

Effective Period of Emergency Regulations

An approved emergency regulation may be effective for a period of not longer than 120 days.

The 120-day period is renewable once for a period not to exceed 60 days, provided notification of the renewal is posted on the eRegulations System and an electronic copy of the notice is sent to the LRRC.

The 60-day renewal period may be extended for an additional 60 days for emergency regulation scenarios, described in 4-168(g)(A)(ii), required by the Commissioner of DEEP in order to comply with the provisions of interstate fishery management plans adopted by the Atlantic States Marine Fisheries Commission or to meet unforeseen circumstances or emergencies affecting marine resources, provided the Commissioner requests an extension of the renewal period of the LRRC at the time the regulation is submitted or not less than 10 days before the first 60-day renewal period expires and the LRRC approves the extension. Failure of the committee to act on the request within 10 days shall be deemed an approval of the extension.



An agency can adopt a permanent regulation that is identical or substantially similar to the emergency regulation, but that will not extend the effective date of the emergency regulation.

If the necessary steps to adopt a permanent regulation are not completed prior to the expiration date of an emergency regulation, then it shall cease to be effective on that date.

- Necessary steps include:
- Posting the Notice of Intent
  - Preparing and submitting the Fiscal Note acc. to 4-170(b)
  - Obtaining approval from the Attorney General and the LRRC

An agency may proceed to adopt an emergency regulation without prior notice or hearing or upon any abbreviated notice and hearing that it finds practicable if:

A - The agency finds that adoption of a regulation upon fewer than thirty days' notice is required

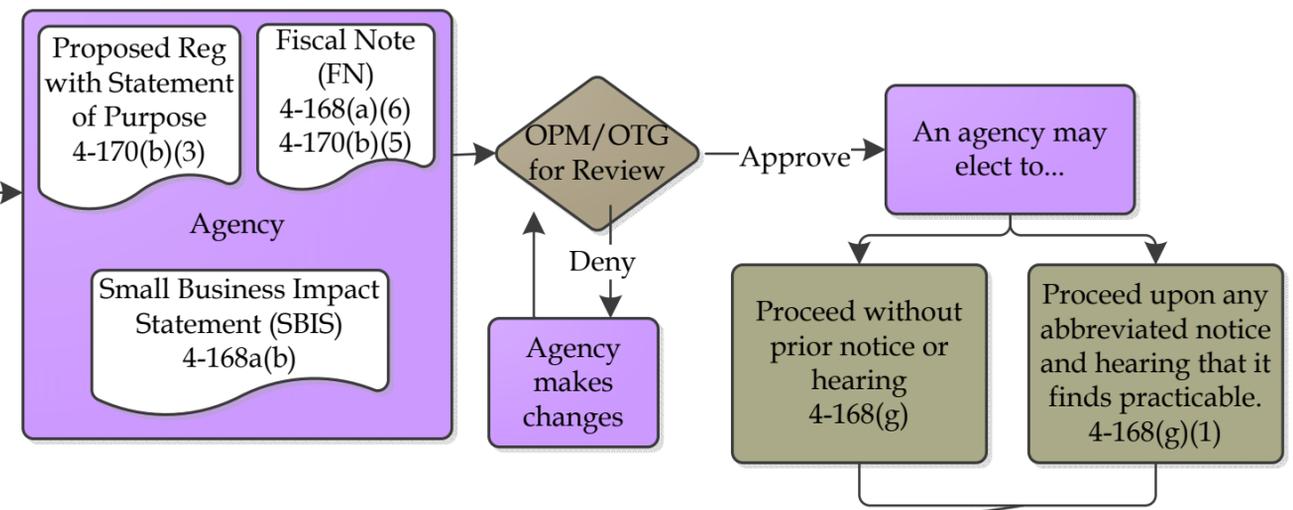
(i) due to imminent peril to the public health, safety, or welfare; or

(ii) by the Commissioner of Energy and Environmental Protection in order to comply with the provisions of interstate fishery management plans adopted by the Atlantic States Marine Fisheries Commission or to meet unforeseen circumstances or emergencies affecting marine resources.

B - The agency states in writing its reasons for that finding; and

C - The Governor approves such finding in writing.

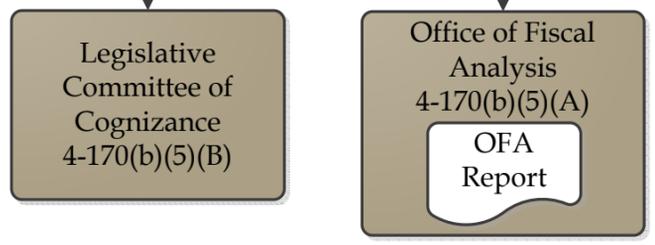
4-168(g)



Agency electronically sends final draft to Legislative Regulation Review Committee no later than ten days, excluding Saturdays, Sundays and holidays, prior to the proposed effective date of such regulation

4-168(g)(2)

Commissioner's Letter, Regulation Text, Certification from Agency Head, FN, SBIS, and a statement of the terms or substance of the intended action, the purpose of the action, and a reference to the statutory authority under which the action is proposed.



Failure of the committee to act on the regulation within ten-day period shall be deemed an approval.

4-168(g)(2)

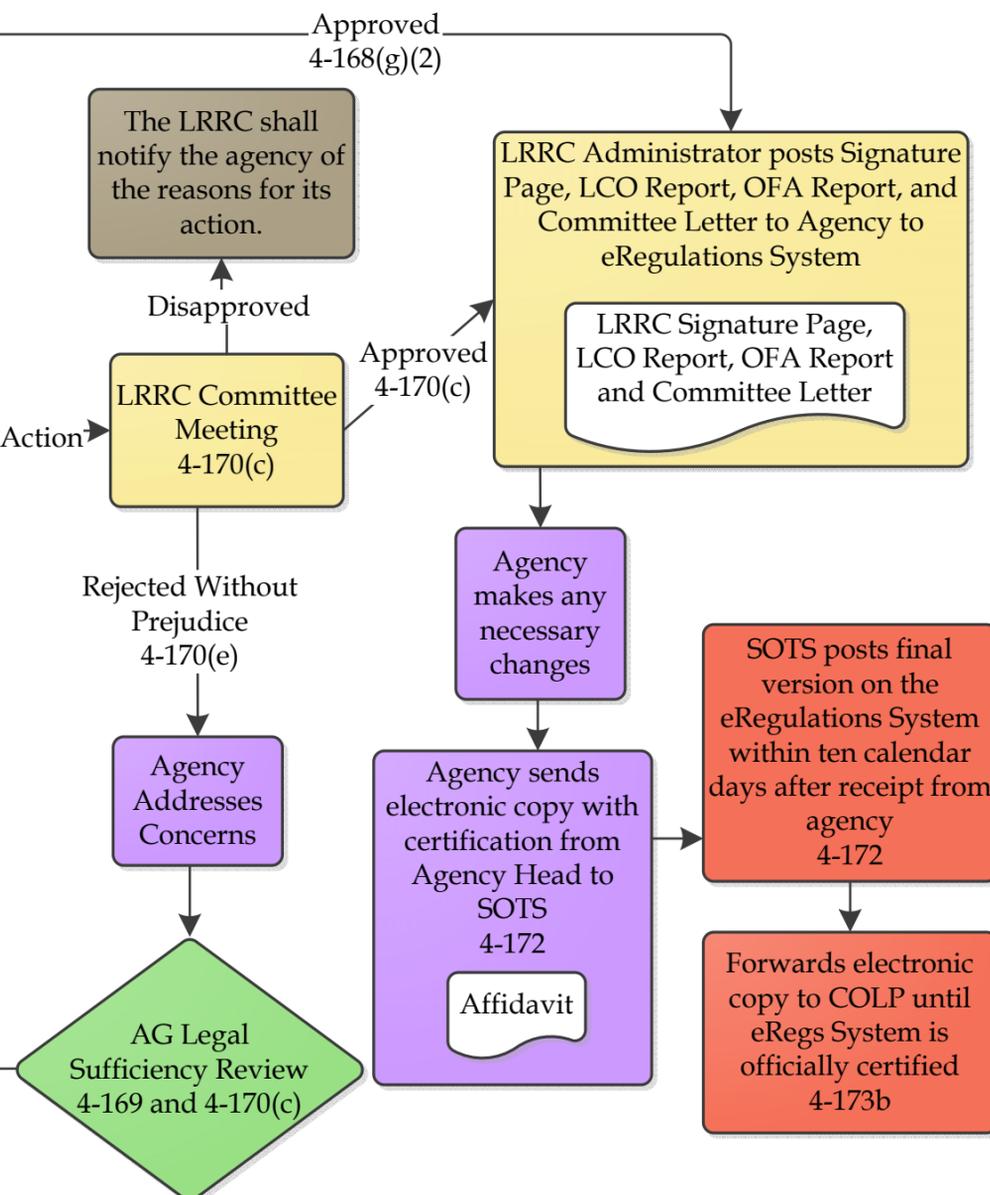
Inaction

Legislative Regulation Review Committee (LRRC)

LRRC has ten-day period to approve or disapprove regulation.

LRRC can take action at a regularly scheduled meeting, may schedule one upon the call of either chairman, or any five or more members may hold a special meeting for the purpose of approving or disapproving the regulation.

4-168(g)



Resubmitted with revisions identified by paragraph.

If required by statute, must be submitted by the first Tuesday of the second month following rejection.