
ASSEMBLY JOINT RESOLUTION NO. 3—ASSEMBLYMEN BUCKLEY, GIUNCHIGLIANI, PARKS, GOLDWATER, CONKLIN, ANDERSON, ANDONOV, ANGLE, ARBERRY, ATKINSON, BEERS, BROWN, CHOWNING, CHRISTENSEN, CLABORN, COLLINS, GEDDES, GIBBONS, GOICOECHEA, GRADY, GRIFFIN, GUSTAVSON, HARDY, HETTRICK, HORNE, KNECHT, KOIVISTO, LESLIE, MABEY, MANENDO, MARVEL, MCCLAIN, MCCLEARY, MORTENSON, OCEGUERA, PERKINS, PIERCE, SHERER, WEBER AND WILLIAMS

MARCH 4, 2003

Referred to Committee on Election, Procedures and Ethics

SUMMARY—Urges Congress to amend Social Security Act by repealing certain provisions that require reductions in social security benefits for persons who also receive certain federal, state or local government pensions. (BDR R-839)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted-material~~ is material to be omitted.

ASSEMBLY JOINT RESOLUTION—Urging the Congress of the United States to amend the Social Security Act by repealing certain provisions that require reductions in the amount of social security benefits paid to persons who also receive certain federal, state or local government pensions.

1 WHEREAS, In 1977, Congress amended the Social Security Act
2 to provide that pensions earned in federal, state or local government
3 employment not covered by social security be treated as if they were
4 social security benefits, specifically requiring that if a person
5 receives such a government pension, the social security benefits
6 payable to that person as a spouse or surviving spouse be reduced by
7 the amount of the government pension, which provision is
8 commonly known as the Government Pension Offset; and



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1 WHEREAS, Congress further amended the Social Security Act in
2 1983, reducing the amount of the Government Pension Offset to an
3 amount equal to two-thirds of the amount of the government
4 pension, but simultaneously enacting what is commonly known as
5 the Windfall Elimination Provision, which requires reductions in the
6 primary social security benefit earned by a person in employment
7 covered by social security if the person also receives a pension from
8 a federal, state or local government not covered by social security;
9 and

10 WHEREAS, Government employees in 15 states, including
11 Nevada, earn pension benefits that are not covered by social
12 security; and

13 WHEREAS, The reductions in benefits effected by these
14 provisions can be significant, the Windfall Elimination Provision
15 reducing the earned benefits of a person subject to it by up to 60
16 percent and the Government Pension Offset eliminating spousal
17 benefits in their entirety for 9 out of every 10 retired government
18 workers to whom it applies; and

19 WHEREAS, The retirement security and economic well-being of
20 over 300,000 government retirees is degraded by the Government
21 Pension Offset, some of whose benefits are also subject to reduction
22 pursuant to the Windfall Elimination Provision; and

23 WHEREAS, Each provision has had unintentional consequences,
24 the Windfall Elimination Provision causing a relatively larger
25 reduction in benefits paid to workers with low incomes, while the
26 Government Pension Offset applies disproportionately to women,
27 often dropping their income in retirement below the poverty line,
28 with the ironic effect of making them eligible for more costly
29 welfare benefits, such as food stamps; and

30 WHEREAS, Growing awareness of the inequities imposed by the
31 Windfall Elimination Provision and the Government Pension Offset
32 threatens efforts to attract and retain persons into public service in
33 the affected states, particularly into teaching, a field which is
34 notoriously underpaid, whose ranks are disproportionately filled
35 with women and for which there is a critical shortage; and

36 WHEREAS, There is pending before the 108th Session of
37 Congress the Social Security Fairness Act of 2003, H.R. 594 and
38 S. 349, which would repeal both the Government Pension Offset
39 and the Windfall Elimination Provision; and

40 WHEREAS, The repeal of these provisions would restore fairness
41 and equity to the most vulnerable federal, state and local
42 government retirees and eliminate disincentives for public service in
43 the affected states; now, therefore, be it

44 RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF
45 NEVADA, JOINTLY, That the members of the Nevada Legislature



1 hereby urge Congress to amend the Social Security Act by repealing
2 the provisions, commonly known as the Government Pension Offset
3 and the Windfall Elimination Provision, that require reductions in
4 the amount of social security benefits paid to persons who also
5 receive pensions earned in federal, state or local government
6 employment not covered by social security; and be it further
7 RESOLVED, That the Chief Clerk of the Assembly prepare and
8 transmit a copy of this resolution to the Vice President of the United
9 States as the presiding officer of the Senate, the Speaker of the
10 House of Representatives and each member of the Nevada
11 Congressional Delegation; and be it further
12 RESOLVED, That this resolution becomes effective upon
13 passage.

