

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 224

S.P. 122

In Senate, February 1, 1991

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BUSTIN of Kennebec.

Cosponsored by Representative MITCHELL of Vassalboro, Representative PARADIS of Augusta and Senator PEARSON of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

**RESOLUTION, Proposing an Amendment to the Constitution of Maine
to Protect the Assets of State Retirement Plans.**

2 **Constitutional amendment. RESOLVED:** Two thirds of each
branch of the Legislature concurring, that the following
4 amendment to the Constitution of Maine be proposed:

6 **Constitution, Art. IX, §18 is amended to read:**

8 **Section 18. Limitation on use of funds of Maine State**
Retirement System. All of the assets, and proceeds or income
10 therefrom, of the Maine State Retirement System or any successor
system and all contributions and payments made to the system to
12 provide for retirement and related benefits shall be held,
invested or disbursed as in trust for the exclusive purpose of
14 providing for such benefits and shall not be encumbered for, or
diverted to, other purposes. Funds appropriated by the
Legislature for the Maine State Retirement System are assets of
16 the system and may not be diverted or deappropriated by any
subsequent action.

18 ; and be it further

20
22 **Constitutional referendum procedure; form of question; effective**
date. Resolved: That the city aldermen, town selectmen and
24 plantation assessors of this State shall notify the inhabitants
of their respective cities, towns and plantations to meet, in the
26 manner prescribed by law for holding a statewide election, at a
statewide election, on the Tuesday following the first Monday of
28 November following the passage of this resolution, to vote upon
the ratification of the amendment proposed in this resolution by
voting upon the following question:

30
32 "Shall the Constitution of Maine be amended to provide that
funds appropriated to the Maine State Retirement System
34 become assets of the system and may not be diverted to
another purpose?"

36 The legal voters of each city, town and plantation shall vote by
ballot on this question, and shall designate their choice by a
38 cross or check mark placed within the corresponding square below
the word "Yes" or "No." The ballots shall be received, sorted,
40 counted and declared in open ward, town and plantation meetings
and returns made to the Secretary of State in the same manner as
42 votes for members of the Legislature. The Governor shall review
the returns and, if it appears that a majority of the legal
44 voters are in favor of the amendment, the Governor shall proclaim
that fact without delay and the amendment shall become part of
46 the Constitution on the date of the proclamation; and be it
further

48
50 **Secretary of State shall prepare ballots. Resolved:** That the
Secretary of State shall prepare and furnish to each city, town
and plantation all ballots, returns and copies of this resolution
52 necessary to carry out the purposes of this referendum.

2
4
6
8
10

STATEMENT OF FACT

This constitutional resolution requires the Legislature to appropriate and transfer annually those funds the Board of Trustees of the Maine State Retirement System or any succeeding board determines necessary to maintain the retirement system on an actuarially sound basis.