###### Step 1: Planning and Preparation

Determine whether project meets emergency regulation standard:

Clearly identified risk to public health, safety, peace, or welfare;

Risk is sudden, unusual, or unpredictable.

Confirm agency authority.

Consider timing, deadlines, and costs.

###### Steps 2 - 5: Department of Law File Opening; Drafting Regulations, Finding of Emergency, and Public Notice Material; Department of Law Approval

Confirm that agency is working with most recent copy of regulations.

Draft proposed amendments in accordance with Chapter 4, with the addition of the words "EMERGENCY REGULATION" in the header.

Prepare written finding of emergency and order (Appendix P or Appendix Q for boards and commissions).

Decide whether emergency regulations will be made permanent.

Prepare public notice for emergency regulation (Appendix R-1 for newspaper and R-2 for non-newspaper; Appendix R-3 for exempt boards and commissions). Include the following:

Brief description (for Appendix R-2 only);

Informative summary of regulation;

Statement whether emergency regulation will be made permanent;

If regulation is going to be made permanent, provide a minimum 30-day comment period, deadline and address for submitting comments;

ADA information;

Oral hearing information, if applicable;

Summary of fiscal information;

Statutory authority;

Statutes being implemented, interpreted, or made specific.

Prepare additional regulation notice information (Appendix C-1 or C-2).

Prepare fiscal note, if applicable (Appendix D).

Consult with agency attorney and have draft documents reviewed for accuracy.

In the file opening request, submit the proposed regulation, finding of emergency, and notice material to Department of Law for approval.

###### Step 6: Adoption

Formally adopt regulations through adoption order or certification order that appears below the finding of emergency (Appendix P or Appendix Q).

###### Step 7: Submission to Office of the Lieutenant Governor

Submit emergency regulations packet to the lieutenant governor's office. Include the following:

Signed finding of emergency/adoption or certification order;

Copy of the emergency regulations;

Copy of delegation, if applicable;

Fiscal note, if applicable;

Relevant minutes and board certification, if applicable.

###### Step 8: Public Notice and Delivery

Complete notice document with the effective date and expiration date for the emergency regulation, as indicated on filing notification from lieutenant governor's office.

Within 5 days of filing, publish notice in newspaper of general circulation and post on the Alaska Online Public Notice System. For the online notice, include the following:

Public notice;

Additional regulation notice information;

Fiscal note, if applicable;

Copy of filed emergency regulations.

Distribute notice and additional regulation notice to following parties:

Incumbent state legislators;

Persons on agency's interested-persons list;

Other persons who may be interested but not on agency list;

Department heads, if applicable.

After publishing notice, submit certification of notice, copy of public notice materials, and proof-of-publication affidavit to lieutenant governor's office.

\*\*\* *Continue on to next steps only if emergency regulation will be made permanent*. \*\*\*

###### Step 9: Consider Comments and Changes

Collect and carefully consider all comments; document use or rejection of comments.

Prepare certification of compliance (Appendix T).

If making changes to the originally filed emergency regulations, prepare adoption order or certification order (Appendix I or Appendix J).

###### Step 10: Department of Law Review

Submit final packet to Legislation, Regulations, and Legislative Research Section for review. Include the following:

Final review request (Appendix E);

Final permanent regulations;

Signed certification of compliance;

Signed adoption or certification order, if applicable;

Copy of delegation of authority, if applicable;

Copy of public notice;

Copy of additional regulation notice information;

Fiscal note, if applicable;

Certification of notice of adoption of emergency regulations (Appendix S);

Certification of oral hearing, if applicable (Appendix H);

Copy of affidavit of publication;

Certification of agency record of public comment (not for exempt boards and commissions) (Appendix G);

Board or commission minutes and certification of board action, if applicable; this should include a copy of the minutes and certification that went to the lieutenant governor when first adopted, as well as minutes and certification for making the regulations permanent. (Appendix M);

Other relevant documents (e.g., material adopted by reference).

Email certification of compliance and final regulations to regulations specialists in the governor's and lieutenant governor's office. Include adoption or certification order, if applicable.

###### Step 11: Filing by Office of the Lieutenant Governor

Receive filing notification from the lieutenant governor's office; the agency regulations contact will receive an email notification accompanied by the filed regulations from the lieutenant governor's office.

###### Step 12: Post Summary on the Alaska Online Public Notice System

Post summary of filed permanent regulations on the Alaska Online Public Notice System (Appendix O). Attach copy of filed regulations.