

MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 2486

H.P. 1816 House of Representatives, March 9, 1988

Approved for introduction by a majority of the
Legislative Council pursuant to Joint Rule 27.

Reference to the Committee on Appropriations and
Financial Affairs suggested and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative HIGGINS of Scarborough.

Cosponsored by Representatives MCGOWAN of Canaan,
WEYMOUTH of West Gardiner and Senator WEBSTER of Franklin.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-EIGHT

1 **Resolve, to Ensure Payment of Attorney Fees**
2 **Incurred by Maine State Police Trooper**
3 **Michael T. Edes.**
4

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

9 Whereas, Michael T. Edes, a Maine State Trooper,
10 was indicted by the Somerset Grand Jury for the

1 criminal offense of Class D assault by indictment on
2 November 5, 1987; and

3 Whereas, the alleged offense arose out of and in
4 the course of Michael Edes' employment by the State
5 while he was investigating and arresting a suspect for
6 operating a motor vehicle while under the influence of
7 intoxicating liquor; and

8 Whereas, Michael T. Edes was suspended without pay
9 by his department on the date of the indictment and,
10 at his own expense, hired legal counsel to fully
11 contest the allegations contained in the indictment
12 and was granted a "not guilty" verdict; and

13 Whereas, by successfully conducting a vigorous
14 defense against a charge determined to be unfounded,
15 Michael Edes has conferred a benefit upon the people
16 of the State by restoring to them his services as a
17 Maine State Trooper and by shielding the State from
18 exposure to a civil action threatened to be brought by
19 the alleged victim of the unfounded charge; and

20 Whereas, in the judgment of the Legislature, these
21 facts create an emergency within the meaning of the
22 Constitution of Maine and require the following
23 legislation as immediately necessary for the
24 preservation of the public peace, health and safety;
25 now, therefore, be it

26 Compensation authorized. Resolved: That the
27 Governor is authorized and directed, upon receipt of
28 the necessary releases, to pay \$10,173 from
29 appropriate funds to Michael T. Edes, of Jackman, as
30 compensation for attorney's fees which he incurred as
31 a result of having been prosecuted by the State and
32 ultimately acquitted. The payment authorized by this
33 resolve shall be in full satisfaction of all claims by
34 Michael T. Edes against the State and its employees
35 for damages resulting from this incident.

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

STATEMENT OF FACT

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The purpose of this resolve is reflected in the emergency preamble.

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