

LOBBYING TEAM WARNS OF AMENDMENT

Dear RTAC Members:

Your rtac legislative lobbying team wants to inform you of an important initiative that will be on the general election ballot november 6. Citizens across Illinois will decide whether or not to ratify House Joint Resolution Constitutional Amendment. This resolution proposes to amend the general provisions of the Illinois Constitution to place greater restrictions on pension and retirement benefit increases.

During the spring legislative session RTAC, along with 16 other organizations, opposed the bill on the bases of constitutionality, fairness and the unforeseen unintended consequences to retiree benefits. Unfortunately, despite unified opposition from education and labor unions, associations and coalitions, House Joint Resolution Constitutional Amendment was adopted by the Senate and House on may 3.

Amendment has four subsections: 1) requires a super-majority* of each house of the general assembly to pass a bill increasing any pension benefit; 2) requires a super-majority vote of any unit of local government or school district for the passage of any ordinance, resolution, rule, or other action that provide an emolument increase to an official or employee that results in an increase in

the pension or annuity of that of ficial or employee; 3) requires a super-majority vote of the governing body of any state pension or retirement system or any unit of local government or school district for any benefical determination that is contrary to or supersedes a prior interpretation and results in an increased pension or annuity benefit, or results in a person becoming eligible for a pension or annuity benefit; and 4) enables governing bodies to enact laws or rules that even further restrict pension and retirement benefit increases.

If house joint resolution constitutional amendment 49 is ratified by voters on november 6th, the amendment will go into effect on january 9, 2013. We urge you to spread the word about this harmful piece of legislation and vote "no" to jouse joint resolution constituional amendment 49 on november 6.

Sincerely,

RTAC Legislative Lobbying Team

Bukola Bello, John Carr, Richard Lockhart

*A super-majority requires a 3/5th vote instead of a simple majority. Thirty of the 50 Chicago aldermen would have to vote for an issue to pass it.

HERE ARE THE FACTS:

1) The Amendment would impose a mandate on every school district, city, county, township and special Districts such as the Fire Protection, Public Health, Mental Health. It would require local pension issues to be treated differently than all other local issues.

2) This Amendment would result in costly and endless litigation in local, State and Federal Courts.

3) The Amendment gives great powers to the "governing body" although there is no definition for that term.

4) The Amendment would be a serious impediment to attracting and retaining quality researchers, scientists and educators to Illinois, resulting in

loss of future economic development at many levels.

5) At the end of the Amendment, there is the mysterious par. (d). It reads:

"(d) Nothing in this Section shall prevent the passage or adoption of any law, ordinance, resolution, rule, policy, or practice that further restricts the ability to provide a "benefit increase," "emolument increase" or "beneficial determination" as those terms are used under this Section."

Why should public employees and public employment retirees be the only ones who would be penalized when they are the only ones who have paid their share and complied fully with the law every year?