

MAINE STATE LEGISLATURE

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(EMERGENCY)

ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 1720

S. P. 553

In Senate, April 3, 1973

On motion of Senator Hichens of York, referred to the Committee on Health and Institutional Services. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Tanous of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

**AN ACT Relating to Hospital Administrators in the
Department of Mental Health and Corrections.**

Emergency pream'le. Whereas, "An Act to Provide Hospital Administrators in the Department of Mental Health and Corrections," Legislative Document No. 1726 of the 105th Legislature was enacted under chapter 350 of the public laws of 1971; and

Whereas, the law affected existing administrators of the Augusta State Hospital, Bangor State Hospital, Pineland Hospital and Training Center and removed them from classified service positions to unclassified service positions; and

Whereas, the Legislature did not intend that encumbered or existing administrators enjoying the protection of the State Personnel Law, with vested rights be deprived of their civil service status by the Act; and

Whereas, it is important for the employees who are under the civil service to be secure in their position and it is equally important that precedent not be established to deprive them of that status; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of 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 enacted by the People of the State of Maine, as follows:

P. L. 1971, c. 350, § 5, additional. Chapter 350 of the public laws of 1971 is amended by adding a new section 5, to read as follows:

Sec. 5. Application. This Act shall apply prospectively only and nothing therein shall be construed to alter in any way the employment or terminate the employment of any person serving, as of the effective date of this Act, as superintendent of the Augusta State Hospital, the Bangor State Hospital or the Pineland Hospital and Training Center.

Emergency clause. In view of the emergency cited in the preamble, this Act shall be retroactive to September 23, 1971.

STATEMENT OF FACT

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