ala. 1975, §§41-23-82, as amended**

**History: New Rule: Filed; effective.**