

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

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Snowmobiles may operate on any portion of public ways when the ~~main traveled portion is unplowed and unused by conventional motor vehicles~~ **public way has been closed in accordance with Title 23, section 2953**. If the main traveled portion of a public way is **publicly** plowed and utilized by conventional motor vehicles, snowmobiles may operate only on that portion of the way not maintained or utilized for the operation of conventional motor vehicles, except that operation on the left side of the way shall be prohibited during the hours from sunset to sunrise on the portion of the way not maintained or utilized for the operation of conventional motor vehicles.

Effective September 14, 1979

CHAPTER 202

S. P. 92 — L. D. 178

AN ACT Concerning Unemployment Compensation Benefits For Employees Formerly Working for a Bankrupt Employer.

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

Sec. 1. 26 MRSA § 632 is enacted to read:

§ 632. Fund for unpaid wages

1. **Fund established.** There is established a Maine Wage Assurance Fund to be used by the Bureau of Labor within the Department of Manpower Affairs for the purpose of assuring that all former employees of employers within the State receive payment for wages for one week for the work they have performed. The Legislature intends that payment of earned wages from the fund be limited to those cases when the employer has terminated his business and there are no assets of the employer from which earned wages may be paid, or when the employer has filed under any provision of the Federal Bankruptcy Act. No officer or director in the case of a corporation, no partner in the case of a partnership and no owner in the case of a sole proprietorship shall be considered an employee for purposes of this section.

2. **Administration.** The fund shall be administered by the Director of the Bureau of Labor. Applications for payment from the fund and disbursements from the fund shall be in accordance with regulations promulgated by the director. The State shall be subrogated to any claims against an employer for unpaid wages by an employee who has received payment from the fund. Subrogation to these claims shall be to the extent of payment from the fund to the employee.

3. **Amount in fund.** The Maine Wage Assurance Fund shall be a nonlapsing,

revolving fund limited to a maximum of \$100,000. All moneys collected from an employer pursuant to a claim for unpaid wages by an employee who has received payment from the fund, or by the State as his subrogee, shall be credited to the fund.

The fund shall be established and augmented periodically as necessary.

Moneys in the fund not needed currently to meet claims against the fund shall be deposited with the Treasurer of State to be credited to the fund and may be invested in such manner as is provided for by statute. Interest received on that investment shall be credited to the Maine Wage Assurance Fund.

Sec. 2. 26 MRSA § 1164, 5th and 6th sentences, as amended by PL 1977, c. 675, § 17, are further amended to read:

The moneys in this fund shall be used by the commissioner **either** for the payment of costs of administration which are found not to have been properly and validly chargeable against federal grants or other funds received for or in the Employment Security Administration Fund on or after January 1, 1943, **or to finance the Maine Wage Assurance Fund established in section 632.** Such moneys shall be available either to satisfy the obligations incurred by the Employment Security Commission directly or by requesting the Treasurer of State to transfer the required amount from the Special Administrative Expense Fund to the Employment Security Administration Fund **or the Maine Wage Assurance Fund.**

Effective September 14, 1979

CHAPTER 203

H. P. 299 — L. D. 394

AN ACT to Establish Physical Boundaries for Deer Hunting Zones.

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

Sec. 1. 12 MRSA § 2353, 14th ¶, as amended by PL 1977, c. 43, is repealed and the following enacted in its place:

It is provided that the commissioner is authorized to shorten the open season on deer in any area of the State, subject to the following conditions.

1. **Boundaries.** If the season is shortened in any area of the State, the demarcation of the area with the shortened season is to follow recognizable physical boundaries, such as rivers and railroad right-of-ways.

2. **Notice.** The determination is to be made and published prior to September 1st of each year.