###### 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.