

MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 2068

H. P. 1985

House of Representatives, January 13, 1978

Approved for introduction by a Majority of the Legislative Council pursuant to Joint Rule 25. Refer to Committee on Human Resources. Sent up for concurrence.

EDWIN H. PERT, Clerk

Presented by Mr. Sprowl of Hope.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-EIGHT

**AN ACT to Revise the Effective Date of the Act which Prohibits the Practice of
Mandatory Retirement Age.**

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

Whereas, the First Regular Session of the 108th Legislature enacted "AN ACT to Prohibit the Practice of a Mandatory Retirement Age"; and

Whereas, the governing provisions of this Act were given the effective date of July 1, 1978; and

Whereas, it has come to the attention of the Legislature that there are many cases of able and productive employees retiring in the first 6 months of 1978 who will be subject to mandatory retirement despite their wish to continue their service to the State; and

Whereas, it is important that these individuals, who make a vital contribution in experience and talent to Maine governmental entities, not be forced into retirement simply because their birthdates fall within the first 6 months and not the last 6 months of 1978; and

Whereas, the Legislature has now had ample time to study the probable effects of the mandatory retirement law and thus no longer needs a delay in the effective date; 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:

PL 1977, c. 580, § 21 is amended to read:

Sec. 21. Effective dates; compliance. Sections 1 to 14 and 16 to 19 shall become effective ~~July 1, 1978~~ **January 1, 1978**.

Sections 15 and 20 shall be effective 90 days after the adjournment of the Legislature.

Any employer who, as a result of the provisions of this Act, is required to amend an existing employee retirement pension or insurance plan, shall complete any such amendment prior to ~~July 1, 1978~~ **January 1, 1978**. However, if such amendment needs to be made through the negotiation of a collective bargaining contract is not scheduled for negotiation prior to ~~July 1, 1978~~ **January 1, 1978**, then such amendment shall be made during the next scheduled negotiation after ~~July 1, 1978~~ **January 1, 1978**.

Emergency clause. This bill shall become effective when approved and retroactive to January 1, 1978.

STATEMENT OF FACT

The purpose of this bill is set forth in the emergency preamble.