# **ALABAMA**

## **Administrative Monthly**



#### ALABAMA ADMINISTRATIVE MONTHLY VOLUME XLIII, ISSUE NO. 1

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## ALABAMA ADMINISTRATIVE MONTHLY VOLUME XLIII, ISSUE NO. 1

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#### ALABAMA STATE BOARD OF CHIROPRACTIC EXAMINERS

#### NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama State Board of Chiropractic Examiners

190-X-2-.17 Non Licensed Chiropractic Practice RULE NO. & TITLE:

Ownership

INTENDED ACTION: Amend

#### SUBSTANCE OF PROPOSED ACTION:

The Alabama State Board of Chiropractic Examiners proposes this amendment to alleviate penalties for clinics with staff vacancies occurring at the time of annual renewal.

#### TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Written or oral comments may be submitted to the Alabama State Board of Chiropractic Examiners office 126 Chilton Place Clanton, AL 35045 205-755-8000

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

Friday, January 3, 2025

#### CONTACT PERSON AT AGENCY:

Kelli Smith ASA I Alabama State Board of Chiropractic Examiners 126 Chilton Place Clanton, AL 35045 205-755-8000

Amy Deavers

Amy W Deavers

#### ALABAMA CRIME VICTIMS COMPENSATION COMMISSION

#### NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Crime Victims Compensation Commission

RULE NO. & TITLE: 262-X-2-.02 Officers

INTENDED ACTION: Amend

#### SUBSTANCE OF PROPOSED ACTION:

The Commission proposes amending the existing rule to change the month in which chairperson elections are held and the month in which the newly elected chairperson assumes office.

#### TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Interested persons may present their views in writing to the Alabama Crime Victims Compensation Commission, Post Office Box 231267, Montgomery, Alabama 36123-1267, by email to kim.martin@acvcc.alabama.gov, or oral comments at 334.290.4420.

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

Thursday, December 5, 2024

#### CONTACT PERSON AT AGENCY:

Kim Martin, General Counsel, Alabama Crime Victims Compensation Commission, Post Office Box 231267, Montgomery, Alabama 36123-1267, kim.martin@acvcc.alabama.gov, 334.290.4420.

Kim Martin

Kim Martin

### ALABAMA COMMISSION ON HIGHER EDUCATION PLANNING AND COORDINATION

#### NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Commission on Higher Education

RULE NO. & TITLE: 300-2-1-A Attachments

INTENDED ACTION: Repeal

#### SUBSTANCE OF PROPOSED ACTION:

Repeal of 300-2-1-A is recommended because all three attached documents are out-of-date. Furthermore, ACHE staff recommends that the appropriate place to maintain current documents, including institutional service areas, is on the Commission's website (ache.edu).

#### TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Interested persons may present views on the proposed repeal by contacting Dr. Robin McGill, Deputy Director for Academic Affairs, Alabama Commission on Higher Education, PO Box 302000, Montgomery, AL 36130-2000 (robin.mcgill@ache.edu, 334-242-2104) between 8:30am and 5:00pm CT each business day up to and including December 5, 2024. The repeal of 300-2-1-A will be voted on by the Commission at its meeting on December 13, 2024 at 10am.

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

Thursday, December 5, 2024

#### CONTACT PERSON AT AGENCY:

Dr. Robin McGill, Deputy Director for Academic Affairs, Alabama Commission on Higher Education, PO Box 302000, Montgomery, AL 36130-2000 (robin.mcgill@ache.edu, 334-242-2104)

Robin E. McGill

Robin McGill

### ALABAMA COMMISSION ON HIGHER EDUCATION PLANNING AND COORDINATION

#### NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Commission on Higher Education

RULE NO. & TITLE:

300-2-1-.05 Review Of Off-Campus Instruction
Offered By Public Postsecondary Institutions

INTENDED ACTION:
Repeal and Replace

#### SUBSTANCE OF PROPOSED ACTION:

The proposed new rule is intended to address the following issues with existing rule \$300-2-1-.05:

- 1. Rule title should be updated to include determination of service areas.
- 2. Rule needs to be reorganized to improve clarity. The proposed organization differs enough from the existing rule that it is preferable to repeal and provide a new rule, rather than amend the existing rule.
- 3. Sections on Off-Campus Programs should be revised to align with institutional accreditation substantive change processes for Off-Campus Instructional Sites.
- 4. New section should be added establishing a process for modifying institutional service areas.

#### TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Interested persons may present views on the proposed new rule by contacting Dr. Robin McGill, Deputy Director for Academic Affairs, Alabama Commission on Higher Education, PO Box 302000, Montgomery, AL 36130-2000 (robin.mcgill@ache.edu, 334-242-2104) between 8:30am and 5:00pm CT each business day up to and including December 5, 2024. A final version of the proposed new rule, with any amendments, will be voted on by the Commission at its meeting on December 13, 2024 at 10am.

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

Thursday, December 5, 2024

#### CONTACT PERSON AT AGENCY:

Dr. Robin McGill, Deputy Director for Academic Affairs, Alabama Commission on Higher Education, PO Box 302000, Montgomery, AL 36130-2000 (robin.mcgill@ache.edu, 334-242-2104)

Robin E. McGill

Robin McGill

### ALABAMA STATE BOARD OF EDUCATION STATE DEPARTMENT OF EDUCATION

#### NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama State Board of Education

RULE NO. & TITLE: 290-3-1-.02 Regulations Governing Public Schools

INTENDED ACTION: Amend

#### SUBSTANCE OF PROPOSED ACTION:

To amend the Rule according to and in compliance with Alabama Act No. 2024-126.

#### TIME, PLACE AND MANNER OF PRESENTING VIEWS:

A public hearing will be held on December 12, 2024, beginning at 10:00 a.m. at the Auditorium, Plaza Level, Gordon Persons Building, 50 North Ripley Street, Montgomery, AL. All persons who wish to express their views should contact the State Superintendent of Education (334-694-4827) no later than December 1, 2024, to be scheduled on the agenda. All persons who wish to express their views in writing must address written comments to the State Superintendent of Education, Gordon Persons Building, Post Office Box 302101, Montgomery, AL 36130-2101.

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

Thursday, December 5, 2024

#### CONTACT PERSON AT AGENCY:

Dr. Melissa Shields
Office of Student Learning
Alabama State Department of
Education
Post Office Box 302101
Montgomery, AL 36130-2101
Telephone: 334-694-4693
Email: mshields@alsde.edu

Eric G. Mackey

Eric Mackey

#### NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama State Board of Registration for Professional

Engineers and Land Surveyors

RULE NO. & TITLE: 330-X-2-.01 Definitions Of Terms

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Remove restrictive terms from definitions

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

11:00 A.M., 100 N. Union Street, Ste 382, Montgomery, AL 36104, or email, or virtual attendance.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, December 5, 2024

CONTACT PERSON AT AGENCY:

Rick Huett, rick.huett@bels.alabama.gov

William R. Huett

Rick Huett

#### NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama State Board of Registration for Professional

Engineers and Land Surveyors

RULE NO. & TITLE: 330-X-3-.03 Disposal Of Applications

INTENDED ACTION: Amend

#### SUBSTANCE OF PROPOSED ACTION:

Update term used to describe closed applications, and clarify the need for new application and fee  $\,$ 

#### TIME, PLACE AND MANNER OF PRESENTING VIEWS:

11:00 A.M., 100 N. Union Street, Ste 382, Montgomery, AL 36104, or email, or virtual attendance.

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

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William R. Huett

Rick Huett

#### NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama State Board of Registration for Professional

Engineers and Land Surveyors

RULE NO. & TITLE: 330-X-4-.01 Method Of Payment

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Fees must be paid by credit card

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

11:00 A.M., 100 N. Union Street, Ste 382, Montgomery, AL 36104, or email, or virtual attendance.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, December 5, 2024

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William R. Huett

Rick Huett

#### NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama State Board of Registration for Professional

Engineers and Land Surveyors

RULE NO. & TITLE: 330-X-4-A Appendix

INTENDED ACTION: Amend

#### SUBSTANCE OF PROPOSED ACTION:

Public Record fee specified and remove fee for Bad Checks

#### TIME, PLACE AND MANNER OF PRESENTING VIEWS:

11:00 A.M. December 10, 2024, 100 N. Union Street, Ste 382, email, attend virtually or in person

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

Thursday, December 5, 2024

#### CONTACT PERSON AT AGENCY:

Rick Huett, rick.huett@bels.alabama.gov

William R. Huett

Rick Huett

#### NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama State Board of Registration for Professional

Engineers and Land Surveyors

RULE NO. & TITLE: 330-X-5-.01 Curricula Approved By The Board

INTENDED ACTION: Amend

#### SUBSTANCE OF PROPOSED ACTION:

Applicants with foreign degrees must also meet licensure requirements.

#### TIME, PLACE AND MANNER OF PRESENTING VIEWS:

11:00 A.M., 100 N. Union Street, Ste 382, Montgomery, AL 36104, or email, or virtual attendance.

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

Thursday, December 5, 2024

#### CONTACT PERSON AT AGENCY:

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William R. Huett

Rick Huett

#### NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama State Board of Registration for Professional

Engineers and Land Surveyors

RULE NO. & TITLE: 330-X-6-.01 Qualifying Experience

INTENDED ACTION: Amend

#### SUBSTANCE OF PROPOSED ACTION:

Include direct supervision in qualifying experience

#### TIME, PLACE AND MANNER OF PRESENTING VIEWS:

11:00 A.M., 100 N. Union Street, Ste 382, Montgomery, AL 36104, or email, or virtual attendance.

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William R. Huett

Rick Huett

#### NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama State Board of Registration for Professional

Engineers and Land Surveyors

RULE NO. & TITLE: 330-X-8-.08 Examination Results

INTENDED ACTION: Amend

#### SUBSTANCE OF PROPOSED ACTION:

Passing Score on NCEES Exams

#### TIME, PLACE AND MANNER OF PRESENTING VIEWS:

11:00 A.M., 100 N. Union Street, Ste 382, Montgomery, AL 36104, or email, or virtual attendance.

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

Thursday, December 5, 2024

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William R. Huett

Rick Huett

#### NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama State Board of Registration for Professional

Engineers and Land Surveyors

RULE NO. & TITLE: 330-X-8-.10 Examination For Record Purposes

INTENDED ACTION: Amend

#### SUBSTANCE OF PROPOSED ACTION:

Remove old language

#### TIME, PLACE AND MANNER OF PRESENTING VIEWS:

11:00 A.M., 100 N. Union Street, Ste 382, Montgomery, AL 36104, or email, or virtual attendance.

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

Thursday, December 5, 2024

#### CONTACT PERSON AT AGENCY:

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William R. Huett

Rick Huett

#### NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama State Board of Registration for Professional

Engineers and Land Surveyors

RULE NO. & TITLE:

330-X-10-.04 Professional Engineer Retired,

Professional Land Surveyor Retired

Professional Land Surveyor Retired

INTENDED ACTION: Amend

#### SUBSTANCE OF PROPOSED ACTION:

Remove language also in statute

#### TIME, PLACE AND MANNER OF PRESENTING VIEWS:

11:00 A.M., 100 N. Union Street, Ste 382, Montgomery, AL 36104, or email, or virtual attendance.

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

Thursday, December 5, 2024

#### CONTACT PERSON AT AGENCY:

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rick.huett@bels.alabama.gov

William R. Huett

Rick Huett

#### NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama State Board of Registration for Professional

Engineers and Land Surveyors

RULE NO. & TITLE: 330-X-10-.05 Roster Designations

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Remove experience only path for designation

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

11:00 A.M., 100 N. Union Street, Ste 382, Montgomery, AL 36104, or email, or virtual attendance.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, December 5, 2024

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William R. Huett

Rick Huett

#### NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama State Board of Registration for Professional

Engineers and Land Surveyors

RULE NO. & TITLE: 330-X-14-.06 Ethics (Canon V)

INTENDED ACTION: Amend

#### SUBSTANCE OF PROPOSED ACTION:

Require updates of contact information, disciplinary actions and criminal convictions.

#### TIME, PLACE AND MANNER OF PRESENTING VIEWS:

11:00 A.M., 100 N. Union Street, Ste 382, Montgomery, AL 36104, or email, or virtual attendance.

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

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William R. Huett

Rick Huett

#### NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama State Board of Registration for Professional

Engineers and Land Surveyors

RULE NO. & TITLE: 330-X-15-.04 Renewal Procedures

INTENDED ACTION: Amend

#### SUBSTANCE OF PROPOSED ACTION:

Change expire month date for company certificates of authorization

#### TIME, PLACE AND MANNER OF PRESENTING VIEWS:

11:00 A.M., 100 N. Union Street, Ste 382, Montgomery, AL 36104, or email, or virtual attendance.

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

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William R. Huett

Rick Huett

#### NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama State Board of Registration for Professional

Engineers and Land Surveyors

RULE NO. & TITLE: 330-X-16-.01 Complaints

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Clarify complaint submission limitations

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

11:00 A.M., 100 N. Union Street, Ste 382, Montgomery, AL 36104, or email, or virtual attendance.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, December 5, 2024

CONTACT PERSON AT AGENCY:

Rick Huett, rick.huett@bels.alabama.gov

William R. Huett

Rick Huett

#### NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama State Board of Registration for Professional

Engineers and Land Surveyors

RULE NO. & TITLE: 330-X-16-.05 Disciplinary Hearings

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Remove negotiated settlements language

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

11:00 A.M., 100 N. Union Street, Ste 382, Montgomery, AL 36104, or email, or virtual attendance.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

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William R. Huett

Rick Huett

#### NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama State Board of Registration for Professional

Engineers and Land Surveyors

RULE NO. & TITLE: 330-X-4-.07 Bad Checks

INTENDED ACTION: Repeal

#### SUBSTANCE OF PROPOSED ACTION:

Repeal Bad Check Process Rule

#### TIME, PLACE AND MANNER OF PRESENTING VIEWS:

11:00 A.M., 100 N. Union Street, Ste 382, Montgomery, AL 36104, or email, or virtual attendance.

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

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#### NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama State Board of Registration for Professional

Engineers and Land Surveyors

RULE NO. & TITLE: 330-X-8-.05 Study Information

INTENDED ACTION: Repeal

#### SUBSTANCE OF PROPOSED ACTION:

Remove old exam study Information location language

#### TIME, PLACE AND MANNER OF PRESENTING VIEWS:

11:00 A.M., 100 N. Union Street, Ste 382, Montgomery, AL 36104, or email, or virtual attendance.

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

Thursday, December 5, 2024

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William R. Huett

Rick Huett

#### NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama State Board of Registration for Professional

Engineers and Land Surveyors

RULE NO. & TITLE:

330-X-15-.03 Reconsideration Of Denied

Applications

INTENDED ACTION: Repeal

#### SUBSTANCE OF PROPOSED ACTION:

Duplicate of Section 330-X-3-.02

#### TIME, PLACE AND MANNER OF PRESENTING VIEWS:

11:00 A.M., 100 N. Union Street, Ste 382, Montgomery, AL 36104, or email, or virtual attendance.

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

Thursday, December 5, 2024

#### CONTACT PERSON AT AGENCY:

Rick Huett,
rick.huett@bels.alabama.gov

William R. Huett

Rick Huett

#### ALABAMA FIRE COLLEGE AND PERSONNEL STANDARDS COMMISSION

#### NOTICE OF INTENDED ACTION

Alabama Fire College Personnel Standards and AGENCY NAME:

Education Commission

360-X-1-.01 General Regulations And RULE NO. & TITLE:

Administrative Procedures

INTENDED ACTION: Amend

#### SUBSTANCE OF PROPOSED ACTION:

Allows access to training for a broader number of students because it removes prerequisite constraints.

#### TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Interested persons may present their views orally or in writing to the Director of the Alabama Fire College and Personnel Standards & Education Commission, 2501 Phoenix Drive Tuscaloosa, AL 35405, at any time between 12/05/24 through 01/21/2025.

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

Wednesday, January 22, 2025

#### CONTACT PERSON AT AGENCY:

David M. Russell 205-391-3751 mrussell@alabamafirecollege.org

David M. Russell

Matt Russell

### ALABAMA STATE BOARD OF HEALTH BUREAU OF ENVIRONMENTAL SERVICES

#### NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Public Health

**RULE NO. & TITLE:** 420-3-22-.01 General Provisions

INTENDED ACTION: Repeal and Replace

#### SUBSTANCE OF PROPOSED ACTION:

This action will allow the Department to replace the seafood law pursuant to Act 2024-339.

#### TIME, PLACE AND MANNER OF PRESENTING VIEWS:

A public hearing will be held on November 13, 2024 at 9:00 a.m., at the RSA Tower, Suite 1540, 201 Monroe Street, Montgomery, AL 36104.

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

Thursday, December 5, 2024

#### CONTACT PERSON AT AGENCY:

Phyllis Fenn Division of Food, Milk and Lodging Alabama Department of Public Health P.O. Box 303017 Montgomery, Alabama 36130-3017 Telephone Number: 334-206-5375

Sancha O. Howard

(Signature of officer authorized

to promulgate and adopt rules or his or her deputy)

### ALABAMA STATE BOARD OF HEALTH BUREAU OF ENVIRONMENTAL SERVICES

#### NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Public Health

**RULE NO. & TITLE:** 420-3-22-.03 Food

INTENDED ACTION: Repeal and Replace

#### SUBSTANCE OF PROPOSED ACTION:

To repeal and replace the food establishment sanitation rules.

#### TIME, PLACE AND MANNER OF PRESENTING VIEWS:

A public hearing will be held on November 13, 2024, at 9:00 a.m., at the RSA Tower, Suite 1540, 201 Monroe Street, Montgomery, AL 36104.

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

Thursday, December 5, 2024

#### CONTACT PERSON AT AGENCY:

Phyllis Fenn Division of Food, Milk and Lodging Alabama Department of Public Health P.O. Box 303017 Montgomery, Alabama 36130-3017 Telephone number: (334) 206-5375

Sancha O. Howard

Sancha Howard

#### APA-2

#### ALABAMA DEPARTMENT OF HUMAN RESOURCES FAMILY ASSISTANCE DIVISION

#### NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Human Resources

**RULE NO. & TITLE:** 660-2-2-.13 Erroneous Payments

INTENDED ACTION: Amend

#### SUBSTANCE OF PROPOSED ACTION:

Amendment to provide for fraud penalty for specified individuals inadvertently omitted in earlier revisions and to increase the minimum monthly amount for erroneous payments being repaid by agreement and delete reference to a specific percentage recovered through recoupment of current benefits.

#### TIME, PLACE AND MANNER OF PRESENTING VIEWS:

All interested parties may submit data, views, or arguments respecting the proposed amendment by mail or in person through the close of business on December 5, 2024. Persons wishing to submit data, views, or arguments orally should contact the Department's Administrative Procedure Secretary between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding State holidays, at (334) 242-9330, or set up an appointment for such oral/in person presentations.

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

Thursday, December 5, 2024

#### CONTACT PERSON AT AGENCY:

LaTonya Hughes, AP Secretary State Department of Human Resources Gordon Persons Building 50 Ripley Street, Suite 2122 Montgomery, Alabama 36130-4000 (334) 242-9330

LaTonya Hughes

LaTonya Hughes

#### ALABAMA DEPARTMENT OF INSURANCE

#### NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Insurance

**RULE NO. & TITLE:** 482-1-036-.04 Forms

INTENDED ACTION:
Amend

#### SUBSTANCE OF PROPOSED ACTION:

The Alabama Department of Insurance is exempt from the Alabama Administrative Procedures Act pursuant to Section 41-22-2 (e), Code of Alabama 1975. The Commissioner of Insurance is proposing to amend this rule in compliance with Act No. 2024-71.

#### TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Interested persons may submit data, views, or arguments in writing at any time prior to 3:00 PM on December 5, 2024, to the Alabama Department of Insurance, Attention: Legal Division, Post Office Box 303351, Montgomery, Alabama 36130-3351, or orally by appearing at the public hearing, Suite 502, RSA Tower, 201 Monroe Street, Montgomery, Alabama, beginning at 10:00 AM, on December 10, 2024.

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

Tuesday, December 10, 2024

#### CONTACT PERSON AT AGENCY:

Erin Dunagan Associate Counsel

Reyn Norman

Reyn Norman

### ALABAMA DEPARTMENT OF INSURANCE INSURANCE REGULATION

#### NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Insurance

RULE NO. & TITLE: 482-2-101-.02 Adoption Of International Fire Code®

(2021 Ed.); Exceptions.

INTENDED ACTION: Amend

#### SUBSTANCE OF PROPOSED ACTION:

The Alabama Department of Insurance is exempt from the Alabama Administrative Procedures Act pursuant to Section 41-22-2 (e), Code of Alabama 1975. The Commissioner is proposing this rule change to clarify which sections of the International Fire Code have been adopted.

#### TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Interested persons may submit data, views, or arguments in writing at any time prior to 3:00 PM on December 5, 2024, to the Alabama Department of Insurance, Attention: Legal Division, Post Office Box 303351, Montgomery, Alabama 36130-3351, or orally by appearing at the public hearing, Suite 502, RSA Tower, 201 Monroe Street, Montgomery, Alabama, beginning at 10:00 AM, on December 10, 2024.

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

Tuesday, December 10, 2024

#### CONTACT PERSON AT AGENCY:

Erin Dunagan Associate Counsel

Reyn Norman

Reyn Norman

#### ALABAMA DEPARTMENT OF INSURANCE

#### NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Insurance

Chapter 482-1-024 Filing for Approval of All Life and

RULE NO. & TITLE: Accident and Health Policy Forms, Riders, Endorsements

and Applications

INTENDED ACTION: Repeal

#### SUBSTANCE OF PROPOSED ACTION:

The Alabama Department of Insurance is exempt from the Alabama Administrative Procedures Act pursuant to Section 41-22-2(e), Code of Alabama 1975. The Commissioner of Insurance is proposing to repeal this regulation as it is not necessary.

#### TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Interested persons may submit data, views, or arguments in writing at any time prior to 3:00 PM on December 5, 2024, to the Alabama Department of Insurance, Attention: Legal Division, Post Office Box 303351, Montgomery, Alabama 36130-3351, or orally by appearing at the public hearing, Suite 502, RSA Tower, 201 Monroe Street, Montgomery, Alabama, beginning at 10:00 AM, on December 10, 2024.

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

Tuesday, December 10, 2024

#### CONTACT PERSON AT AGENCY:

Erin Dunagan Associate Counsel

Reyn Norman

Reyn Norman

## ALABAMA DEPARTMENT OF INSURANCE INSURANCE REGULATION

#### NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Insurance

RULE NO. & TITLE: 482-1-161-.11 Adoption of 2025 Version of the

Valuation Manual

INTENDED ACTION: New

#### SUBSTANCE OF PROPOSED ACTION:

The Alabama Department of Insurance is exempt from the Alabama Administrative Procedures Act pursuant to Section 41-22-2(e), Code of Alabama 1975. The Commissioner of Insurance is proposing to adopt by reference the 2024 revisions to the Valuation Manual developed by the National Association of Insurance Commissioners. The new rule will become effective January 1, 2025.

#### TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Interested persons may submit data, views, or arguments in writing at any time prior to 3:00 PM on December 5, 2024, to the Alabama Department of Insurance, Attention: Legal Division, Post Office Box 303351, Montgomery, Alabama 36130-3351, or orally by appearing at the public hearing, Suite 502, RSA Tower, 201 Monroe Street, Montgomery, Alabama, beginning at 10:00 AM, on December 10, 2024.

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

Tuesday, December 10, 2024

#### CONTACT PERSON AT AGENCY:

Erin Dunagan Associate Counsel

Reyn Norman

Reyn Norman

## ALABAMA DEPARTMENT OF MENTAL HEALTH SUBSTANCE ABUSE SERVICES

## NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Mental Health

RULE NO. & TITLE: 580-9-44-.29 Level I-O: Opioid Maintenance Therapy

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

To amend 580-9-44-.29 Level I-O: Opioid Treatment Program

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

12/05/2024

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Friday, December 6, 2024

CONTACT PERSON AT AGENCY:

Fred McCoy, III Director Office of Certification Administration

Fred McCoy, III Director Office of Certification Administration

Fred McCoy, III



## **PUBLIC NOTICE**

# SUBJECT: AMMENDMENT TO THE ALABAMA STATE PORT AUTHORITY TARIFF RATES

The Alabama State Port Authority has amended its General Cargo, Bulk Division and TASD Rail Terminal tariff rates, effective October 1st, 2024. Copies of the tariff documents are available through the Alabama State Port Authority website at <a href="https://www.alports.com/tariffs">www.alports.com/tariffs</a>, or upon request from the Alabama Legislative Services Agency.

John C. Driscoll Director & CEO

## ALABAMA DEPARTMENT OF REVENUE SALES, USE & BUSINESS TAX DIVISION

#### NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Revenue

810-6-5-.22.01 Collection and Reporting Requirements

RULE NO. & TITLE: for Accommodations Intermediaries and Accommodations

Providers

INTENDED ACTION: New

#### SUBSTANCE OF PROPOSED ACTION:

Pursuant to the passage of Act 2024-334, The Alabama Tourism Tax Protection Act, this rule is being promulgated to provide the necessary guidance on the collection and reporting requirements for accommodations intermediaries and accommodations providers.

#### TIME, PLACE AND MANNER OF PRESENTING VIEWS:

A public hearing will be conducted at 1:30 P.M. on Tuesday, December 10, 2024 via web-conference. To participate in the upcoming web-conference public hearing please contact the Tax Policy and Governmental Affairs Division at Taxpolicy@revenue.alabama.gov or 334-242-1380 to obtain the appropriate sign-in information for a specific public hearing date. Copies of the rule(s) can be obtained at http://www.revenue.alabama.gov/tax-policy/.

All interested parties may present their views in writing to the Secretary of the Alabama Department of Revenue, Room 4131, Gordon Persons Building, 50 N Ripley Street, Montgomery, Alabama 36132 at any time following publication of the notice up until the conclusion of the hearing. Interested parties may also may present their views during the web-conference.

## FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Tuesday, December 10, 2024

#### CONTACT PERSON AT AGENCY:

Nicci Adams Alabama Department of Revenue 4131 Gordon Persons Building Montgomery, Alabama 36132 (334) 242-1380

Cameran Clark

Cameran Clark

#### ALABAMA DEPARTMENT OF YOUTH SERVICES ADMINISTRATIVE DIVISION

## NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Youth Services

RULE NO. & TITLE: 950-1-4-.01 Introduction

INTENDED ACTION: Amend

#### SUBSTANCE OF PROPOSED ACTION:

The Alabama Department of Youth Services proposes to amend Rule 950-1-4.01 of the Administrative Code.

#### TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Comments may be submitted in writing during regular business hours to the ADYS Legal Division, P.O. Box 66, Mt. Meigs, AL 36057, or orally at the ADYS Legal office after December 5, 2024, and before January 29, 2025, located at 1000 Industrial School Rd., Mt. Meigs, AL 36057.

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

Wednesday, January 29, 2025

#### CONTACT PERSON AT AGENCY:

T. Dudley Perry, Jr. (334) 215-3803

7. Dudley Perry, Jr.
Dudley Perry

#### ALABAMA DEPARTMENT OF YOUTH SERVICES ADMINISTRATIVE DIVISION

## NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Youth Services

RULE NO. & TITLE: 950-1-4-.02 Statutory Authority

INTENDED ACTION: Amend

#### SUBSTANCE OF PROPOSED ACTION:

The Alabama Department of Youth Services proposes to amend Rule 950-1-4.02 of the Administrative Code.

#### TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Comments may be submitted in writing during regular business hours to the ADYS Legal Division, P.O. Box 66, Mt. Meigs, AL 36057, or orally at the ADYS Legal office after December 5, 2024, and before January 29, 2025, located at 1000 Industrial School Rd., Mt. Meigs, AL 36057.

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

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Dudley Perry

#### ALABAMA DEPARTMENT OF YOUTH SERVICES ADMINISTRATIVE DIVISION

## NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Youth Services

RULE NO. & TITLE: 950-1-4-.03 Glossary

INTENDED ACTION: Amend

#### SUBSTANCE OF PROPOSED ACTION:

The Alabama Department of Youth Services proposes to amend Rule 950-1-4.03 of the Administrative Code.

#### TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Comments may be submitted in writing during regular business hours to the ADYS Legal Division, P.O. Box 66, Mt. Meigs, AL 36057, or orally at the ADYS Legal office after December 5, 2024, and before January 29, 2025, located at 1000 Industrial School Rd., Mt. Meigs, AL 36057.

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

Wednesday, January 29, 2025

#### CONTACT PERSON AT AGENCY:

T. Dudley Perry, Jr. (334) 215-3803

7. Dudley Perry, Jr.
Dudley Perry

#### ALABAMA DEPARTMENT OF YOUTH SERVICES ADMINISTRATIVE DIVISION

## NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Youth Services

RULE NO. & TITLE: 950-1-4-.06 Licensing Procedures

INTENDED ACTION:
Amend

#### SUBSTANCE OF PROPOSED ACTION:

The Alabama Department of Youth Services proposes to amend Rule 950-1-4.07 of the administrative code to correct typographical errors, and enhance accountability measures relating to licensing standards, including nonmandatory standards.

#### TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Comments may be submitted in writing during regular business hours to the ADYS Legal Division, P.O. Box 66, Mt. Meigs, AL 36057, or orally at the ADYS Legal office after December 5, 2024, and before January 29, 2025, located at 1000 Industrial School Rd., Mt. Meigs, AL 36057.

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

Wednesday, January 29, 2025

#### CONTACT PERSON AT AGENCY:

T. Dudley Perry, Jr. (334) 215-3803

Dudley Perry

Dudley Perry

#### ALABAMA DEPARTMENT OF YOUTH SERVICES ADMINISTRATIVE DIVISION

## NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Youth Services

RULE NO. & TITLE: 950-1-4-.07 Hearings

INTENDED ACTION: Amend

#### SUBSTANCE OF PROPOSED ACTION:

The Alabama Department of Youth Services proposes to amend Rule 950-1-4.07 of the administrative code to enhance due process requirements.

## TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Comments may be submitted in writing during regular business hours to the ADYS Legal Division, P.O. Box 66, Mt. Meigs, AL 36057, or orally at the ADYS Legal office after December 5, 2024, and before January 29, 2025, located at 1000 Industrial School Rd., Mt. Meigs, AL 36057.

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

Wednesday, January 29, 2025

#### CONTACT PERSON AT AGENCY:

T. Dudley Perry, Jr. (334) 215-3803

Dudley Perry Dudley Perry

#### ALABAMA DEPARTMENT OF YOUTH SERVICES

## NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Youth Services

RULE NO. & TITLE: 950-2-3-.01 Statement Of Policy

INTENDED ACTION: Amend

#### SUBSTANCE OF PROPOSED ACTION:

The Alabama Department of Youth Services proposes to amend Rule 950-2-3.01 of the Administrative Code.

#### TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Comments may be submitted in writing during regular business hours to the ADYS Legal Division, P.O. Box 66, Mt. Meigs, AL 36057, or orally at the ADYS Legal office after December 5, 2024, and before January 29, 2025, located at 1000 Industrial School Rd., Mt. Meigs, AL 36057.

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

Wednesday, January 29, 2025

#### CONTACT PERSON AT AGENCY:

T. Dudley Perry, Jr. (334) 215-3803

7. Dudley Perry, Jr.
Dudley Perry

#### ALABAMA DEPARTMENT OF YOUTH SERVICES

## NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Youth Services

RULE NO. & TITLE: Chapter 950-1-12 Minimum Standards for Outdoor

Adventure Treatment Programs

INTENDED ACTION:
Repeal

#### SUBSTANCE OF PROPOSED ACTION:

The Alabama Department of Youth Services proposes to amend Chapter 950-1-12 of the Administrative Code.

#### TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Comments may be submitted in writing during regular business hours to the ADYS Legal Division, P.O. Box 66, Mt. Meigs, AL 36057, or orally at the ADYS Legal office after December 5, 2024, and before January 29, 2025, located at 1000 Industrial School Rd., Mt. Meigs, AL 36057.

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

Wednesday, January 29, 2025

#### CONTACT PERSON AT AGENCY:

T. Dudley Perry, Jr.

7. Dudley Perry, Jr.

Dudley Perry

## **CERTIFIED ADOPTED RULES**

In accordance with <u>Code of Alabama 1975</u>, §41-22-6(c), certified adopted rules become effective 45 days after a notice that the rule has been certified is published in the Alabama Administrative Monthly, except that if a later date is required by statute or specified in the rule, then the later date is the effective date.

## A. CHIROPRACTIC EXAMINERS, ALABAMA STATE BOARD OF

**Amended Rules:** 

190-X-1-.11 Records **Date Filed: October 18, 2024** 

Public Notice appeared in Volume XLII, Issue No. 9 AAM, Dated June 28, 2024.

190-X-1-.18 Fees **Date Filed: October 18, 2024** 

Public Notice appeared in Volume XLII, Issue No. 11 AAM, Dated August 30, 2024.

## B. EDUCATION, ALABAMA STATE BOARD OF

**Amended Rule:** 

290-2-1-.01 Annual Apportionment of the Foundation Program Funds

Date Filed: October 11, 2024

Public Notice appeared in Volume XLII, Issue No. 11 AAM, Dated August 30, 2024.

## C. ENVIRONMENTAL MANAGEMENT, ALABAMA DEPARTMENT OF Amended Rules:

335-6-1610	Requirements For Tank Trust Fund Coverage Of Response Action
	Costs For UST And AST Systems
335-13-421	General Operational Standards For Landfill Units
335-13-422	Specific Requirements For Municipal Solid Waste Landfills
335-13-423	Specific Requirements For Inert-Construction/Demolition
	Landfills And Industrial Landfills
335-13-502	Permit Application
335-13-503	Public Notice
335-13-504	Public Hearing
335-13-506	Permit Modification
335-13-805	Termination Of Variance
335-13-1105	Remediation Contracting
335-13-1202	Training And Certification Requirements
335-13-1204	Revocation Of Certificate

Date Filed: October 11, 2024

Public Notice appeared in Volume XLII, Issue No. 9 AAM, Dated June 28, 2024.

# D. FIRE COLLEGE PERSONNEL STANDARDS AND EDUCATION COMMISSION, ALABAMA

Amended Rules:

360-X-401	Certified First Responder Inspector
360-X-402	Certified Fire Inspector
360-X-1101	Certified Fire And Life Safety Educator I

360-X-11-.02 Certified Fire And Life Safety Educator II

360-X-17-.01 Certified Fire Plans Examiner

Date Filed: October 18, 2024

Public Notice appeared in Volume XLII, Issue No. 10 AAM, Dated July 31, 2024.

## E. FORESTRY COMMISSION, ALABAMA

**New Rule:** 

Chapter 390-X-9 RURAL LOGGING EFFICIENCY GRANTS PROGRAM

Date Filed: October 21, 2024

Public Notice appeared in Volume XLII, Issue No. 11 AAM, Dated August 30, 2024.

## F. FUNERAL SERVICE, ALABAMA BOARD OF

**New Rules:** 

395-X-4-.07 Closure of Funeral Establishment

395-X-4-.08 Change of Ownership

Date Filed: October 11, 2024

Public Notice appeared in Volume XLII, Issue No. 11 AAM, Dated August 30, 2024.

## G. HISTORICAL COMMISSION, ALABAMA

**Amended Rules:** 

Chapter 460-X-3 Alabama Register of Landmarks and Heritage

460-X-10-.01 Permits Chapter 460-X-24 Fees

Chapter 460-X-25 2017-2027 Alabama Historic Rehabilitation Tax Credit

Date Filed: October 8, 2024

Public Notice appeared in Volume XLII, Issue No. 10 AAM, Dated July 31, 2024.

## H. MEDICAL EXAMINERS, ALABAMA BOARD OF

**Amended Rule:** 

540-X-7-.08 Grandfather Clause - Physician Assistant (P.A.)

Date Filed: October 17, 2024

Public Notice appeared in Volume XLII, Issue No. 11 AAM, Dated August 30, 2024.

## I. REVENUE, ALABAMA DEPARTMENT OF

**Amended Rules:** 

810-3-72-.02 Overtime Pay Exemption Pursuant To Act 2023-421: Hours

Worked Above Forty Exclusion

810-3-75-.01 Withholding Statement Furnished Employees

810-3-78-.01 Credit For Tax Withheld

810-6-5-.03 Contractors' Gross Receipts Tax

810-6-5-.29 Oxygen And Durable Medical Equipment

Date Filed: October 21, 2024

Public Notice appeared in Volume XLII, Issue No. 11 AAM, Dated August 30, 2024.

**Repealed Rule:** 

810-3-71-.04 Information Submitted To The Department By The State

**Industrial Development Authority** 

Date Filed: October 21, 2024

Public Notice appeared in Volume XLII, Issue No. 11 AAM, Dated August 30, 2024.

## Repealed and Replaced Rule:

810-6-5-.03.01 Repealed: Discounts Allowed On Payments Of Contractors Gross

Receipts Tax Made Before Delinquency → New: Contractor's

Gross Receipts Tax Discount

Date Filed: October 21, 2024

Public Notice appeared in Volume XLII, Issue No. 11 AAM, Dated August 30, 2024.

## **New Rules:**

810-3-72-.03 Overtime Pay Exemption Pursuant to Act 2024-437: U.S. Fair

Labor Standards Act Alignment

810-6-3-.01.03 Fencing for Agriculture Livestock Applications.

Date Filed: October 21, 2024

Public Notice appeared in Volume XLII, Issue No. 11 AAM, Dated August 30, 2024.

# RULES THAT SIGNIFICANTLY LESSEN COMPETITION UNDER SECTION 41-22-22.1 OF THE CODE OF ALABAMA 1975.

None