

ALABAMA BOARD OF LICENSURE FOR PROFESSIONAL GEOLOGISTS
ADMINISTRATIVE CODE

CHAPTER 364-X-21
AMENDMENT OF RULES

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364-X-21-.01 Petition For Adoption Of Rules.

(1) Any person who wishes to propose that the Board adopt, repeal or amend any rule may file a petition for adoption of rules, which shall be submitted, in the following form:

PETITION FOR ADOPTION OF RULE

1. Petitioner.

Name:
Address:
Phone:

2. Character of Change.

I propose that the Alabama Board of Licensure for Professional Geologists:

- (a) adopt the following new rule.
- (b) amend Rule _____ as follows:
- (c) repeal Rule _____ in total.

3. Text of Proposed Rule.

If you checked box "a" above, type the rule you proposed 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. If you

checked box "c" above, skip this and go to Part 4 (use additional sheets if necessary).

4. Purpose of Change. Briefly describe what the effect of this change will be, and why you believe the change should be made.

5. Signature.

Date

Petitioner

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

Author: Thornton Neathery

Statutory Authority: Code of Ala. 1975, §§34-41-5, 41-22-8.

History: New Rule: Filed May 10, 1996; effective June 14, 1996.

Amended: Filed March 5, 2002; effective April 9, 2002.

364-X-21-.02 Notice.

(1) The Board shall give at least thirty-five (35) days' notice of any proposed action on any rule by publication in the Alabama Administrative Monthly in compliance with the Alabama Administrative Procedures Act, Section 41-22-5(a)(1), Code of Ala. 1975.

(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 Secretary-Treasurer, and pay an annual charge of \$50 to cover costs of the mailings. All annual subscriptions begin October 1 and expire September 30.

Author: Thornton Neathery

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

History: New Rule: Filed May 10, 1996; effective June 14, 1996.

Amended: Filed March 5, 2002; effective April 9, 2002.

364-X-21-.03 Public Hearings.

The Board 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 Secretary at least seven (7) days before the date specified in the notice as the day of the public hearing. Those persons wishing to appear before the Board to present data, views or arguments orally must submit a request to appear before the Board to the Secretary, and such request must be received by the Secretary at least seven (7) days before the scheduled public hearing.

Author: Thornton Neathery

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

History: New Rule: Filed May 10, 1996; effective June 14, 1996.

Amended: Filed March 5, 2002; effective April 9, 2002.

364-X-21-.04 Board Decision.

The Board shall fully consider all written and oral submissions concerning every proposed rule action. Upon adoption of a rule, the Board, 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 consideration urged against its adoption.

Author: Thornton Neathery

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

History: New Rule: Filed May 10, 1996; effective June 14, 1996.

Amended: Filed March 5, 2002; effective April 9, 2002.

364-X-21-.05 Emergency Rules.

In the event that the Board finds that an immediate danger to the public health, safety or welfare requires adoption of a rule upon fewer than thirty-five (35) days' notice or that action is required by or to comply with a federal statute or regulation which requires adoption of a rule upon fewer than thirty-five (35) days' notice, the Board may adopt an emergency rule under the provisions of the Alabama Administrative Procedures Act, Section 41-22-5, Code of Ala. 1975.

Author: Thornton Neathery

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

History: New Rule: Filed May 10, 1996; effective June 14, 1996.

Amended: Filed March 5, 2002; effective April 9, 2002.

364-X-21-.06 Compliance With Administrative Procedures Act.

All rules adopted by the Board shall otherwise substantively and procedurally comply substantially with the provisions of the Alabama Administrative Procedures Act, Chapter 22, Title 41, Code of Ala. 1975.

Author: Thornton Neathery

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

History: New Rule: Filed May 10, 1996; effective June 14, 1996.

Amended: Filed March 5, 2002; effective April 9, 2002.