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

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

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

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

Whereas, these extensions have slowed access to certain information necessary for 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,

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:

2-D. De minimis settlement. In addition to the uses authorized in subsection 2, 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 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 United States and the State for a de minimis settlement in the matter of the West Site/Hows Corner Superfund Site in Plymouth, Maine. The provisions of subsection 2 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.

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

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

Effective February 14, 2008.