

Regular Session, 2014

HOUSE CONCURRENT RESOLUTION NO. 33

BY REPRESENTATIVE HENRY BURNS AND SENATORS PEACOCK AND  
GUILLORY

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to review and consider eliminating provisions of federal law which reduce Social Security benefits for those receiving pension benefits from federal, state, or local government retirement or pension systems, plans, or funds.

WHEREAS, the Congress of the United States of America has enacted both the Government Pension Offset (GPO), reducing the spousal and survivor Social Security benefit, and the Windfall Elimination Provision (WEP), reducing the earned Social Security benefit for any person who also receives a public pension benefit; and

WHEREAS, the intent of congress in enacting the GPO and the WEP provisions was to address concerns that a public employee who had worked primarily in federal, state, or local government employment might receive a public pension in addition to the same Social Security benefit as a worker who has worked only in employment covered by Social Security throughout his career; and

WHEREAS, congress enacted these reduction provisions to provide a disincentive for public employees to receive two pensions; and

WHEREAS, the GPO negatively affects a spouse or survivor receiving a federal, state, or local government retirement or pension benefit who would also be entitled to a Social Security benefit earned by a spouse; and

WHEREAS, the GPO formula reduces the spousal or survivor Social Security benefit by two-thirds of the amount of the federal, state, or local government retirement or pension benefit received by the spouse or survivor, in many cases completely eliminating the Social Security benefit even though their spouses paid Social Security taxes for many years; and

WHEREAS, the GPO has a harsh effect on hundreds of thousands of citizens and undermines the original purpose of the Social Security dependent/survivor benefit; and

WHEREAS, according to the Social Security Administration, in 2013, at least 614,644 individuals nationally were affected by the GPO; and

WHEREAS, the WEP applies to those persons who have earned federal, state, or local government retirement or pension benefits, in addition to working in employment covered under Social Security and paying into the Social Security system; and

WHEREAS, the WEP reduces the earned Social Security benefit using an averaged indexed monthly earnings formula and may reduce Social Security benefits for affected persons by as much as one-half of the retirement benefit earned as a public servant in employment not covered under Social Security; and

WHEREAS, the WEP causes hardworking individuals to lose a significant portion of the Social Security benefits that they earn themselves; and

WHEREAS, according to the Social Security Administration, in 2013, at least 1,549,544 individuals nationally were affected by the WEP; and

WHEREAS, in certain circumstances both the WEP and GPO can be applied to a qualifying survivor's benefit, each independently reducing the available benefit and in combination eliminating a large portion of the total Social Security benefit available to the survivor; and

WHEREAS, because of the calculation characteristics of the GPO and the WEP, they have a disproportionately negative effect on employees working in lower-wage government jobs, like policemen, firefighters, teachers, and state employees; and

WHEREAS, Louisiana is making every effort to improve the quality of life of its citizens and to encourage them to live here lifelong, yet the current GPO and WEP provisions compromise their quality of life; and

WHEREAS, the number of people affected by GPO and WEP is growing every day as more and more people reach retirement age; and

WHEREAS, individuals drastically affected by the GPO or WEP may have no choice but to return to work after retirement in order to make ends meet, but the earnings accumulated during this return to work can further reduce the Social Security benefits the individual is entitled to; and

WHEREAS, the GPO and WEP are established in federal law, and repeal of the GPO and the WEP can only be enacted by congress.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby memorialize the Congress of the United States of America to review the Government Pension Offset and the Windfall Elimination Provision Social Security benefit reductions and to consider eliminating or reducing them.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE