

# Alaska

## State Regulatory Processes

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### **Rulemaking Process**

Regulations are rules developed by agencies in the executive branch of government. Authority to make these rules comes from state statutes passed by the legislature. Assuming that regulations are properly authorized and publicized, they have the force and effect of law.

#### **Online Public Notice System (OPNS)**

If the adoption, amendment, or repeal of a regulation would require increased appropriations by the state, the department or agency affected shall prepare an estimate of the appropriation increase for the fiscal year following adoption, amendment, or repeal of the regulation and for at least two succeeding fiscal years. The notice of proposed adoption, amendment, or repeal of a regulation must include a statement of the time, place, and nature of proceedings for adoption, amendment, or repeal of the regulation.

Each interested person or the person's authorized representative, or both, will have an opportunity to present statements in writing, with or without the opportunity to present them orally. The agency shall pay special attention to the cost to private persons of the proposed regulatory action.

The agency shall keep a record of its use or rejection of factual or other substantive information that is submitted in writing as public comment and that is relevant to the accuracy, coverage, or other aspect of the proposed regulatory action.

#### **Alaska Administrative Code (AAC)**

### **Emergency Rulemaking**

A regulation may be adopted as an emergency regulation if a state agency makes a written finding, including a statement of the facts that constitute the emergency, that the adoption of the regulation is necessary for the immediate preservation of the public peace, health, safety, or general welfare. Upon adoption of an emergency regulation, the adopting agency shall immediately submit a copy of it to the lieutenant governor for filing and for publication in the Alaska Administrative Register, and, within five days after filing by the lieutenant governor, the agency shall give notice of the adoption. Failure to give the required notice by the end of the 10th day automatically repeals the regulation.

### **Alaska Register**

### **Alaska Administrative Procedure Act**