

CONFIDENTIAL

Second Working Session, Constitutional Conference

September, 1970

NOTES FOR
INTRODUCTORY COMMENTS

September 9, 1970

PARAMOUNTCY AS APPLIED TO PUBLIC RETIREMENT INSURANCE

1. The Continuing Committee has submitted a brief progress report on the subject of paramountcy as applied to public retirement insurance.
2. The Committee was asked to examine this matter by the Constitutional Conference last December.
3. The Committee reports (Tab 9 in Secretariat Briefing Book) that it is examining both paramountcy and other alternatives for ensuring portability in the transfer of benefit rights under public retirement insurance plans, and that it has not yet completed its work.
4. There does not appear to be any need at this stage for discussion of the issues relating to the constitutional provisions for powers in this area. I therefore suggest that we might accept this progress report and ask the Committee to continue its work, and to report to the next meeting of the Constitutional Conference.
5. However I understand that at the official level the general view has been that portability in the transfer of benefit rights under public retirement insurance plans is desirable. It is the constitutional means to ensure this that are yet to be agreed upon. I wonder therefore if the Conference might be willing to agree on portability as a constitutional goal, so that at least this much progress could be reported in the conclusions of this working session.