

MAINE STATE LEGISLATURE

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(EMERGENCY)
SECOND REGULAR SESSION

ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1949

H. P. 1892

Office of the Clerk of the House

The Committee on Legal Affairs suggested. Approved for introduction by the Legislative Council pursuant to Joint Rule 24.

EDWIN H. PERT, Clerk

Presented by Mr. Brenerman of Portland.

Cosponsor: Mr. Jensen of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-EIGHT

RESOLVE, to Appeal the Decision of the State Claims Board Regarding Property Damage Suffered by Phillip G. Rotolo of Portland Because of a Resident of the Maine Youth Center.

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

Whereas, it is vitally necessary that the intent of this legislation is carried out prior to that time; and:

Whereas, Phillip G. Rotolo has already been waiting for this reimbursement since March 22, 1977; and

Whereas, in the judgment of the Legislature, these facts create an emergency within 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

Phillip G. Rotolo; reimbursed. Resolved: That the decision of the State Claims Board be appealed to the Legislature, pursuant to the Revised Statutes, Title 5, section 1510, subsection 1; and be it further

Resolved: That there is appropriated from the General Fund the sum of \$110 to reimburse Phillip G. Rotolo of Portland as a full and final settlement of his claim against the State for damage to his property caused by a resident of the Maine Youth Center.

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

STATEMENT OF FACT

Phillip G. Rotolo is an employee of the State of Maine and works in the intensive care unit of the Maine Youth Center. On March 22, 1977, while on duty, he had to enter the room of a boy in order to prevent him from inflicting further injury on himself. In the process, a scuffle occurred and the shirt which Mr. Rotolo was wearing was torn, and his gold chain and ornament were irreparably crushed and destroyed.

Pursuant to the Revised Statutes, Title 5, section 1510, Mr. Rotolo made a claim to the State Claims Board for \$145 to cover the value of the destroyed property. Attached to the claim were 3 appraisals of the replacement value of the items, and the recommendation from the Maine Youth Center's Claim Review Committee that the claim be honored.

On August 18, 1977, the State Claims Board issued its decision ordering reimbursement to Mr. Rotolo in the amount of \$35.

Pursuant to the Revised Statutes, Title 5, section 1510, subsection 1, Phillip Rotolo is appealing that partial denial to the Legislature and requesting further reimbursement in the amount of \$110 for the damage done to his property by a resident of the Maine Youth Center.