

DNR PERMANENT RULE PROCESS

2023

PHASE I – Scope Statement Approval

1. Scope statement completed and approved by the Secretary.

2. Scope statement submitted to DOA.

3. Scope statement submitted to and approved by the Governor.

4. Approved scope statement submitted to LRB, JCRAR, and NRB.

5. LRB publishes the scope statement in the Register. **Scope statement 30-month expiration starts on day of publication.**

6. Yellow Sheet submitted to reserve time on the NRB agenda for approval of scope statement, conditional approval of the notice of public hearing and the notice of submittal of the proposed rule to the Legislative Council (notices), and approval of preliminary public hearing.

7. Department may be directed to hold preliminary a public hearing on scope statement. Notify NRB Liaison by email if preliminary hearing is requested. If JCRAR does not request preliminary public hearing, move onto step 12.

8. Green Sheet package submitted to request NRB authorization to hold preliminary public hearing.

9. NRB meeting to authorize preliminary public hearing.

10. Notice of preliminary public hearing published by LRB in the Register and posted on DNR external website and hearings calendar.

11. Preliminary public hearing held. Comment period closes.

12. Green Sheet package submitted to request NRB's approval of scope statement and notices.

13. NRB meeting to approve scope statement and notices.

PHASE II – Rule Preparation

14. Proposed rule language prepared in board order format.

PHASE III – Economic Impact Analysis

15. Fiscal estimate and economic impact analysis (FE/EIA) prepared.

16. Solicitation Notice prepared for comments on EIA. Solicitation Memo to NRB prepared.

16a. Program briefing on draft rule and EIA.

17. Solicitation Memo submitted to NRB for information.

18. Solicitation Notice posted on DNR website, published in the Register, and submitted to affected parties.

PHASE IV – External Reviews

19. Public hearing documents prepared and submitted to NRB for 15-day passive review.

20. Rule documents submitted to the Legislative Council.

21. Notice of public hearing published in the Register and posted on DNR external website and hearings calendar.

22. Public hearing on proposed rule held at least 10 days after publication in the Register. Public comment period closes.

23. Rule language revised based on external review.

24. Request for incorporation by reference submitted to AG if rule requires incorporation by reference.

PHASE V – Rule Approval

25. Yellow Sheet submitted to hold a place on NRB's agenda for adoption of proposed rule.

26. Green Sheet package submitted to request NRB adoption of proposed rule.

27. NRB meeting for adoption of final rule.

28. Final rule submitted to and approved by the Governor.

PHASE VI – Legislative Review

29. Report to Legislature and Notices prepared and submitted to Assembly and Senate Chief Clerks. Rule must be submitted for legislative review before the scope statement 30-month expiration date.

30. Rule referred to and reviewed by Standing Committees.

31. Rule referred to and reviewed by JCRAR.

PHASE VII – Promulgation

32. Final Rule signed by the Secretary.

33. Final Rule filed with LRB.

34. Rule proof received by LRB and reviewed by program.

35. Final rule published in the Register. Rule becomes effective the first day of the month following publication.