

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control _____ Department or Agency: Alabama State Board of Auctioneers
Rule No.: 150-X-1-.07
Rule Title: Conflict and Bias
X New _____ 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

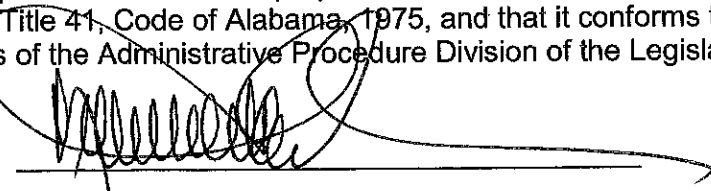
Are all facets of the rulemaking process designed solely For the purpose of, and so they have, as their primary Effect, the protection of the public? Yes

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 Reference Service.

Signature of certifying officer 

Date: May 20, 2015

(DATE FILED)
(STAMP)

Alabama State Board of Auctioneers

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama State Board of Auctioneers

RULE NO. & TITLE: 150-X-1-.07 Conflict and Bias

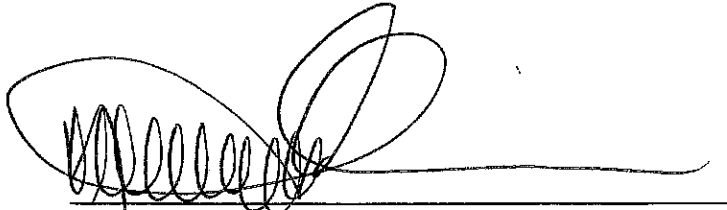
INTENDED ACTION: New

SUBSTANCE OF PROPOSED ACTION: The Board proposes add requirements for Board members to adhere to whenever a conflict or bias may appear in their role as a member of the Board.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Written comments will be received by the Board until 4:00 p.m. on Friday, July 3, 2015. Comments should be directed to Keith E. Warren, Executive Director at 2777 Zelda Road, Montgomery, AL 36106 or via electronic mail at keith@warrenandco.com or via telephone at 334-420-7235.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:
Friday, July 3, 2015.

CONTACT PERSON AT AGENCY: Keith E. Warren
Executive Director
2777 Zelda Road
Montgomery, AL 36106
(334) 420-7235

A handwritten signature in black ink, appearing to read 'Keith E. Warren', is written over a horizontal line. The signature is stylized with loops and a long horizontal stroke extending to the right.

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

150-X-1-.07 Conflict and Bias

(a) No Board member shall be entitled to participate in any hearing held before the Board in accordance with Ala. Code § 34-4-29(d) (1975) or vote in such a hearing if the Board member has a disqualifying conflict or bias against the respondent or if such participation or vote would violate the provisions of the Alabama Administrative Procedure Act, Section 41-22-18(a), Code of Alabama 1975.

(b) Any respondent in a disciplinary action who wishes to assert bias or conflict regarding a Board member's participation or vote may do so by filing an affidavit asserting the disqualification, together with a statement of the underlying factual basis for the assertion, with the Executive Director at least three days prior to the scheduled hearing.

(c) The board shall consider the assertion of disqualification on the record as a preliminary matter at the hearing before any other action is initiated.

Author: Dana Billingsley

Authority: Code of Ala. 1975, §34-4-1.

History: New Rule: Filed May 20, 2015;