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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

MEMORANDUM

TO: Sherrie Siverson
Alaska Industrial Development and Export Authority

FROM: April Simpson, Office of the Lieutenant Governor *AS*
465.4081

DATE: August 21, 2020

RE: Filed Permanent Regulations: Alaska Industrial Development and Export Authority

Alaska Industrial Development and Export Authority Regulation re: Emergency
Regulations made permanent: Waiver of Regulation (3 AAC 99.925)

Attorney General File:	2020200316
Regulation Filed:	8/21/2020
Effective Date:	3/27/2020
Print:	235, October 2020

cc with enclosures: Harry Hale, Department of Law
Judy Herndon, LexisNexis

CERTIFICATION OF COMPLIANCE

I, Sherrie M Siverson, certify that, as required by AS 44.62.260 in order to make the attached 1 page of regulations permanent, as of this date a legal opinion of the Department of Law has been requested under AS 44.62.060, a notice conforming to AS 44.62.200 was issued in compliance with AS 44.62.190, and an opportunity for public comment was provided under AS 44.62.210, for the following emergency regulation:

3 AAC 99 is amended to add a new section to read:

3 AAC 99.925 Waiver or modification of regulations in declared disaster emergencies.

If the governor has declared a statewide disaster emergency under AS 26.23.020, the Authority may waive or modify any requirement established in a regulation under this chapter, or under 3 AAC 101 or 3 AAC 102, for any of the Authority's loan, guarantee, or finance programs, to the extent that the waiver or modification is consistent with the statutes governing the loan, guarantee, or finance program.

This regulation originally was filed as an emergency regulation on April 6, 2020. It was adopted as a permanent regulation on June 24, 2020.

In considering the public comments, the Alaska Industrial Development and Export Authority paid special attention to the cost to private persons of the regulatory action being taken.

Date: July 16, 2020



Sherrie M Siverson, Executive Assistant
Alaska Industrial Development and Export Authority

FILING CERTIFICATION

Anil Simpson for

I, Kevin Meyer, Lieutenant Governor for the State of Alaska, certify that on August 21, 2020, at 2:30 p.m., I filed the attached regulation according to the provisions of AS 44.62.

Anil Simpson
for Lieutenant Governor *Kevin Meyer*

Register: 235, October 2020.

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

**I, KEVIN MEYER, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA,
designate the following state employees to perform the Administrative Procedures Act
filing functions of the Office of the Lieutenant Governor:**

**Josh Applebee, Chief of Staff
Kady Levale, Notary Administrator
April Simpson, Regulations and Initiatives Specialist**

**IN TESTIMONY WHEREOF, I have
signed and affixed the Seal of the State of
Alaska, in Juneau, on December 11th,
2018.**



K. Meyer
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**KEVIN MEYER
LIEUTENANT GOVERNOR**

The emergency adoption of 3 AAC 99.925, made permanent to read
^ 3 AAC 99 is amended to add a new section to read:

3 AAC 99.925. Waiver or modification of regulations in declared disaster

emergencies. (a) If the governor has declared a statewide disaster emergency under AS 26.23.020, the ^aAuthority may waive or modify any requirement established in a regulation under this chapter, or under 3 AAC 101 or 3 AAC 102, for any of the ^aAuthority's loan, guarantee, or finance programs, to the extent that the waiver or modification is consistent with the statutes governing the loan, guarantee, or finance program. The ^aAuthority's power to waive or modify under this section applies with respect to application requirements, application processing, interest rates, costs and fees, loan or financing terms and conditions, collateral requirements, underwriting standards, and other requirements established in regulation.

(b) The ^aAuthority may approve a waiver or modification under ~~subsection~~ ^g of this section (a) for a specific loan, guarantee, or financing agreement, or the ^aAuthority may approve waivers or modifications for loan, guarantee, or finance programs or other designated categories of loans, guarantees, or financing agreements.

(c) Once the governor has determined a declared statewide disaster emergency has ended, the ^aAuthority shall comply with the requirements of the regulations of this chapter or 3 AAC 101 or 3 AAC 102 for any new or modified loans, guarantees, or financing agreements. The end of a declared statewide disaster emergency shall not affect waivers or modifications the ^aAuthority previously approved for a loan, guarantee, or financing agreement. (EFF. 3/27/2020, Register 234)

Authority: AS 44.88.080 AS 44.88.650 AS 44.88.760

Editor's note: Adoption of 3 AAC 99.925 took effect on March 27, 2020, as an emergency regulation, and was first published in Register 234 (July 2020). In reviewing the permanent regulations, the regulations attorney made technical changes to 3 AAC 99.925. The technical changes appeared in the permanent regulations as published in Register 235 (October 2020). The history note does not reflect the technical changes made by the regulations attorney to the emergency regulations of March 27, 2020.