

STATE OF ALABAMA
DEPARTMENT OF FINANCE
ADMINISTRATIVE CODE

CHAPTER 355-6-1
AMENDMENT OF RULES

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355-6-1-.01 Petition For Adoption Of Rules.

(1) Any person who wishes to propose that the Department Finance adopt, repeal, or amend any rule may do so on the form prescribed by the department and supplied by the department's attorney.

(2) The department shall meet and consider any petition for adoption, repeal, or amendment within sixty (60) days of its submission.

Author:

Statutory Authority: Code of Ala. 1975, §§ 41-22-8, 41-4-35, 41-15-9, 41-4-16.

History: Filed September 30, 1982.

355-6-1-.02 Notice.

(1) The department shall give at least 35 days' notice of any proposed action on any rule by publication in the Alabama Administrative Monthly in compliance with the Alabama Administrative Procedure Act, Section 5(1)(a).

(2) Any person who wishes to receive notice by mail of all proposed actions on rules may do so by requesting such notice from the department's attorney and paying the cost of copying and mailing, which cost shall be set from time to time by resolution of the department. All annual subscriptions begin October 1 and expires September 30.

Author:

Statutory Authority: Code of Ala. 1975, §§ 41-22-8, 41-4-35, 41-15-9, 41-4-16.

History: Filed September 30, 1982.

355-6-1-.03 Public Hearings.

The department shall permit all interested persons reasonable opportunity to submit data, views, or arguments concerning any proposed rule action. Data, views, or arguments submitted in writing must be received by the department's attorney at least seven (7) days before the date specified in the notice as the day of the public hearing. Those persons wishing to appear to present data, views, or arguments orally must submit a request to appear to the department's attorney, and such request must be received by the department's attorney at least seven (7) days before the scheduled public bearing.

Author:

Statutory Authority: Code of Ala. 1975, §§ 41-22-8, 41-4-35, 41-15-9, 41-4-16.

History: Filed September 30, 1982.

355-6-1-.04 Board Decision.

The department shall fully consider all written and oral submissions concerning every proposed rule action. Upon adoption of a rule, the department, if conflicting views are submitted on the proposed rule, shall issue a concise statement of the principal reasons for and against its adoption, incorporating therein its reasons for overruling any considerations urged against its adoption.

Author:

Statutory Authority: Code of Ala. 1975, §§ 41-22-8, 41-4-35, 41-15-9, 41-4-16.

History: Filed September 30, 1982.

355-6-1-.05 Emergency Rules.

In the event the department finds that an immediate danger to the public health, safety, or welfare requires adoption of a rule upon fewer than 35 days' notice of that action is required by or to comply with a federal statute or regulation which requires adoption of a rule fewer than 35 days' notice, the department may adopt an emergency rule under the provisions of the Administrative Procedure Act, Section 5(2).

Author:

Statutory Authority: Code of Ala. 1975, §§ 41-22-8, 41-4-35, 41-15-9, 41-4-16. 2

History: Filed September 30, 1982.

355-6-1-.06 Compliance With Administrative Procedure Act.

All rules adopted by the department shall otherwise substantively and procedurally comply substantially with the provisions of the Alabama Administrative Procedure Act.

Author:

Statutory Authority: Code of Ala. 1975, §§ 41-22-8, 41-4-35, 41-15-9, 41-4-16.

History: Filed September 30, 1982.

355-6-1-A Appendix A.PETITION FOR ADOPTION OF RULEI. Petitioner

Name _____

Address _____

Phone _____

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II. Character of Change

I propose that the Department of Finance -

A. () adopt the following new rule.

B. () amend Rule _____ as follows.

C. () repeal Rule _____ in total.

=====

III. Text of Proposed Rule

If you checked box "A" above, type the rule you propose in the space below. If you checked box "B" above, type the currently effective rule in the space below, adding any proposed language. Proposed new language should be underlined and proposed deletions should be stricken through. For example, if a rule currently provides that "Department meetings are held on 'Mondays and Fridays' and you wish to change meeting days to Tuesdays and Fridays, you should type below "Department meetings are held Mondays, Tuesdays and Fridays." If you checked box "C" above, skip this and go to Part IV. (Use additional sheets if necessary.)

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IV. Purpose of Change

Briefly describe what the effect of this change will be and why you believe the change should be made. (Use additional sheets if necessary.)

=====

V. Signature_____
Petitioner_____
Date

AFFIDAVIT

STATE OF ALABAMA)

_____)

Before me, _____, a Notary
Public in and for said State and County, personally
appeared, _____, who being made known
to me, and being informed of the contents of this petition and the
statements by him/her therein, and being by me duly sworn, says
such statements are true and correct.

Sworn to and subscribed before me this _____ day of
_____ 19 ____.

Signature of Notary

Author:
Statutory Authority:
History: