

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-.04

Rule Title: Subcommittees

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

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 Claudia Kennedy Smith AWT

Date 11/20/2017

(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-.04 "Subcommittees"

INTENDED ACTION: Repeal rule 305-2-4-.04 "Term Limits" and replace it with rule number 305-2-4-.04 "Subcommittees".

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-.04 "Term Limits" and replace it with rule number 305-2-4-.04 "Subcommittees".

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.

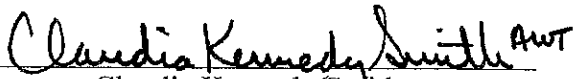
All comments must be received by the end of business on Tuesday, March 7, 2017.

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-.04~~ Term Limits. An officer of the Board can serve two consecutive, one year, full terms in the capacity of any elected office of the Board.

~~Author: Karen Clifton~~

~~Statutory Authority: Code of Ala. 1975, §§ 41-23-85, as amended~~

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

305-2-4-.04 Subcommittees. The Board shall include at least three subcommittees.

(1) Building Subcommittee: This committee shall review all proposals related to the International Residential Code, except for those relating to Chapter 11, Energy Efficiency. Each subcommittee shall have a chairman to be appointed by the Board Chairman. The makeup of this subcommittee shall include the Board members representing the following organizations:

1. Alabama Board of General Contractors
2. Alabama Joint Fire Council
3. County governments
4. Home Builders Association of Alabama
5. Home Builders Licensure Board
6. House of Representatives member of the Permanent Joint Legislative Committee on Energy Policy
7. International Code Council (ICC) Alabama Chapter, Code Officials Association of Alabama
8. Municipalities
9. Property and Casualty Insurance Industry
10. Senate member of the Permanent Joint Legislative Committee on Energy Policy
11. Up to five at-large members

(2) Energy Subcommittee: This committee shall review all proposals related to the International Energy Efficiency Code. The makeup of this subcommittee shall include the Board members representing the following organizations:

1. Alabama Board of Heating, Air Conditioning, and Refrigeration
2. Alabama Council, American Institute of Architects
3. Alabama Liquefied Petroleum Gas Board
4. House of Representatives member of the Permanent Joint Legislative Committee on Energy Policy
5. International Code Council (ICC) Alabama Chapter, Code Officials Association of Alabama
6. Licensed professional engineers

7. Natural gas industry
8. Private, investor-owned, electric utility industry
9. Rural electric cooperative industry
10. Senate member of the Permanent Joint Legislative Committee on Energy Policy
11. Up to five at-large members

(3) At-large members shall be appointed by a committee to include the Board Chairman, the Board Vice Chairman, an ADECA Energy Division representative, the Building Subcommittee Chairman, and the Energy Subcommittee Chairman.

(4) Persons interested in filling an at-large position may complete the At-Large Nomination Form (Appendix A) when open positions are announced.

(5) At-large appointments shall be for the duration of one year, with the exception of the initial appointments, which shall have staggered end dates to ensure consistency.

(6) With the exception of the House of Representatives, the Alabama Senate, and the International Code Council, Alabama Chapter, no organization or industry may have more than one representative per subcommittee. No organization with a representative on a subcommittee may fill an at-large position.

Author: Heather Goggin

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

History: New Rule: Filed; effective.