

HJRCA49 Explanation -- A concise and direct explanation of why this constitutional amendment is so dangerous.

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According to our lobbyist Dick Lockhart at the last meeting of the State SUAA Executive Committee, HJRCA49 is a Constitutional Amendment which could eventually **replace** the pension protection language ("shall not be diminished or impaired") in the current Illinois Constitution. The way it works in the court system is that when later language conflicts with earlier language in the Constitution, the **later language takes precedence**. Paragraph **d** is the deadly one.

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.

The highlighted words have the potential to allow future "restrictions" on or reductions in pension benefits that the existing Constitutional language would be taken to forbid. Consequently, the above language would **replace** the "shall not be diminished or impaired" section in actual practice. If this amendment passes in a constitutional referendum in the Fall, then **future legislation could cut pensions dramatically**; and we would not be able to win a lawsuit to stop the cuts based on the Illinois Constitution.

Cuts could occur for everyone: Tier 1 and Tier 2 and Tier 3 (if Tier 3 is put into place) for **both current employees and retirees**. Self Managed Plan could also be affected for current employees.