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Legislative Document

No. 1933

S.P. 743

December 10, 2007

An Act To Extend the Deadline for Applications for Loans Associated with the Remediation of a Waste Oil Site in Plymouth

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on December 10, 2007. Referred to the Committee on Natural Resources pursuant to Joint Rule 308.2 and ordered printed.

JOY J. O'BRIEN Secretary of the Senate

Presented by Senator MARTIN of Aroostook.

1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not 2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 Whereas, the waste oil site in Plymouth is contaminated and must be cleaned up 4 expeditiously to protect the public health, safety and welfare; and

5 Whereas, Public Law 2007, chapter 220 was enacted to provide those seeking to 6 borrow funds from the Finance Authority of Maine with up to 180 days from the effective 7 date of that chaptered law to apply for those funds, and several deadlines in the process 8 have had to be extended; and

9 Whereas, these extensions have slowed access to certain information necessary for 10 the applicants to borrow the funds, so an extension of 185 days is needed; and

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

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

Sec. 1. 10 MRSA §1023-M, sub-§2-D, as enacted by PL 2007, c. 220, §2, is
amended to read:

18 2-D. De minimis settlement. In addition to the uses authorized in subsection 2, 19 money in the fund may be used for direct loans or deferred loans for payments as part of a de minimis settlement, including any settlement premium, between the United States, the 20 21 State, responsible parties and an applicant. Money may be used only if the authority determines that the applicant has signed all of the settlement documents required by the 22 23 United States and the State for a de minimis settlement in the matter of the West 24 Site/Hows Corner Superfund Site in Plymouth, Maine. The provisions of subsection 2 25 apply to loans authorized under this subsection.

Applications submitted pursuant to this subsection must be received within 180 365 days after the effective date of this subsection, except that the authority may extend that deadline by an additional period of time not to exceed 60 days for good cause shown.

29 Sec. 2. Retroactivity clause. This Act applies retroactively to June 4, 2007.

30 **Emergency clause.** In view of the emergency cited in the preamble, this 31 legislation takes effect when approved.

32 SUMMARY

This bill extends from 180 to 365 the number of days provided for those seeking to borrow funds from the Finance Authority of Maine to apply for funding to assist with the remediation of the Plymouth waste oil site.