

§963-A. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 1985, c. 344, §7 (NEW).]

1. Agricultural enterprise. "Agricultural enterprise" means knowledge, skill or labor applied to growing or raising plants or animals, harvesting plants or growing or obtaining plant or animal by-products, includes forestry and aquaculture and includes production, processing, storing, packaging or marketing products derived from agricultural enterprise.
[PL 1985, c. 344, §7 (NEW).]

1-A. Aboveground oil storage facility. "Aboveground oil storage facility," also referred to as a "facility," means any aboveground oil storage tank or tanks, together with associated piping, and transfer and dispensing facilities located over land or water of the State at a single location for more than 4 months per year and used or intended to be used for the storage or supply of oil. Oil terminal facilities, as defined in Title 38, section 542, subsection 7, and propane facilities are not included in this definition.
[PL 1993, c. 601, §1 (NEW).]

1-B. Aboveground oil storage tank. "Aboveground oil storage tank," also referred to as "tank," means any aboveground container, less than 10% of the capacity of which is beneath the surface of the ground, that is used or intended to be used for the storage or supply of oil. Included in this definition are any tanks situated upon or above the surface of a floor in such a manner that they may be readily inspected.
[PL 1993, c. 601, §1 (NEW).]

2. Agricultural land. "Agricultural land" means land capable of supporting commercial farming and forestry production.
[PL 1985, c. 344, §7 (NEW).]

3. Application and service fees. "Application and service fees" means the amount of money charged for the cost of application, servicing or technical assistance.
[PL 1985, c. 344, §7 (NEW).]

4. Authority. "Authority" means the Finance Authority of Maine as established by this chapter.
[PL 1985, c. 344, §7 (NEW).]

5. Bond. "Bond" means revenue obligation security.
[PL 1985, c. 344, §7 (NEW).]

5-A. Clean fuel.
[PL 2019, c. 160, §1 (RP).]

5-B. Clean fuel vehicle.
[PL 2019, c. 160, §1 (RP).]

5-C. Clean fuel vehicle project.
[PL 2019, c. 160, §1 (RP).]

6. Commitment to issue loan insurance. "Commitment to issue loan insurance" means a commitment to provide insurance for loan payments subject to terms specified by the authority.
[PL 2003, c. 537, §3 (AMD); PL 2003, c. 537, §53 (AFF).]

7. Cost of project. "Cost of project" means the cost or value of land, buildings, real estate improvements, labor, materials, machinery and equipment, property rights, easements, franchises, financing charges, interest, engineering and legal services, plans, specifications, surveys, cost estimates, studies and other expenses as may be necessary or incidental to the development, construction, acquisition, financing and placing in operation of an eligible project. In addition to these

costs, reserves for payment of future debt on any revenue obligation securities may be included as part of the cost of the project.

Any obligation or expenses incurred by the State, the authority, a municipality or any private person in connection with any of the items of cost specified in this subsection related to revenue obligation securities may be included as part of the cost and reimbursed to the State, the authority, municipality or person out of the proceeds of the securities issued.

[PL 1985, c. 344, §7 (NEW).]

7-A. Electric rate stabilization project. "Electric rate stabilization project" means an agreement by a transmission and distribution utility with a qualifying facility, as defined in Title 35-A, section 3303, that will result in the reduction of costs to the transmission and distribution utility and that has been certified by the Public Utilities Commission to meet the standards established under Title 35-A, section 3156.

[PL 1999, c. 657, §2 (AMD).]

8. Eligible collateral. "Eligible collateral" means accounts, as-extracted collateral, chattel paper, commercial tort claims, consumer goods, deposit accounts, documents, equipment, farm products, fixtures, general intangibles, instruments, investment property, inventory, letter of credit rights, manufactured homes, money, real estate, supporting obligations and accessions to any of the foregoing and any other business assets.

[PL 2003, c. 537, §3 (AMD); PL 2003, c. 537, §53 (AFF).]

9. Eligible enterprise. "Eligible enterprise" means an agricultural enterprise, fishing enterprise, industrial enterprise, manufacturing enterprise or recreational enterprise.

[PL 1985, c. 344, §7 (NEW).]

10. Eligible project. "Eligible project" means any of the following:

A. Any eligible enterprise; [PL 2003, c. 537, §4 (AMD); PL 2003, c. 537, §53 (AFF).]

B. [PL 2003, c. 537, §4 (RP); PL 2003, c. 537, §53 (AFF).]

C. [PL 2003, c. 537, §4 (RP); PL 2003, c. 537, §53 (AFF).]

D. Any vessel registered under the law of the United States or a state; [PL 1985, c. 344, §7 (NEW).]

E. Any energy conservation project; [PL 1985, c. 344, §7 (NEW).]

F. Any energy distribution system project; [PL 1985, c. 344, §7 (NEW).]

G. Any energy generating system project; [PL 1985, c. 344, §7 (NEW).]

H. Any pollution-control project; [PL 1987, c. 521, §1 (AMD).]

I. Any water supply system project; [PL 1987, c. 846, §1 (AMD).]

J. Any underground oil storage facility replacement project, including equipment installed to meet requirements for gasoline service station vapor control and petroleum liquids transfer vapor recovery; [PL 1991, c. 439, §1 (AMD).]

K. Any overboard discharge replacement project; [PL 1991, c. 439, §2 (AMD).]

L. Any hazardous waste or solid waste recycling or reduction project; [PL 1993, c. 712, §2 (AMD).]

M. Any aboveground oil replacement or upgrade project, including equipment installed to meet requirements for gasoline service station vapor control and petroleum liquids transfer vapor recovery; [PL 1995, c. 4, §1 (AMD).]

N. Any electric rate stabilization project; [PL 1995, c. 289, §1 (AMD).]

- O. [PL 2019, c. 160, §2 (RP).]
- P. Any workers' compensation residual market mechanism project; [PL 1999, c. 484, §1 (AMD); PL 1999, c. 513, §1 (AMD).]
- Q. [PL 2019, c. 160, §3 (RP).]
- R. Any paper industry job retention project; [PL 2009, c. 372, Pt. D, §1 (AMD).]
- R. **(REALLOCATED TO T. 10, §963-A, sub-§10, ¶S)** [RR 1999, c. 1, §9 (RAL); PL 1999, c. 513, §3 (NEW).]
- S. **(REALLOCATED FROM T. 10, §963-A, sub-§10, ¶R)** Any transmission facilities project; [PL 2013, c. 378, §1 (AMD).]
- T. An Efficiency Maine project; and [PL 2013, c. 378, §2 (AMD).]
- U. Any offshore wind energy development or project to manufacture components for an offshore wind energy development. [PL 2021, c. 676, Pt. A, §14 (AMD).]

"Eligible project" includes any project, the financing of which through the issuance of revenue obligation securities would result in the interest on the revenue obligation securities qualifying, as of the date of issuance, as tax-exempt under 26 United States Code, Section 103, as amended.

"Eligible project" also includes any "recovery zone property," as defined under 26 United States Code, Section 1400U-3, as amended, the financing of which through the issuance of revenue obligation securities would result in the interest on the revenue obligation securities qualifying, as of the date of issuance, as tax-exempt under 26 United States Code, Section 103, as amended. "Eligible project" also includes any project that qualifies for financing with a qualified energy conservation bond. [PL 2021, c. 676, Pt. A, §14 (AMD).]

10-A. Efficiency Maine project. "Efficiency Maine project" means a project approved by the Efficiency Maine Trust Board, as established in Title 5, section 12004-G, subsection 10-C, to carry out the purposes of Title 35-A, chapter 97 relating to increasing energy efficiency or conservation. [PL 2009, c. 372, Pt. D, §4 (NEW).]

11. Energy conservation project. "Energy conservation project" means the purchasing and installation of energy conservation equipment or facilities, including building modifications. [PL 1985, c. 344, §7 (NEW).]

12. Energy distribution system project. "Energy distribution system project" means an energy distribution system owned, in whole or in part, by an individual, municipality, corporation or other governmental entity or business association and that uses biomass, peat, solar, waste, water and related dams, wind, wood or coal or that distributes or transmits oil, biofuels, propane, compressed natural gas, liquefied natural gas or natural gas. [PL 2011, c. 586, §2 (AMD).]

13. Energy generating system project. "Energy generating system project" means:

A. For a system which does not generate electricity, an energy generating system owned, in whole or in part, by an individual, municipality, corporation or other governmental entity or business association and which system uses biomass, peat, solar, waste, water and related dams, wind, wood or coal, or which is an energy conservation project, including a transportation project consistent with the United States Internal Revenue Service guidelines; or [PL 1985, c. 344, §7 (NEW).]

B. For a system that does generate electricity, an energy generating system, including wires, cables and other material and equipment necessary and convenient for the delivery of electricity from the electricity generating facility to the transmission and distribution utility system within the State, that uses biomass, peat, solar, waste, water and related dams, wind, wood or coal and that is owned, in whole or in part, by an individual, municipality, corporation, limited liability company or other

governmental entity or business association that qualifies as a cogenerator or small power producer under Title 35-A, chapter 33. [PL 2015, c. 504, §2 (AMD).]
[PL 2015, c. 504, §2 (AMD).]

14. Entrant to natural resource enterprises. "Entrant to natural resource enterprises" means an individual or a business organization who or which engages or proposes to engage in one or more natural resource enterprises.
[PL 1985, c. 344, §7 (NEW).]

15. Facility. "Facility" means an eligible project.
[PL 2003, c. 537, §5 (AMD); PL 2003, c. 537, §53 (AFF).]

16. Family farm corporation. "Family farm corporation" means a corporation formed under the laws of the State for the purpose of farming and owning agricultural land in which at least 2/3 of the stock is held by members of a family related to each other within the 3rd degree of consanguinity or affinity, including the spouses, sons-in-law and daughters-in-law of any such family member.
[PL 1985, c. 344, §7 (NEW).]

17. Federal agency. "Federal agency" or "Federal Government" means the United States, the President of the United States and any current or future corporation, department, agency, authority or instrumentality created, designated or established by the United States, including, but not limited to, the Federal Land Bank, the Federal Intermediate Credit Bank and the Bank for Cooperatives.
[PL 1985, c. 344, §7 (NEW).]

17-A. Final remedy selection. "Final remedy selection" means:

A. In the case of the Department of Environmental Protection, a final determination by the Commissioner of Environmental Protection or the commissioner's designee of the appropriate response action at a waste motor oil disposal site that is an uncontrolled hazardous substance site; and [PL 2007, c. 464, §1 (NEW).]

B. In the case of the United States Environmental Protection Agency, the remedy selected in a final record of decision for the so-called Hows Corner Federal Superfund Site in Plymouth, Maine.
[PL 2007, c. 464, §1 (NEW).]

[PL 2007, c. 464, §1 (NEW).]

18. Financial document. "Financial document" means a lease, installment sale agreement, conditional sale agreement, note, mortgage, loan agreement or other instrument pertaining to an extension of financial assistance.
[PL 1985, c. 344, §7 (NEW).]

19. Financing assistance. "Financing assistance" or "financial assistance" means guarantees, leases, insurance, financing credits, loans or the purchase or discounts thereof, letters of credit, financing assistance payments, grants or other financial aid.
[PL 1985, c. 344, §7 (NEW).]

20. Financing institution. "Financing institution" or "financial institution" means any bank, trust company, national banking association, savings bank, savings and loan association, federal savings and loan association, industrial bank, mortgage company, insurance company, credit union, local development corporation or any other institution or entity authorized to do business in this State, or any state or federal agency which customarily provides financing assistance.
[PL 1985, c. 344, §7 (NEW).]

21. Fishing enterprise. "Fishing enterprise" means knowledge, skill or labor applied to growing or catching fish, including shellfish, in fresh or salt water, including aquaculture, and includes production, processing, storing, packaging or marketing products derived from fishing enterprises.
[PL 1985, c. 344, §7 (NEW).]

22. Fund.

[PL 1985, c. 714, §6 (RP).]

23. Industrial enterprise. "Industrial enterprise" means knowledge, skill or labor applied to conduct of a trade or business, selling of goods, providing services, providing dwelling accommodations, mining, education or discovery, research, development or refinement of new or known substances, processes or products.

[PL 1985, c. 344, §7 (NEW).]

24. Insured. "Insured" means any individual, partnership, corporation, association or other entity which is the beneficiary of a loan insurance agreement with the authority.

[PL 1985, c. 344, §7 (NEW).]

24-A. Interest rate swap agreement. "Interest rate swap agreement" means a financial agreement as defined by the Finance Authority of Maine by rule in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375.

[PL 1989, c. 552, §4 (NEW).]

24-B. Insured certificate. "Insured certificate" means a certificate evidencing fractional undivided ownership interest in a pool of mortgage loans, each of which is insured by the authority pursuant to this chapter, that is insured by the authority pursuant to and subject to the limitations of section 1026-E.

[PL 1993, c. 460, §1 (NEW).]

25. Lease. "Lease" means a contract providing for the use of a project or portions of a project for a term of years for a designated or determinable rent. A lease may include an installment sales contract. A lease may include such other terms as the authority may permit or require.

[PL 1985, c. 344, §7 (NEW).]

26. Lessee. "Lessee" means a tenant under a lease and may include an installment purchaser.

[PL 1985, c. 344, §7 (NEW).]

27. Loan. "Loan" means an extension of credit made in consideration of a written promise of repayment or any other conditions that may be established by the authority, performance of which may be secured by mortgage.

[PL 2003, c. 537, §6 (AMD); PL 2003, c. 537, §53 (AFF).]

27-A. Loan insurance agreement. "Loan insurance agreement" means an agreement pursuant to which the authority insures payment of a loan pursuant to subchapter 2, and also means an agreement pursuant to which the authority insures or guarantees an insured certificate, if the authority's loan insurance liability for insuring an insured certificate is in lieu of and not in addition to its liability for insuring that portion of a mortgage loan represented by the insured certificate.

[PL 2003, c. 537, §7 (AMD); PL 2003, c. 537, §53 (AFF).]

28. Local development corporation. "Local development corporation" means a nonprofit corporation established under Title 13, chapter 81; Title 13-B; or other law acceptable to the authority and empowered to foster, encourage and assist any eligible enterprise.

[PL 1985, c. 344, §7 (NEW).]

29. Maine Job-start Program. "Maine Job-start Program" means the program governed by subchapter VII.

[PL 1985, c. 344, §7 (NEW).]

30. Maine Small Business Loan Program.

[PL 2003, c. 537, §8 (RP); PL 2003, c. 537, §53 (AFF).]

31. Maine Veterans' Small Business Loan Program.

[PL 2003, c. 537, §8 (RP); PL 2003, c. 537, §53 (AFF).]

31-A. Major business expansion project.

[PL 2019, c. 160, §4 (RP).]

32. Manufacturing enterprise. "Manufacturing enterprise" means knowledge, skill or labor applied to giving of new shapes, new qualities or new combinations to matter as material products and includes assembling, fabricating, making, creating, working, preparing, milling, processing, recycling, manufacturing, finishing, fashioning, producing, storing, warehousing, preserving, distributing, handling or transporting in any manner goods, wares, merchandise, metals, fabrics, materials, substances, product or matter of any kind or nature including materials recovered from solid and hazardous wastes.

[PL 1989, c. 585, Pt. C, §7 (AMD).]

33. Maturity date. "Maturity date" means the date on which final payment is due as provided in a note, revenue obligation security or other financial document.

[PL 1985, c. 344, §7 (NEW).]

34. Mortgage. "Mortgage" means an agreement granting a lien upon or a security interest in eligible collateral upon certain conditions and includes, but is not limited to, a mortgage of real estate, an assignment of rents, a pledge or a security agreement.

[PL 1985, c. 344, §7 (NEW).]

35. Mortgagee. "Mortgagee" means a grantee or obligee under, or a transferee or successor of a grantee or obligee under, a mortgage.

[PL 1985, c. 344, §7 (NEW).]

36. Loan Insurance Program. "Loan Insurance Program" means the program governed by subchapter 2.

[PL 2003, c. 537, §9 (AMD); PL 2003, c. 537, §53 (AFF).]

37. Mortgage loan.

[PL 2003, c. 537, §10 (RP); PL 2003, c. 537, §53 (AFF).]

38. Loan payments. "Loan payments" means payments required by or received on account of a mortgage or any other financial document, including, but not limited to, payments covering interest, installments of principal, taxes, assessments, loan insurance premiums and hazard insurance premiums.

[PL 2003, c. 537, §11 (AMD); PL 2003, c. 537, §53 (AFF).]

39. Mortgagor. "Mortgagor" means the grantor or party giving rights to eligible collateral pursuant to a mortgage and includes the successors or assigns of a mortgagor.

[PL 1985, c. 344, §7 (NEW).]

39-A. Municipal officers. "Municipal officers" means municipal officers as defined in Title 30-A, section 2001, subsection 10. "Municipal officers" also means the county commissioners of any county but solely for the purpose of authorizing and facilitating the issuance of recovery zone facility bonds.

[PL 2009, c. 517, §2 (NEW).]

40. Municipal Securities Approval Program. "Municipal Securities Approval Program" means the program governed by subchapter IV.

[PL 1985, c. 344, §7 (NEW).]

40-A. Municipality. "Municipality" means any municipality as defined in Title 30-A, section 2001, subsection 8. "Municipality" also means any county but solely for the purpose of issuing recovery zone facility bonds.

[PL 2009, c. 517, §3 (NEW).]

41. Natural resource enterprise. "Natural resource enterprise" means an agricultural enterprise or a fishing enterprise, but does not include selling of food at wholesale or retail, except when that selling is carried out as part of the natural resource enterprise.

[PL 1985, c. 344, §7 (NEW).]

42. Note. "Note" means an evidence of indebtedness and includes a revenue obligation security.
[PL 1985, c. 344, §7 (NEW).]

42-A. Overboard discharge. "Overboard discharge" means the same as set forth in Title 38, section 466, subsection 9-A.

[PL 1987, c. 846, §4 (NEW).]

42-B. Overboard discharge replacement project. "Overboard discharge replacement project" means the removal, rehabilitation or replacement of a privately owned waste water disposal system utilized by a business which results in an overboard discharge.

[PL 1987, c. 846, §4 (NEW).]

42-C. Paper industry job retention project. "Paper industry job retention project" means the acquisition and improvement of a paper production facility in the State, in which not less than 40% of the ownership of the project will be, at the time the financial assistance is provided, owned or controlled by or for the benefit of a majority of the employees of the project through a qualified employee stock ownership program or other employee ownership program recognized in the federal Internal Revenue Code.

[PL 1999, c. 484, §4 (NEW).]

42-C. (REALLOCATED TO T. 10, §963-A, sub-§42-D) Orphan share.
[RR 1999, c. 1, §10 (RAL); PL 1999, c. 505, Pt. A, §2 (NEW).]

42-D. (REALLOCATED FROM T. 10, §963-A, sub-§42-C) Orphan share. "Orphan share" means the percentage of the total response costs payable by parties who are bankrupt, dissolved, insolvent or no longer in business or whose current identity or location can not be determined.

[RR 1999, c. 1, §10 (RAL).]

42-E. Plymouth waste oil site remedial study. "Plymouth waste oil site remedial study" means a remedial investigation and feasibility study undertaken in accordance with 40 Code of Federal Regulations, Section 300.430 with respect to the Portland-Bangor Waste Oil Services Site in Plymouth designated by the United States Environmental Protection Agency as a National Priorities List site.

[PL 1999, c. 713, §1 (NEW).]

42-F. Past cost settlement. "Past cost settlement" means the settlement between the potentially responsible parties, the United States and the State, embodied in the consent decree filed with the United States District Court for the District of Maine, Civil Docket 00-249-B.

[PL 2001, c. 356, §2 (NEW).]

43. Pollution-control project. "Pollution-control project" means any building, structure, machinery, equipment or facility, including transportation, equipment or facility, which may be deemed necessary for preventing, avoiding, reducing, controlling, abating or eliminating contamination, solid waste, thermal pollution or pollution by any other means of the air, water or earth, together with all land, property, rights, rights-of-way, franchises, easements and interests in lands necessary or convenient for the construction or operation of the project.

[PL 1985, c. 344, §7 (NEW).]

43-A. Professional. "Professional," when used with reference to office space, means professions or professionals regulated or licensed under applicable state law.

[PL 1987, c. 393, §1 (NEW).]

44. Project. "Project" means any eligible project.

[PL 2003, c. 537, §12 (AMD); PL 2003, c. 537, §53 (AFF).]

44-A. Qualified energy conservation bond. "Qualified energy conservation bond" has the same meaning as in 26 United States Code, Section 54D(a), as amended.

[PL 2009, c. 517, §4 (NEW).]

44-B. Recovery zone facility bond. "Recovery zone facility bond" has the same meaning as in 26 United States Code, Section 1400U-3, as amended.

[PL 2009, c. 517, §5 (NEW).]

45. Recreational enterprise. "Recreational enterprise" means knowledge, skill or labor applied to providing facilities or opportunities for recreation, culture, entertainment or tourism.

[PL 1985, c. 344, §7 (NEW).]

45-A. Recycling or waste reduction project. "Recycling or waste reduction project" means any building, structure, machinery, equipment or facility which may be considered necessary for recovery, separation, remanufacture or reuse of materials contained in solid or hazardous waste or for the reduced generation of solid or hazardous waste, together with all land, property, rights, rights-of-way, franchises, easements and interests in lands necessary or convenient for the construction or operation of the project.

[PL 1989, c. 585, Pt. C, §8 (NEW).]

46. Rent or rental. "Rent" or "rental" means payments under a lease.

[PL 1985, c. 344, §7 (NEW).]

47. Resident. "Resident" or "resident of the State" means a person who is domiciled in this State.

[PL 1985, c. 344, §7 (NEW).]

47-A. Responsible party. "Responsible party" has the same meaning as set forth in Title 38, section 1362, subsection 2 and has the same meaning as the term "potentially responsible party" as defined in 40 Code of Federal Regulations, Section 304-12(m).

[PL 1999, c. 505, Pt. A, §3 (NEW).]

47-B. Response costs. "Response costs" means:

A. Costs incurred or costs that will be incurred by a responsible party for investigation, study, removal, remediation, institutional controls, alternative water supplies, operation, maintenance, monitoring or other acts or activities to protect human health and the environment at a waste motor oil disposal site; [PL 2007, c. 464, §2 (NEW).]

B. Costs incurred or costs that will be incurred by the Department of Environmental Protection or the United States Environmental Protection Agency in conducting, monitoring or supervising work at a waste motor oil disposal site, in reviewing or developing plans, reports and other items at a waste motor oil disposal site and for administrative activities, including providing notice to responsible parties, at a waste motor oil disposal site; [PL 2007, c. 464, §2 (NEW).]

C. [PL 2011, c. 211, §1 (RP); PL 2011, c. 211, §27 (AFF).]

D. A payment or payments, including any settlement premium, that a responsible party is required to make pursuant to a final de minimis or cash-out settlement among the United States, the State and one or more responsible parties or pursuant to a final de minimis or cash-out settlement among 2 or more responsible parties; and [PL 2007, c. 618, §1 (AMD).]

E. Damages for injury to or destruction or loss of natural resources, including the reasonable costs of assessing such injury, destruction or loss, resulting from hazardous substances at a waste motor oil disposal site pursuant to Title 38, chapter 13-B and 42 United States Code, Section 9601 et seq. [PL 2007, c. 464, §2 (NEW).]

[PL 2011, c. 211, §1 (AMD); PL 2011, c. 211, §27 (AFF).]

47-C. Potentially responsible party (PRP) group. "Potentially responsible party (PRP) group" means a group of responsible parties organized to manage liabilities at a waste motor oil disposal site listed in subsection 51-E and that have negotiated final settlement agreements with the United States Environmental Protection Agency or the Department of Environmental Protection.

[PL 2007, c. 464, §3 (NEW).]

47-D. Retirement system. "Retirement system" means the Maine Public Employees Retirement System, established pursuant to Title 5, chapter 421.

[PL 2009, c. 633, §2 (NEW).]

48. Revenue Obligation Securities Program. "Revenue Obligation Securities Program" means the program governed by subchapter III.

[PL 1985, c. 344, §7 (NEW).]

49. Revenue obligation security. "Revenue obligation security" or "security" means a note, bond, interim certificate, debenture or other evidence of indebtedness, including any recovery zone facility bond or qualified energy conservation bond, payment of which is secured by a pledge of revenues, as provided in section 1045-A or 1065, or by assignment or pledge of other eligible collateral.

[PL 2009, c. 517, §6 (AMD).]

49-A. Seller-sponsored loan. "Seller-sponsored loan" means a loan to one or more individuals or to a family farm corporation from the seller of agricultural land, which loan represents all or a significant portion of the purchase price for that land, provided that the authority has issued a certificate designating the loan as a seller-sponsored loan with respect to an identified seller after finding that the interest rate to be charged is reasonably consistent with current interest rates for loans for the purchase of agricultural land, and that the purchasers intend to use the land primarily for growing or raising plants or animals for business purposes. The loan shall cease to be a seller-sponsored loan if the land ceases to be used for agricultural purposes.

[PL 1987, c. 769, Pt. A, §43 (RPR).]

49-B. Underground oil storage facility. "Underground oil storage facility" means any tank, together with associated piping and dispensing facilities, 10% or more of which is located beneath the surface of the ground and not on or above a floor in such a manner that it may be readily inspected, located at a single location and used, formerly used or intended to be used for the marketing and distribution of oil, petroleum products or their by-products to persons or entities other than the owner of the facility.

[PL 1989, c. 543, §1 (AMD).]

49-C. Underground oil storage facility project. "Underground oil storage facility project" means the renovation, removal, disposal or replacement of all or any part of an underground oil storage facility that is used for marketing and distribution of oil, petroleum products or their by-products to persons or entities other than the owner of the facility.

[PL 2001, c. 231, §1 (AMD).]

49-D. Underground oil storage tank; tank. "Underground oil storage tank" or "tank" means any tank, together with associated piping, 10% or more of which is located beneath the surface of the ground and not on or above a floor in such a manner that it may be readily inspected, located at a single location and used, formerly used or intended to be used for consumption by the owner or user of the tank on the premises.

[PL 1989, c. 543, §2 (NEW); PL 1989, c. 552, §4 (NEW); PL 1989, c. 878, Pt. A, §23 (RPR).]

49-E. Underground oil storage tank project. "Underground oil storage tank project" or "tank project" means the renovation, removal, disposal or replacement of all or any part of an underground oil storage tank.

[PL 2001, c. 231, §2 (AMD).]

49-F. Swap counterparty. "Swap counterparty" means a person who is a party to an interest rate swap agreement.

[PL 1989, c. 878, Pt. A, §24 (NEW).]

49-G. Total response costs. "Total response costs" means the total costs that have been or will be paid in association with investigatory, removal or remedial activities at the Portland-Bangor Waste Oil Services Site in Plymouth, including costs incurred by the Department of Environmental Protection, the United States Environmental Protection Agency and 3rd parties to carry out investigatory, removal or remedial activities at that site approved by the Department of Environmental Protection or the United States Environmental Protection Agency.

[PL 2001, c. 356, §3 (AMD).]

49-G. (REALLOCATED TO T. 10, §963-A, sub-§49-H) Transmission facilities project. [RR 1999, c. 1, §11 (RAL); PL 1999, c. 513, §4 (NEW).]

49-H. (REALLOCATED FROM T. 10, §963-A, sub-§49-G) Transmission facilities project. "Transmission facilities project" means a project approved by the Northern Maine Transmission Corporation, as established in section 9202, to carry out the purposes of chapter 1003 or any electric transmission, gas transmission, energy transfer or electric generation facility, including necessary appurtenances, otherwise proposed to the authority to benefit northern Maine.

[PL 2003, c. 506, §1 (AMD).]

49-I. Time-critical removal action. "Time-critical removal action" means the removal activities undertaken pursuant to the Administrative Order by Consent for Time-Critical Removal Action, United States Environmental Protection Agency Docket No. CERCLA 1-97-1080.

[PL 2001, c. 356, §4 (NEW).]

49-J. Targeted technologies. "Targeted technologies" means biotechnology, aquaculture and marine technology, composite materials technology, environmental technology, advanced technologies for forestry and agriculture, information technology and precision manufacturing technology.

[PL 2009, c. 633, §3 (NEW).]

50. User. "User" means one or more persons acting as lessee, purchaser, mortgagor or borrower under a financial document.

[PL 1985, c. 344, §7 (NEW).]

50-A. Value-added. "Value-added" means that an enhancement to a product or service that increases the value or marketability of the product or service has been applied.

[PL 2013, c. 438, §1 (NEW).]

51. Veteran. "Veteran" means any person who served in the United States Armed Forces and was not dishonorably discharged.

[PL 1997, c. 489, §4 (AMD).]

51-A. Wartime veteran. "Wartime veteran" means any person who served in the United States Armed Forces during any federally recognized period of conflict who is certified to be a wartime veteran by the Maine Bureau of Veterans' Services and was not dishonorably discharged.

[PL 2001, c. 417, §3 (AMD); PL 2019, c. 377, §6 (REV).]

51-B. Waste oil. "Waste oil" means a petroleum-based oil that, through use or handling, has become unsuitable for its original purpose due to the presence of impurities or loss of original properties. "Waste oil" includes mixtures of waste oil and water.

[PL 1999, c. 505, Pt. A, §5 (NEW).]

51-C. Waste oil disposal site. "Waste oil disposal site" means the Portland-Bangor Waste Oil Services Site in Plymouth designated by the Department of Environmental Protection as an uncontrolled hazardous substance site.

[PL 2001, c. 356, §5 (AMD).]

51-D. Waste motor oil. "Waste motor oil" means any lubricating oil classified for use in an internal combustion engine, transmission, gear box, differential or hydraulics for a motor vehicle, a

boat, an off-highway recreational vehicle, commercial or household power equipment, earth-moving equipment, special equipment or special mobile equipment, as defined in Title 29-A, section 101, subsections 69 and 70, that through use, storage or handling has become unsuitable for its original purpose due to the presence of impurities or the loss of original properties.

[PL 2007, c. 464, §4 (NEW).]

51-E. Waste motor oil disposal site. "Waste motor oil disposal site" means the following 4 sites where waste motor oil was stored and that are now contaminated and subject to such response action requirements as the Department of Environmental Protection or the United States Environmental Protection Agency may impose according to applicable law:

A. Portland-Bangor Waste Oil Services Site/Hows Corner Federal Superfund Site - Plymouth, Maine; [PL 2007, c. 464, §5 (NEW).]

B. Portland-Bangor Waste Oil Services Site/Maine Uncontrolled Hazardous Substances Site - Ellsworth, Maine; [PL 2007, c. 464, §5 (NEW).]

C. Portland-Bangor Waste Oil Services Site/Maine Uncontrolled Hazardous Substances Site - Casco, Maine; and [PL 2007, c. 464, §5 (NEW).]

D. Portland-Bangor Waste Oil Services Site/Maine Uncontrolled Hazardous Substances Site - Presque Isle, Maine. [PL 2007, c. 464, §5 (NEW).]

[PL 2007, c. 464, §5 (NEW).]

52. Water supply system project. "Water supply system project" means any building structure, facilities, machinery, pipes, aqueducts, conduits, drains or the equipment which may be deemed necessary to supply water for municipal, domestic, business or combined use, together with all land, property, rights-of-way, franchises, easements and interests in lands which may be acquired for construction or operation of the project.

[PL 1985, c. 344, §7 (NEW).]

52-A. Workers' compensation residual market mechanism project. "Workers' compensation residual market mechanism project" means a loan or loans requested by the Board of Governors of the Maine Workers' Compensation Residual Market Pool pursuant to Title 24-A, section 2395, subsection 5.

[PL 1995, c. 289, §4 (NEW).]

53. Student pursuing higher education. "Student pursuing higher education" means an eligible student receiving higher education financial assistance from the authority pursuant to Title 20-A, chapter 421, 423, 424 or 428.

[PL 1993, c. 410, Pt. EEEE, §1 (NEW).]

SECTION HISTORY

PL 1985, c. 344, §7 (NEW). PL 1985, c. 714, §6 (AMD). PL 1987, c. 141, §B7 (AMD). PL 1987, c. 393, §§1,2 (AMD). PL 1987, c. 521, §§§1-3 (AMD). PL 1987, c. 769, §§A43-A45 (AMD). PL 1987, c. 846, §§1-4 (AMD). PL 1989, c. 543, §§1,2 (AMD). PL 1989, c. 552, §4 (AMD). PL 1989, c. 585, §§C4-8 (AMD). PL 1989, c. 857, §45 (AMD). PL 1989, c. 878, §§A23,24 (AMD). PL 1991, c. 439, §§1-4 (AMD). PL 1993, c. 410, §EEEE1 (AMD). PL 1993, c. 427, §3 (AMD). PL 1993, c. 460, §§1,2 (AMD). PL 1993, c. 601, §1 (AMD). PL 1993, c. 712, §§1-4 (AMD). PL 1995, c. 4, §§1-4 (AMD). PL 1995, c. 289, §§1-4 (AMD). PL 1997, c. 489, §§4,5 (AMD). PL 1997, c. 500, §§1-4 (AMD). RR 1999, c. 1, §§7-11 (COR). PL 1999, c. 484, §§1-4 (AMD). PL 1999, c. 504, §8 (AMD). PL 1999, c. 505, §§A2-5 (AMD). PL 1999, c. 513, §§1-4 (AMD). PL 1999, c. 657, §2 (AMD). PL 1999, c. 713, §1 (AMD). PL 2001, c. 231, §§1,2 (AMD). PL 2001, c. 356, §§2-5 (AMD). PL 2001, c. 417, §§2,3 (AMD). PL 2003, c. 506, §1 (AMD). PL 2003, c. 537, §§3-12 (AMD). PL 2003, c. 537, §53 (AFF). PL 2007, c. 464, §§1-5 (AMD). PL 2007, c. 618, §1 (AMD). PL 2009, c. 372, Pt. D, §§1-4 (AMD). PL 2009, c. 517,

§§1-6 (AMD). PL 2009, c. 633, §§2, 3 (AMD). PL 2011, c. 211, §1 (AMD). PL 2011, c. 211, §27 (AFF). PL 2011, c. 261, §1 (AMD). PL 2011, c. 586, §2 (AMD). PL 2013, c. 378, §§1-3 (AMD). PL 2013, c. 438, §1 (AMD). PL 2015, c. 504, §2 (AMD). PL 2019, c. 160, §§1-4 (AMD). PL 2019, c. 377, §6 (REV). PL 2021, c. 676, Pt. A, §14 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Maine Legislature and is current through January 1, 2025. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.