# Appendix Z-3: Agency Checklist (Non-Permanent Emergency Regulation)

## 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.

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

[ ]  Receive approval of the emergency finding from the Department of Law.

[ ]  Decide whether emergency regulations will be made permanent; if intending for the regulations to be permanent, use Appendix Z-2 for permanent emergency regulations.

## Steps 2: 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 public notice for emergency regulation (Appendix R-1 for newspaper and R-2 for non-newspaper; Appendix R-3 for Regulatory Commission of Alaska, Board of Fisheries, AOGCC, and Board of Game) Include the following:

[ ]  Brief description (for Appendix R-2; and R-3 if agency is AOGCC);

[ ]  Informative summary of regulation;

[ ]  Statement whether emergency regulation will be made permanent;

[ ]  ADA information;

[ ]  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.

[ ]  Submit the proposed regulation, finding of emergency, and notice material to Department of Law.

## Step 3: Adoption

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

## Step 4: 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 5: 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.