

MAINE STATE LEGISLATURE

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(EMERGENCY)

ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 1636

H. P. 1322

House of Representatives, April 2, 1975

Approved for introduction by a majority of the Committee on Reference of Bills pursuant to Joint Rule 10. Referred to Committee on Labor. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Farley of Biddeford.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

RESOLVE, Authorizing Suit for Severance Pay for Employees.

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

Whereas, a question has been raised as to whether the legal effect of a certain amendment to Title 26, section 625 enacted by the 106th Legislature as public law, 1973, chapter 545, was to cut off rights of workers laid off prior to the effective date of the amendment to collect severance pay benefits under Title 26, section 625 as previously written; and

Whereas, it was not the intention of the Legislature to cut off any rights to severance pay which might have accrued under the previous wording of the statute; and

Whereas, the members of the class of persons entitled to collect severance pay have been severely affected by our present economic crisis and should be permitted to bring legal action, if necessary, immediately to collect any sums which may be owed to them as severance pay; 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

Persons entitled to severance pay. Resolved. That any person entitled to severance pay under Title 26, section 625 as provided prior to the 1973 amendment may collect the same as if the statute had not been amended and

may bring legal action to enforce such rights, provided that any such action is brought not later than 6 years after the date when such rights first accrued. This resolve shall also apply to any legal action to collect severance pay under Title 26, section 625 as provided prior to the 1973 amendment which was pending in court before this resolve is passed.

Emergency clause. In view of the emergency cited in the preamble, this resolve shall take effect when approved.

STATEMENT OF FACT

The purpose of this resolve is to authorize suit for severance pay for employees.