

# MAINE STATE LEGISLATURE

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# 114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

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Legislative Document

No. 284

H.P. 204

House of Representatives, February 21, 1989

Reference to the Committee on Legal Affairs suggested and ordered printed.

*Ed Pert*

EDWIN H. PERT, Clerk

Presented by Representative MacBRIDE of Presque Isle (BY REQUEST).

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STATE OF MAINE

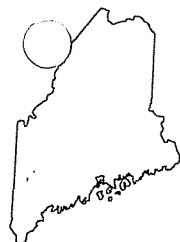
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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-NINE

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**Resolve, to Allow Rickie Harvath of Blaine to Bring Civil Action  
Against the State of Maine.**

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1           **Action against the State authorized. Resolved:** That Rickie  
2 Harvath, or his legal representative, may bring suit in the  
3 Superior Court for the County of Aroostook within one year from  
4 the effective date of this resolve, at any term of the court,  
5 against the State of Maine for damages, if any. The complaint  
6 issuing out of the Superior Court under the authority of this  
7 resolve shall be served on the Secretary of State by attested  
8 copy 30 days before a term of the court, either by a sheriff or  
9 one of his deputies in any county in the State of Maine. The  
10 conduct of the action shall be according to the practice of  
11 actions and proceedings between parties in the Superior Court and  
12 the liabilities of the parties and elements of damage, if any,  
13 shall be the same as the liabilities and elements of damage  
14 between individuals. The Attorney General shall appear, answer  
15 and defend any action.

17 Any judgment that may be recovered in this civil action shall be  
18 payable from the State Treasury on file process issued by the  
19 Superior Court, or, if applicable the Supreme Judicial Court and  
20 costs may be taxed for Rickie Harvath if he recovers in the  
21 action. His recovery shall not exceed \$118,000, including  
22 costs. The hearing shall be before a Justice of the Superior  
23 Court with or without jury; the justice to be the regularly  
24 scheduled justice presiding in the Aroostook County Superior  
25 Court when the matter is scheduled for trial.

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#### STATEMENT OF FACT

31           This resolve allows Rickie Harvath to bring suit against the  
32 State because of the damage he allegedly suffered. In June of  
33 1988 Mr. Harvath was accused of illegal possession of marijuana  
34 and illegal possession of moose parts. Mr. Harvath feels that  
35 because of an affidavit signed by a state employee a horrendous  
series of crimes were committed against him.