

Law blocks forced retirement

By GEOFFREY TAYLOR

ALBANY, N.Y. (AP) — Gov. Mario Cuomo has signed legislation to keep most elderly New Yorkers from being forced into retirement.

Yesterday, Cuomo approved the state's new anti-mandatory retirement bill.

"Complete abolition of age discrimination in employment," said Cuomo, "has been a priority for older people across the country. Capable older people who wish to work should have the protection of the law to do so."

The action by Cuomo came after years of battling between the Democratic-controlled Assembly and the Republican-controlled state Senate over who should be protected.

Mandatory retirement in both the private and public sectors will be prohibited, under the terms of the law that takes effect in two stages, starting next year. Some business executives, college professors and others are excluded from the law's protection.

Democrats had wanted the measure to apply to all employees of both sectors, but Republicans were fearful that large businesses with headquarters in New York might leave the state to avoid losing their power of forcing older executives to retire.

The mandatory retirement age for most public employees has been 70, and the common retirement age in private businesses is 65. The new law takes effect in January 1985 for public employees and in January 1986 for employees in the private sector.

Under the provisions of the law, mandatory retirement would be prohibited except for:

and are entitled to an annual pension of more than \$27,000.

- Workers in jobs where age is an occupational qualification, based on proof that advancing age reduced job performance. The exemption is designed to cover such jobs as police officers and firefighters.

- College professors who are 70 or older.
- State and New York City firemen, police, corrections and sanitation officers who are members of retirement plans that permit immediate retirement after 25 years or less of work.

Besides barring mandatory retirement, the measure would also protect most old people from discrimination in hiring and promotions.

Also on Wednesday:

DRINKING-DRIVING

High school driver education programs, starting this fall, will be required to include an hour segment on the hazardous effects of alcohol and drugs on driving and highway safety.

The measure signed by Gov. Cuomo is aimed at deterring young motorists from driving while under the influence of alcohol or drugs.

CUOMO VETO

The governor vetoed a measure which would have provided more money to localities for the state's 2-year-old urban cultural park program.

Cuomo said that while some smaller communities were having trouble finding the money for the program, the proposed legislation did not provide enough limitations to prevent other communities from also getting extra money. The governor

said the park program should be given more time to operate before changes were made in the funding formulas governing it.

U-TURNS

Drivers will be allowed to make U-turns when facing a left arrow signal unless a sign prohibits it, according to legislation signed by Gov. Cuomo.

The measure, which takes effect on Jan. 1, 1985, does not apply to New York City.

PRE-SENTENCE

Prosecutors will be allowed to file pre-sentence reports to judges to include background information about convicted defendants in a bill Gov. Cuomo signed.

A copy of the report would have to be sent to a defendant's attorney at least 10 days before sentencing, and a judge may meet with both the prosecutor and defense attorney to discuss the report.

ADVOCATE

The state Commission on Quality of Care for the Mentally Disabled will be added to the list of agencies that can file complaints with the state Division of Human Rights on behalf of the disabled.

The bill Gov. Cuomo signed into law takes effect in 60 days.

SURROGATE

Surrogate courts will continue to hear adoption proceedings along with family courts through Sept. 1, 1986, in legislation signed by Gov. Cuomo. The law was originally enacted to have both courts share the duty and cut back on case backlogs.

(For a roundup of actions by the Legislature, see Page B 11.)

● Corporate executives who reach age 65