

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 566

H.P. 424

House of Representatives, January 19, 1999

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

Reference to the Committee on Labor suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative GAGNE of Buckfield.
Cosponsored by Representative HATCH of Skowhegan,
Senator NUTTING of Androscoggin and
Representatives: DESMOND of Mapleton, GOODWIN of Pembroke, JACOBS of Turner,
McDONOUGH of Portland, RICHARD of Madison, SHIAH of Bowdoinham, SKOGLUND
of St. George, TWOMEY of Biddeford.

2 **Constitutional amendment. Resolved:** Two thirds of each
3 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
9 employee membership in a pension or retirement system of the
10 State is an enforceable contractual relationship, the benefits of
11 which may not be diminished or impaired.

12 ; and be it further

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

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

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

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

44 **SUMMARY**

46 This resolution establishes a contractual relationship
47 between the State and public employees for pension benefits that
48 may not be diminished or impaired. Pension benefits may be

2 diminished only for public employees hired after the effective date of a law diminishing benefits.