

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 3, 2008 to June 13, 2009**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 12, 2009**

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

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**Augusta, Maine**  
**2009**

C. With respect to each payee of a structured settlement annuity, or beneficiary or beneficiaries of the payee if deceased, \$100,000 in present value annuity benefits, in the aggregate, including net cash surrender and net cash withdrawal values; and

**Sec. 4. 24-A MRSA §4603, sub-§3, ¶D** is enacted to read:

D. With respect to each individual participating in a governmental retirement benefit plan established under the United States Internal Revenue Code, 26 United States Code, Section 401, 403(b) or 457, or the beneficiaries of each individual if deceased, the financial interest of such participant allocated to an annuity contract by either the member insurer that issued the annuity or the plan, but not to exceed in the aggregate \$250,000 in present value of annuity benefits, including net cash surrender and net cash withdrawal values under all such annuities issued by the same member insurer.

**Sec. 5. Application.** This Act applies with respect to an insolvency of an insurance company that is a member of the Maine Life and Health Insurance Guaranty Association that occurs on or after the effective date of this Act.

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

Effective May 11, 2009.

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**CHAPTER 119  
H.P. 404 - L.D. 566**

**An Act To Amend the  
Petroleum Market Share Act**

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

**Sec. 1. 10 MRSA §1677**, as amended by PL 2005, c. 155, §6, is further amended to read:

**§1677. Report by Attorney General to Legislature**

Annually by December 31st Every 2 years beginning April 1, 2010, the Attorney General shall make a report to the Legislature describing the concentration of retail outlets in the State or in sections of the State without disclosing the name of any particular retailer or retail outlet. The Attorney General shall include in the annual report a recommendation to the Legislature as to whether additional legislation is needed to further limit or curtail the activity of refiners operating retail outlets. In formulating a legislative recommendation, the Attorney General shall consult with industry stakeholders; notwithstanding this consultation re-

quirement, the substance of the recommendation is a matter for the Attorney General's sole discretion. Annually, beginning April 1, 2010, the Attorney General shall post on the Attorney General's publicly accessible website the aggregate data collected pursuant to this chapter.

See title page for effective date.

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**CHAPTER 120  
S.P. 260 - L.D. 685**

**An Act To Clarify the  
Minimum Wage Exemption for  
Summer Camp Counselors  
Working at Day Camps**

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

**Whereas**, it is necessary that this legislation be enacted for the upcoming summer camp season in order to avoid undue financial and administrative hardships for seasonal camps and nonprofit recreation programs; 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. 26 MRSA §663, sub-§3, ¶F**, as repealed and replaced by PL 1975, c. 92, is repealed and the following enacted in its place:

F. Those employees who are counselors or junior counselors or counselors-in-training at organized camps licensed under Title 22, section 2495 and those employees of organized camps and similar seasonal recreation programs not requiring such licensure that are operated as or by nonprofit organizations who are under 18 years of age;

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

Effective May 11, 2009.

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