

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control _____ Department or Agency Alabama State Board of Auctioneers
Rule No. 150-X-1.05
Rule Title: Exams
 New X Amend 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? No

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 _____

REC'D & FILED
2019 MAR 20 PM 3:54
LEGISLATIVE SVC AGENCY

Date: March 20, 2019

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11/96

Alabama State Board of Auctioneers

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama State Board of Auctioneers

RULE NO. & TITLE: 150-X-1-.05 Exams

INTENDED ACTION: Amend

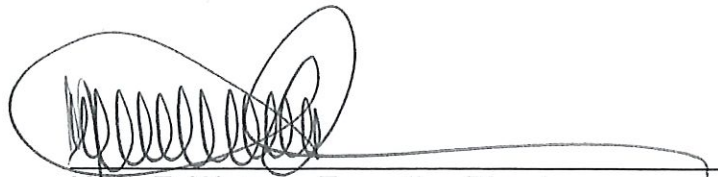
SUBSTANCE OF PROPOSED ACTION: The Board proposes to further define the fundamentals of auctioneering subjects to be included in examinations. The Board also proposes to repeal certain statutory references that are no longer relevant.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Written comments will be received by the Board until 4:00 p.m. on Friday, May 3, 2019. Comments should be directed to Keith E. Warren, *Executive Director*, 2777 Zelda Road, Montgomery, AL 36106 or via electronic mail at keith@alstateboard.com or via telephone at 334-420-7235.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:
Friday, May 3, 2019.

CONTACT PERSON AT AGENCY:

Keith E. Warren
Executive Director
2777 Zelda Road
Montgomery, AL 36106
(334) 420-7235

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke extending to the right.

Keith E. Warren, *Executive Director*
Alabama State Board of Auctioneers

Ala. Admin. Code r. 150-X-1-.05

150-X-1-.05. Exams.

(a) The examination shall test the applicant's knowledge of the following:

(1) General knowledge of ethics.

(2) Reading, writing and elementary arithmetic.

(3) The statutes of this state relating to auctions and this chapter.

(4) The fundamentals of auctioneering, to include, but not be limited to, contract law; law of principal and agent; accounting terminology; advertising; and types of auctions.

(b) Exams are confidential tests. They are designed and administered under conditions established to protect the security of the tests. Neither the current forms nor any previous forms of the tests are available for purchase or inspection. No applicant who has taken the examination will be permitted to inspect that or any other completed examination after it has been graded in order to ensure the validity of the examination. ~~(34-4-21)~~

(c) The board will make accommodations for examination for those applicants that qualify as disabled under the provisions of the Americans with Disabilities Act. The disability asserted must be documented by a qualified professional, and said documentation must be submitted with the application. ~~(34-4-21)~~

Author: J. O. Blandenburg

STATUTORY AUTHORITY:

Code of Ala. 1975, § 34-4-21.

HISTORY:

New Rule: Filed July 12, 1995; effective August 16, 1995. **Amended:** Filed January 18, 2002; effective February 22, 2002. **Amended:** Filed January 29, 2003; effective March 5, 2003. **Amended (Rule Number Only):** Filed July 24, 2007; effective August 28, 2007. **Amended:** Filed March 20, 2019;