

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-THIRD LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 6, 2006 to June 21, 2007**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 20, 2007**

**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**  
**2007**

ited to the fund. Unexpended balances in the fund at the end of the fiscal year do not lapse but must be carried forward to the next fiscal year and credited to the fund to be used for the purposes of this section.

**Sec. 2. Appropriations and allocations.**

The following appropriations and allocations are made.

**MARINE RESOURCES, DEPARTMENT OF  
Bureau of Resource Management 0027**

Initiative: Beginning in fiscal year 2007-08, the Bureau of Resource Management program within the Department of Marine Resources will require an initial base Other Special Revenue allocation of \$500 to reflect the establishment of the Endangered or Threatened Marine Species Fund.

OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

See title page for effective date.

**CHAPTER 26  
S.P. 44 - L.D. 136**

**An Act Regarding the  
Enforcement of Penalties  
under the Maine Workers'  
Compensation Act of 1992**

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

**Sec. 1. 39-A MRSA §361**, as enacted by PL 1993, c. 145, §6, is repealed and the following enacted in its place:

**§361. Payment to the Workers' Compensation Board Administrative Fund; enforcement**

**1. Payment.** All penalties assessed under this Act are payable to the Workers' Compensation Board Administrative Fund, unless otherwise provided by law. Upon certification by the board that certain amounts in the Workers' Compensation Board Administrative Fund attributable to penalties assessed pursuant to this Act are not required to support the activities of the board, the Treasurer of State shall transfer funds in the amount certified by the board to the General Fund.

**2. Enforcement and collection.** All penalties assessed under this Act are enforceable by the Superior Court under section 323.

A. The Attorney General shall prosecute any action necessary to recover penalties payable to the Workers' Compensation Board Administrative Fund, Employment Rehabilitation Fund or General Fund, or the board may retain private counsel for that purpose.

B. If a person fails to pay a penalty assessed under this Act that is payable to the Workers' Compensation Board Administrative Fund, Employment Rehabilitation Fund or General Fund and enforcement by the Superior Court is necessary:

(1) That person shall pay the costs of prosecuting the action in Superior Court, including reasonable attorney's fees; and

(2) If the failure to pay was without due cause, any penalty assessed on that person under this Act must be doubled.

See title page for effective date.

**CHAPTER 27  
S.P. 80 - L.D. 243**

**An Act To Establish Cancer  
Awareness Week and Lung  
Cancer Awareness Day**

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

**Sec. 1. 1 MRSA §150** is enacted to read:

**§150. Cancer Awareness Week**

The Governor shall annually issue a proclamation setting aside November 1st to November 7th each year as Cancer Awareness Week and November 1st as Lung Cancer Awareness Day. The proclamation must invite and urge citizens, health agencies, schools and other suitable organizations and groups to observe this week through appropriate activities.

See title page for effective date.

**CHAPTER 28  
S.P. 86 - L.D. 249**

**An Act To Establish May 25th  
as Missing Persons Day**

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

**Whereas**, this legislation concerns an observance occurring at a time before the end of this session; and