

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWENTY-FIRST LEGISLATURE

FIRST SPECIAL SESSION
August 21, 2003 to August 22, 2003

The General Effective Date For
First Special Session
Non-Emergency Laws Is
November 22, 2003

SECOND REGULAR SESSION
January 7, 2004 to January 30, 2004

The General Effective Date For
Second Regular Session
Non-Emergency Laws Is
April 30, 2004

SECOND SPECIAL SESSION
February 3, 2004 to April 30, 2004

The General Effective Date For
Second Special Session
Non-Emergency Laws Is
July 30, 2004

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Penmor Lithographers
Lewiston, Maine
2004

authority fully considers environmental risks when making its decisions. Environmental conditions posing risks that must be considered include, but are not limited to, licensing obligations, existing or historic regulatory noncompliance and site clean-up responsibilities.

Sec. 51. 10 MRSA §1048, 3rd ¶, as enacted by PL 1993, c. 741, §2, is amended to read:

If, in connection with any outstanding revenue obligation securities issued under previous chapter 104, any predecessor to the authority financed or guaranteed more than 90% of the total value of a project, the authority, in connection with issuing its revenue refunding securities, may continue to finance or guarantee the corresponding percentage of the total value of the project financed or guaranteed by its predecessor, notwithstanding section ~~1026-D~~ 1026-A, subsection ~~2~~ 1, paragraph ~~B~~ A, subparagraph (1).

Sec. 52. 10 MRSA §1063, sub-§2, ¶E, as repealed and replaced by PL 1989, c. 878, Pt. A, §28, is repealed and the following enacted in its place:

E. For all revenue obligation securities in excess of \$1,000,000 and in other instances when the authority determines it is appropriate, the Department of Environmental Protection has provided a written assessment to the authority of the environmental conditions known by the department to exist at a project location so that the authority fully considers environmental risks when making its decisions. Environmental conditions posing risks that must be considered include, but are not limited to, licensing obligations, existing or historic regulatory noncompliance and site clean-up responsibilities.

Sec. 53. Effective date. This Act takes effect January 1, 2005.

Effective January 1, 2005.

CHAPTER 538

H.P. 1319 - L.D. 1797

An Act To Clarify the Standards for Granting a Name Change

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

Sec. 1. 18-A MRSA §1-701, sub-§§(e) and (f) are enacted to read:

(e) The judge may require the person seeking a name change to undergo one or more of the following background checks: a criminal history record check; a

motor vehicle record check; or a credit check. The judge may require the person to pay the cost of each background check required.

(f) The judge may not change the name of the person if the judge has reason to believe that the person is seeking the name change for purposes of defrauding another person or entity or for purposes otherwise contrary to the public interest.

See title page for effective date.

CHAPTER 539

H.P. 1299 - L.D. 1777

An Act To Authorize the Commissioner of Administrative and Financial Services To Execute Easements

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

Sec. 1. 5 MRSA §282-A is enacted to read:

§282-A. Commissioner of Administrative and Financial Services authorized to execute easements

1. Authority. The Commissioner of Administrative and Financial Services is authorized to release, grant or receive title to nonfee interests such as easements or rights-of-way in property held by state agencies over which the Department of Administrative and Financial Services has jurisdiction in accordance with the following:

A. A release of an interest in property is authorized upon the commissioner's finding that the interest no longer contributes to the value of the state property or that the release does not detract from the value of state property;

B. The granting of an interest in property is authorized upon the commissioner's finding that such interest does not detract from the value of state property; and

C. Receiving title to an interest in property is authorized upon the commissioner's finding that the value of state property is enhanced.

The authority granted to the commissioner under this subsection does not apply to state park lands protected by the Constitution of Maine, Article IX, Section 23 and designated in Title 12, section 598-A.

2. Appraisal. In order to release, grant or receive title to nonfee interests pursuant to subsection 1, the Commissioner of Administrative and Financial