

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 390 Department or Agency Alabama Forestry Commission
 Rule No. Chapter 390-X-5
 Rule Title: Insect Control Zones
 New Amend X 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? N/A

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 Services Agency.

Signature of certifying officer *[Handwritten Signature]*

Date April 18, 2018

(DATE FILED)
(STAMP)

APA-2

**ALABAMA FORESTRY COMMISSION
FOREST PROTECTION DIVISION**

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Forestry Commission

CHAPTER NO. & TITLE: 390-X-5 Insect Control Zones

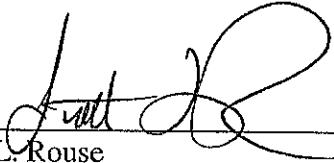
INTENDED ACTION: To repeal the entire chapter (§ 390-X-5-.01)

SUBSTANCE OF PROPOSED ACTION: This chapter is unnecessary because it essentially duplicates the authority given pursuant to ALA. CODE §§ 9-13-122 and 9-13-123.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Views may be presented orally or in writing on or before June 15, 2018. Such input should be addressed to Scott L. Rouse, General Counsel, Alabama Forestry Commission, 513 Madison Avenue, Montgomery, Alabama 36104.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: June 15, 2018

CONTACT PERSON AT AGENCY: Scott L. Rouse, General Counsel, Alabama Forestry Commission, 513 Madison Avenue, Montgomery, Alabama 36104, (334) 240-9342.



Scott L. Rouse
Secretary of Administrative Procedure

ALABAMA FORESTRY COMMISSION
ADMINISTRATIVE CODE

CHAPTER 390-X-5 [REPEALED]
INSECT CONTROL ZONES

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390-X-5-.01 Declaration Of Insect Control Zones [REPEALED]

390-X-5-.01 Declaration Of Insect Control Zones [REPEALED]. The State Forester shall have the authority to declare any county an Insect Control Zone when necessary to control the Southern Pine Beetle. If the landowner is not willing to cut the infested trees, the State Forester has authority from the Commission to have the timber cut according to the plans of the Commission provided that funds are available.

(Reference: July 11, 1980 Minutes of the Alabama Forestry Commission.)

Author:

Statutory Authority: Code of Ala. 1975, §§ 9-13-120, et seq.

History: Filed September 30, 1982; repeal proposed April 30, 2018.