

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control _____ Department or Agency Department of Finance, Division of Construction Management
Rule No. 355-10-1-.01
Rule Title: Applicability
_____ New Amend _____ Repeal _____ Adopt by Reference _____

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? No

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? Not applicable

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? Not applicable

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? No

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

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 Katherine Lynn
Date 10-9-18

**Department of Finance
Division of Construction Management**

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Finance, Real Property Management, Division of Construction Management

RULE NO. & TITLE: 355-10-1-.01 Applicability


INTENDED ACTION: The Department of Finance, Division of Construction Management, proposes to amend an existing rule to clarify Amendment to the rule clarify that residential swimming pools are exempt from construction industry craft training fees.

SUBSTANCE OF PROPOSED ACTION: The rule clarifies the exemption of residential pools from the collection of the fee.

TIME, PLACE, MANNER OF PRESENTING VIEWS: A public hearing will be held only if requested by an interested party. A written request shall be submitted to the agency contact person listed below. Interested persons may present their view in writing to the Department of Finance, Real Property Management, 770 Washington Avenue, Suite 470, P.O. Box 301150, Montgomery, AL 36130-1150.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: The Department of Finance, Real Property Management will accept comments no later than Thursday, December 6, 2018 at 5 p.m.

CONTACT PERSON AT AGENCY: Katherine Lynn, Department of Finance, Real Property Management, P.O. Box 301150, Montgomery, AL 36130-1150, Phone 334-242-4801 or Katherine.lynn@bc.alabama.gov.



Katherine Lynn

ALABAMA DEPARTMENT OF FINANCE
DIVISION OF CONSTRUCTION MANAGEMENT
ADMINISTRATIVE CODE

CHAPTER 355-10-1
CONSTRUCTION INDUSTRY CRAFT TRAINING FEES

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355-10-1-.01 Applicability. The following procedures and fees are applicable to construction authorized on the issuance of any nonresidential construction building permit issued by any county, city, town or other political subdivision of this state. Nonresidential construction shall include the construction, alteration, maintenance, repair, rehabilitation, remediation, reclamation, or demolition of any building, highway, sewer, structure, sitework, grading, paving or project or any improvement in the State of Alabama, including projects where a single trade is involved, signs, and swimming pools over \$5000, but shall specifically exclude the following:

(a) Any single-family residence

(b) Any building for residential occupancy that is less than three floors in height and which does not have more than four units.

(c) Townhouses

(d) Single-family residential swimming pools

Author: Katherine Lynn

Statutory Authority: Code of Ala. 1975, §41-4-410(1).

History: New Rule: Filed November 3, 2016; effective December 18, 2016. **Amended:** Filed March 27, 2017; effective May 11, 2017. **Amended:** Filed October 21, 2018; effective _____.