

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTIETH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**November 13, 2002 to November 14, 2002**

**ONE HUNDRED AND TWENTY-FIRST LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 4, 2002 to June 14, 2003**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**FEBRUARY 13, 2003**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 13, 2003**

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

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2003**

- (2) The date dissolution was ordered;
- (3) A statement of how dissolution was ordered;
- (4) A report of liquidating activities; and
- (5) Such other information as the superintendent may require.

Dissolution is effective upon the superintendent's acceptance of articles of dissolution for filing with the bureau. At that time the credit union ceases to exist, except for the purposes of suits or other proceedings provided for by law.

#### **§871-B. Applicability of chapter**

Notwithstanding any other provisions of law, the provisions of this chapter apply and supersede the provisions of laws relating to the dissolution, merger and conversion of credit unions organized under the laws of this State.

**Sec. 43. 9-B MRSA §874**, as amended by PL 1985, c. 647, §10, is further amended to read:

#### **§874. Conversion: State to federal charter**

A credit union organized under the general or special laws of this State may convert to a ~~federally chartered~~ federally chartered credit union. Approval of the members of the credit union for the conversion ~~shall~~ must be obtained in the manner set forth in section 342, subsection ~~3~~ 6. Upon obtaining ~~such~~ the approval, the credit union shall provide to the superintendent all necessary approvals and charters required by the National Credit Union Administration and all federal laws and regulations applicable ~~thereto~~ to the conversion. The superintendent shall notify the Secretary of State that the conversion has been effected. A copy of the approval or charter ~~shall~~ must accompany the notification.

See title page for effective date.

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### CHAPTER 323

H.P. 1127 - L.D. 1538

#### **An Act To Clarify the Appointment of Coguardians and Coconservators under the Probate Code**

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

**Sec. 1. 18-A MRSA §5-304, sub-§(b)**, as enacted by PL 1985, c. 440, §§2 and 13, is amended to read:

(b) The court may appoint a guardian or coguardians as requested if it is satisfied that the person for whom a guardian is sought is incapacitated, that the appointment is necessary or desirable as a means of providing continuing care and supervision of the person of the incapacitated person and, if the allegedly incapacitated person has not attended the hearing, that an inquiry has been made as to whether ~~he~~ that person wished to attend the hearing. Alternatively, the court may dismiss the proceeding or enter any other appropriate order.

**Sec. 2. 18-A MRSA §5-401, first ¶**, as enacted by PL 1979, c. 540, §1, is amended to read:

Upon petition and after notice and hearing in accordance with the provisions of this Part, the court may appoint a conservator, coconservator or make other protective order for cause as follows:

See title page for effective date.

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### CHAPTER 324

S.P. 514 - L.D. 1535

#### **An Act To Authorize Certain Former Members of the Maine State Retirement System To Rejoin the Maine State Retirement System**

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

**Whereas**, with the passage of Public Law 2001, chapter 442, several retirees who would otherwise be eligible to return to state service and rejoin the retirement system are precluded from joining the system; and

**Whereas**, this legislation must be enacted as an emergency measure in order to correct a hardship created by this result; 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. PL 2001, c. 442, §6** is enacted to read:

**Sec. 6. Application; benefit recipient option.** A recipient of a service retirement benefit from the Maine State Retirement System who returned to