

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control 780 Department or Agency Alabama Real Estate Appraiser Board

Rule No. 780-X-1-.14

Rule Title: Records

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 *Debra Brooks*

Date 7-17-12

Alabama Real Estate Appraisers Board

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Real Estate Appraisers Board

RULE NO. & TITLE: 780-X-1-.14
Records

INTENDED ACTION: Amendment

SUBSTANCE OF PROPOSED ACTION: To exclude from documents open to public inspection those documents required from Appraisal Management Companies that are records that contain trade secrets or matters considered by the owner of the record as confidential research, development, or commercial information.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Interested persons may submit their views regarding the proposed amended rule orally or in writing to the Alabama Real Estate Appraisers Board, P.O. Box 304355, Montgomery, Alabama 36130-4355; 334-242-8747 no later than September 1, 2012.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: Written or oral comments concerning this change must be received by the Alabama Real Estate Appraisers Board no later than September 10, 2012, 12:00 noon, 100 North Union Street, Suite 370, Montgomery, AL 36104 or 334-242-8747.

CONTACT PERSON AT AGENCY: Neva C. Conway
Assistant Attorney General


Lisa Brooks

780-X-1-.14 Records.

(1) "Public record" for the purpose of these rules means all Board records which are reasonably necessary to record the business and activities required to be done or carried on by the Board so that the status and condition of such business and activities can be known to the public. Records which do not constitute "public records" include, but are not limited toτ:

- (a) those received by a public officer in confidenceτ;
- (b) sensitive personnel recordsτ;
- (c) complaints against registrantsτ;
- (d) records that contain proprietary business information, trade secrets or matters considered by the owner of the record as confidential research, development, or commercial information;
- (e) and records the disclosure of which would be detrimental to the best interests of the public.

(2) Specific public records are available for inspection at Board headquarters during regular business hours.

(3) Any person wishing to obtain copies of specific public records may request same from the executive director, and will be supplied copies upon payment of the cost of copying, handling and postage, which costs will be estimated and set from time to time by resolution of the Board.

Author: Alabama Real Estate Appraisers Board

Statutory Authority: Code of Ala. 1975, §§34-27A-5, 41-22-4.

History: **Emergency adoption** filed February 15, 1991; effective February 18, 1991. **Permanent adoption** filed April 8, 1991; effective May 15, 1991. **Amended:** Filed February 23, 1998; effective March 30, 1998.