

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1995

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Legislative Document

No. 158

S.P. 70

In Senate, January 20, 1995

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**RESOLUTION, Proposing an Amendment to the Constitution of Maine  
to Prohibit Future Unfunded Liabilities and to Maintain the Current  
Amortization Schedule.**

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Reference to the Committee on Labor suggested and ordered printed.

A handwritten signature in cursive script that reads "May M. Ross".

MAY M. ROSS  
Secretary of the Senate

Presented by Senator BUSTIN of Kennebec.  
Cosponsored by Representative HATCH of Skowhegan and  
Senators: CAREY of Kennebec, McCORMICK of Kennebec, Representatives: DAGGETT of  
Augusta, JOY of Crystal, STROUT of Corinth, TUFTS of Stockton Springs.

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-A and 18-B** are enacted to read:

8                   Section 18-A. Funding. For each fiscal year beginning with  
the fiscal year starting July 1, 1997, the Governor shall include  
10 in the budget, and the Legislature shall make, appropriations to  
fund the biennial normal cost of all retirement and ancillary  
12 benefits provided to participants under the Maine State  
Retirement System on an actuarially sound basis. Additional  
14 unfunded liabilities may not be created except those resulting  
from experience losses.

16                  Section 18-B. Unfunded liabilities. In addition to the  
amounts established in section 18-A, the Governor shall include  
18 in the budget, and the Legislature shall appropriate, funds that  
will amortize and retire the unfunded liabilities of the Maine  
20 State Retirement System over 31 years or less beginning with the  
fiscal year starting July 1, 1997. The unfunded liabilities  
22 referred to in this section are those determined by the Maine  
State Retirement System's actuaries and certified by the Board of  
24 Trustees of the Maine State Retirement System as of June 30, 1994  
and as updated thereafter.

26 ; and be it further

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30           **Constitutional referendum procedure; form of question; effective**  
**date. Resolved:** That the municipal officers of this State shall  
32 notify the inhabitants of their respective cities, towns and  
plantations to meet, in the manner prescribed by law for holding  
34 a statewide election, at a statewide election, on the Tuesday  
following the first Monday of November following the passage of  
36 this resolution, to vote upon the ratification of the amendment  
proposed in this resolution by voting upon the following question:

38                   "Do you favor amending the Constitution of Maine to require  
40 funding of the Maine State Retirement System and prohibit  
unfunded liabilities?"

42                   The legal voters of each city, town and plantation shall  
44 vote by ballot on this question and designate their choice by a  
cross or check mark placed within the corresponding square below  
46 the word "Yes" or "No." The ballots must be received, sorted,  
counted and declared in open ward, town and plantation meetings  
48 and returns made to the Secretary of State in the same manner as  
votes for members of the Legislature. The Governor shall review

2 the returns and, if it appears that a majority of the legal votes  
are cast in favor of the amendment, the Governor shall proclaim  
4 that fact without delay and the amendment becomes part of the  
Constitution on the date of the proclamation; and be it further

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

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### STATEMENT OF FACT

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This resolution proposes an amendment to the Constitution of  
Maine to require funding of the Maine State Retirement System and  
16 prohibit unfunded liabilities.

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