

required, it may delay the adoption of the regulation by so notifying the promulgating unit and the Division of State Documents, in writing, prior to the expiration of the 45-day period.

(ii) If notice is provided to the promulgating unit pursuant to subparagraph (i) of this paragraph, the promulgating unit may not adopt the regulation until it notifies the Committee, in writing, of its intention to adopt the regulation and provides the Committee with a further period of review of the regulation that terminates not earlier than the later of the following:

1. the 30th day following the notice provided BY THE PROMULGATING UNIT under this subparagraph; or

2. the [75th] 105TH day following the initial publication of the regulation in the Register.

(3) The promulgating unit shall permit public comment for at least 30 days of the 45-day period under paragraph (1)(ii) of this subsection.

(b) (1) The unit may adopt a proposed regulation immediately if the unit:

(i) declares that the emergency adoption is necessary;

(ii) submits the proposed regulation to the Committee AND THE DEPARTMENT OF LEGISLATIVE SERVICES, together with the fiscal impact statement required under subsection (c) of this section; and

(iii) has the approval of the Committee for the emergency adoption.

(2) (i) Subject to subparagraphs [(ii) and (iii)] (II), (III), AND (IV) of this paragraph, the approval of the Committee may be given:

1. by a majority of its members who are present and voting at a public hearing or meeting of the Committee; OR

2. IF STAFF OF THE COMMITTEE TRIES BUT IS UNABLE TO CONTACT A MAJORITY OF THE MEMBERS OF THE COMMITTEE IN A TIMELY MANNER AND IMMEDIATE ADOPTION IS NECESSARY TO PROTECT THE PUBLIC HEALTH OR SAFETY, by its presiding Chairman OR, IF ITS PRESIDING CHAIRMAN IS UNAVAILABLE, BY ITS CO-CHAIRMAN[; or

3. if its presiding Chairman is unavailable, by its co-chairman].

(ii) If a member of the Committee requests a public hearing on the emergency adoption of a regulation, the Committee shall hold a public hearing.

(iii) 1. If a public hearing is held on the emergency adoption of a regulation, the Committee may not approve the emergency adoption except by a majority vote of the members present and voting at the hearing or at a meeting of the Committee subsequent to the hearing.