

MAINE STATE LEGISLATURE

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(Emergency)
THIRD SPECIAL SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 2677

S.P. 1021 In Senate, September 15, 1988
Approved for Introduction by a Majority of the Legislative
Council pursuant to Joint Rule 26.

Received by the Secretary of the Senate on September 9,
1988. Referred to the Committee on Appropriations and
Financial Affairs and 1,650 ordered printed pursuant to Joint
Rule 14.

JOY J. O'BRIEN, Secretary of the Senate
Presented by Senator ESTES of York.

Cosponsored by Senator CLARK of Cumberland, Representative
HOLLOWAY of Edgecomb, Representative RYDELL of Brunswick.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-EIGHT

1 AN ACT to Clarify the Implementation of the
2 Overboard Discharge Replacement Fund and the
3 Overboard Discharge Assistance Fund.
4

5 Emergency preamble. Whereas, Acts of the
6 Legislature do not become effective until 90 days
7 after adjournment unless enacted as emergencies; and

8 Whereas, the 113th Legislature, during the Second
9 Regular Session, enacted Public Law 1987, chapter 846,

1 "AN ACT to Assist Homeowners and Businesses to Comply
2 with the Overboard Discharge Law"; and

3 Whereas, Public Law 1987, chapter 846, section 14
4 contains a technical error; and

5 Whereas, this error may cause uncertainty and
6 confusion in interpreting legislative intent; and

7 Whereas, it is important that this uncertainty and
8 confusion be resolved in order to prevent any hardship
9 to the citizens of Maine; and

10 Whereas, in the judgment of the Legislature, these
11 facts create an emergency within the meaning of the
12 Constitution of Maine and require the following
13 legislation as immediately necessary for the
14 preservation of the public peace, health and safety;
15 now, therefore,

16 Be it enacted by the People of the State of Maine as
17 follows:

18 PL 1987, c. 846, Sec. 14 is repealed and the
19 following enacted in its place:

20 Sec. 14. Implementation. To the extent existing
21 resources are available, the Finance Authority of
22 Maine and the Maine State Housing Authority may begin
23 to accept applications for and provide loans, loan
24 guarantees and grants as provided in this Act. To the
25 extent additional resources are required, the Finance
26 Authority of Maine and the Maine State Housing
27 Authority may begin to accept applications for loans,
28 loan guarantees and grants as provided in this Act
29 upon appropriation or allocation of funds by the
30 Legislature for those purposes.

31 Emergency clause. In view of the emergency
32 cited in the preamble, this Act shall take effect when
33 approved.

1

STATEMENT OF FACT

2 The Second Regular Session of the 113th
3 Legislature enacted Public Law 1987, chapter 846, "AN
4 ACT to Assist Homeowners and Businesses to Comply with
5 the Overboard Discharge Law." This legislation
6 established loan and loan guarantee programs through
7 the Finance Authority of Maine and loan and grant
8 programs through the Maine State Housing Authority
9 that would assist businesses and homeowners to replace
10 or repair overboard discharge systems.

11 The implementation dates for the legislation are
12 incorrect. This bill clarifies the implementation by
13 allowing the Finance Authority of Maine and the Maine
14 State Housing Authority to initiate their respective
15 programs now only to the extent they have sufficient
16 resources. The bill also states that the Finance
17 Authority of Maine and the Maine State Housing
18 Authority can fully implement the legislation only
19 upon receipt of additional funding by the Legislature.

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