

MAINE STATE LEGISLATURE

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5/14/14
ROFS

Majority

L.D. 1837

Date: 4/14/14

(Filing No. S-524)

VETERANS AND LEGAL AFFAIRS

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STATE OF MAINE

SENATE

126TH LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 740, L.D. 1837, Bill, "An Act To Provide Former Employees of the Maine Military Authority the Ability To Sue for Severance Pay"

Amend the bill by striking out all of section 1 and inserting the following:

Sec. 1. Waiver of sovereign immunity by the State and the Maine Military Authority. Notwithstanding any statute or common law to the contrary, the State and the Maine Military Authority may not raise sovereign immunity as a defense in a civil action for unpaid severance pay under the Maine Revised Statutes, Title 26, section 625-B, subsection 4 filed against the Maine Military Authority in the Kennebec County Superior Court at any time from December 26, 2013 until one year after the date this Act is approved. The action may be heard by a Justice of the Superior Court or by a jury. The Maine Rules of Civil Procedure govern the conduct of the action. The Attorney General shall appear, answer and defend the action.

The Treasurer of State shall pay any judgment, including costs and interest, on final process issued by the Superior Court or, if applicable, the Supreme Judicial Court.'

SUMMARY

This amendment is the majority report of the committee and clarifies that the waiver of immunity granted in the bill applies to a specific civil action for unpaid severance pay.

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



126th MAINE LEGISLATURE

LD 1837

LR 2825(02)

An Act To Provide Former Employees of the Maine Military Authority the Ability To Sue for Severance Pay

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-524)
Committee: Veterans and Legal Affairs
Fiscal Note Required: Yes

Fiscal Note

Potential current biennium cost increase - General Fund

Fiscal Detail and Notes

This bill prohibits the State and the Maine Military Authority from raising the defense of sovereign immunity in a civil action brought to collect severance pay. The amount of severance pay is approximately \$1.2 million based upon the affected employees' salary and years of service.