

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

SECOND REGULAR SESSION-1994

Legislative Document

No. 1822

S.P. 653

In Senate, February 1, 1994

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

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26. Reference to the Committee on Aging, Retirement and Veterans suggested and ordered printed.

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator TITCOMB of Cumberland.

Cosponsored by Senators: BERUBE of Androscoggin, BUSTIN of Kennebec, DUTREMBLE of York, ESTY of Cumberland, HANDY of Androscoggin, LAWRENCE of York, McCORMICK of Kennebec, O'DEA of Penobscot, PEARSON of Penobscot, VOSE of Washington, Representatives: CARROLL of Gray, CASHMAN of Old Town, CATHCART of Orono, CLARK of Millinocket, CLOUTIER of South Portland, DAGGETT of Augusta, FAIRCLOTH of Bangor, GEAN of Alfred, GOULD of Greenville, HATCH of Skowhegan, JACQUES of Waterville, JALBERT of Lisbon, JOSEPH of Waterville, KONTOS of Windham, MORRISON of Bangor, NORTON of Winthrop, O'GARA of Westbrook, OLIVER of Portland, PARADIS of Augusta, PFEIFFER of Brunswick, POULIN of Oakland, 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, §24 is enacted to read:

8 Sec. 24. Maine State Retirement System. Membership in a
9 pension or retirement system of the State, any school
10 administrative unit or any agency or instrumentality of the State
11 or a school administrative unit is an enforceable contractual
12 relationship, the benefits of which may not be diminished or
13 impaired.

14 ; and be it further

16 Constitutional referendum procedure; form of question; effective
17 date. Resolved: That the municipal officers of this State shall
18 notify the inhabitants of their respective cities, towns and
19 plantations to meet, in the manner prescribed by law for holding
20 a general election, at the next general election in the month of
21 November following passage of this resolution, to vote upon the
22 ratification of the amendment proposed in this resolution by
23 voting upon the following question:

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

28 The legal voters of each city, town and plantation shall
29 vote by ballot on this question and designate their choice by a
30 cross or check mark placed within the corresponding square below
31 the word "Yes" or "No." The ballots must be received, sorted,
32 counted and declared in open ward, town and plantation meetings
33 and returns made to the Secretary of State in the same manner as
34 votes for members of the Legislature. The Governor shall review
35 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
37 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
41 Secretary of State shall prepare and furnish to each city, town
42 and plantation all ballots, returns and copies of this resolution
43 necessary to carry out the purpose of this referendum.
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STATEMENT OF FACT

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This resolution would establish a contractual relationship between the State and its employees for pension benefits that may not be diminished or impaired.

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