

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

SECOND REGULAR SESSION-2014

Legislative Document

No. 1837

S.P. 740

In Senate, March 20, 2014

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

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in dark ink, appearing to read "D M Grant", is positioned above the printed name of the Secretary of the Senate.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator JACKSON of Aroostook.

Cosponsored by Representative THERIAULT of Madawaska and

Senator: PATRICK of Oxford, Representatives: CLARK of Easton, McELWEE of Caribou,
SAUCIER of Presque Isle, WILLETTE of Mapleton.

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

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.

This action for unpaid severance pay against the Maine Military Authority may be filed 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.

Sec. 2. Retroactivity. This Act applies retroactively to December 26, 2013.

SUMMARY

This bill prohibits the State and the Maine Military Authority, an executive branch entity, from raising the defense of sovereign immunity in a civil action brought to collect severance pay.