

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**  
**ONE HUNDRED AND SEVENTEENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 7, 1994 to June 30, 1995**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 29, 1995**

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

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1995**

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

Sec. 1. 13 MRSA §931-A is enacted to read:

**§931-A. Bylaws; disposal of assets**

The bylaws of a corporation organized under this chapter after the effective date of this section must provide for the disposal of the corporation's assets.

Sec. 2. 13 MRSA §2861-A is enacted to read:

**§2861-A. Bylaws; disposal of assets**

The bylaws of a corporation organized under this chapter after the effective date of this section must provide for the disposal of the corporation's assets.

Sec. 3. 13-B MRSA §1104-A is enacted to read:

**§1104-A. Bylaws; disposal of assets**

After the effective date of this section, a domestic corporation organized under this Title or a domestic corporation filing an annual report under section 1301 shall provide for the disposal of the corporation's assets in its bylaws.

See title page for effective date.

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**CHAPTER 301**

**H.P. 1073 - L.D. 1508**

**An Act Concerning Residential Treatment Facilities**

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

Sec. 1. 22 MRSA §8101, sub-§4-B is enacted to read:

**4-B. Residential treatment facility with secure capacity.** "Residential treatment facility with secure capacity" means a children's home that provides a mental health intensive treatment program to a child whose diagnostic assessment indicates that the persistent pattern of the child's mental health presents a likely threat of harm to self or others and requires treatment in a setting that prevents the child from leaving the program.

See title page for effective date.

**CHAPTER 302**

**H.P. 935 - L.D. 1324**

**An Act to Require the Commissioner of Defense and Veterans' Services to Be Confirmed by the Legislature**

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

Sec. 1. 37-B MRSA §3, sub-§1, ¶A, as enacted by PL 1983, c. 460, §3, is amended to read:

A. Be appointed by the Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over veterans' affairs and confirmation by the Legislature and serve at the pleasure of the Governor;

See title page for effective date.

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**CHAPTER 303**

**H.P. 722 - L.D. 996**

**An Act to Prevent the Loss of Federal Impact Aid Funds to Schools Required to Reimburse under Federal Law**

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

Sec. 1. 20-A MRSA §15612, sub-§5, ¶D, as enacted by PL 1993, c. 410, Pt. DDDD, §1, is amended to read:

D. For fiscal year 1992-93, if the State does not meet the wealth neutrality test requirement of Public Law 81-874, subsection 5(d)(2) and if a state school subsidy of a school administrative unit is reduced in fiscal year 1992-93 as a result of Public Law 81-874 receipts, the Legislature unconditionally commits to restoring in fiscal year 1995-96 to that school administrative unit all of the state subsidy withheld due to receipt of Public Law 81-874, Section 3(c)(1) funds ~~if those funds must be subsequently returned to the Federal Government.~~ The required amount of \$1,877,937.42 must be provided from the ending balance of fiscal year 1994-95 general purpose subsidy for public schools.

See title page for effective date.