

# MAINE STATE LEGISLATURE

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# 118th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1997

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Legislative Document

No. 999

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H.P. 735

House of Representatives, February 11, 1997

**RESOLUTION, Proposing an Amendment to the Constitution of Maine  
to Establish a Contractual Obligation for Members of the Maine State  
Retirement System.**

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Reference to the Committee on Labor suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative HATCH of Skowhegan.  
Cosponsored by Senator CATHCART of Penobscot and  
Representatives: CLARK of Millinocket, LEMAIRE of Lewiston, RINES of Wiscasset,  
SAMSON of Jay, STANLEY of Medway.

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, §24** is enacted to read:

8           **Sec. 24. Maine State Retirement System.** Teacher or state  
employee membership in a pension or retirement system of the  
10 State is an enforceable contractual relationship, the benefits of  
which may not be diminished or impaired.

12 ; and be it further

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

24           "Do you favor amending the Constitution of Maine to provide  
contractual protection of retirement benefits for public  
26 employees?"

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

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

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4       This resolution establishes a contractual relationship  
6       between the State and public employees for pension benefits that  
8       may not be diminished or impaired. Pension benefits may be  
      diminished only for public employees hired after the effective  
      date of a law diminishing benefits.

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