

STATE OF ALASKA THE LEGISLATURE

2024

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Legislative
Resolve No.
35



Urging the United States Congress to repeal the Windfall Elimination Provision and Government Pension Offset of the Social Security Act.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

WHEREAS many public employees, while employed by the state or a political subdivision of the state that participates in the Public Employees' Retirement System of Alaska, do not participate in Social Security; and

WHEREAS teachers, while employed by a school district that participates in the Teachers' Retirement System of Alaska, are ineligible by law to earn Social Security credits; and

WHEREAS provisions of the Social Security Act known as the Windfall Elimination Provision and the Government Pension Offset reduce the amount of Social Security benefits public employees and teachers might otherwise receive if they qualify for Social Security benefits; and

WHEREAS the Windfall Elimination Provision substantially reduces Social Security benefits earned by public employees and teachers; and

WHEREAS, in 2023, a Social Security benefit reduction by the Windfall Elimination

Provision may be as much as \$558 a month for each recipient; and

WHEREAS the Government Pension Offset reduces Social Security spousal and survivor benefits for recipients of Social Security spousal or survivor benefits who also receive a benefit from a public employees' or teachers' retirement system; and

WHEREAS the Government Pension Offset may reduce the Social Security monthly benefit payment, for a current or former public employee or teacher who is eligible to receive a benefit, by an amount equal to two-thirds of the amount the public employee or teacher receives from a public employees' or teachers' retirement system each month; and

WHEREAS nothing in the relationship between the Public Employees' Retirement System of Alaska, the Teachers' Retirement System of Alaska, or similar public employees' or teachers' retirement systems and Social Security legally or financially justifies a policy of reducing the amount of Social Security benefits earned by public employees or teachers for military service, including civilian military service, or time worked in the private sector; and

WHEREAS the lowest-earning public employees and teachers are disproportionately and negatively affected by the Windfall Elimination Provision and the Government Pension Offset; and

WHEREAS the state has adopted defined contribution retirement systems for all public employees hired after 2006 and, with 11.7 percent of all beneficiaries and 15.2 percent of all retired workers affected, has the highest percentage of beneficiaries affected by the Windfall Elimination Provision of any other state or territory in the United States; and

WHEREAS public employees and teachers who reside in the state are disproportionately and more negatively affected, per capita, by the Windfall Elimination Provision and the Government Pension Offset than public employees and teachers who reside in any other state or territory in the United States; and

WHEREAS persons who are eligible to earn Social Security credits for work in the private sector or in active or civilian military service are deterred from becoming public employees or teachers by the negative effects of the Windfall Elimination Provision and the Government Pension Offset; and

WHEREAS the Windfall Elimination Provision and the Government Pension Offset impair the ability of state and local governments to recruit and retain public school teachers, police officers, firefighters, and other public employees; and

WHEREAS bipartisan legislation has been introduced in the 118th United States Congress to address the Windfall Elimination Provision and Government Pension Offset;

BE IT RESOLVED that the Alaska State Legislature urges the United States Congress to pass legislation eliminating the Windfall Elimination Provision and Government Pension Offset.

COPIES of this resolution shall be sent to the Honorable Joseph R. Biden, President of the United States; the Honorable Kamala D. Harris, Vice President of the United States and President of the U.S. Senate; the Honorable Xavier Becerra, United States Secretary of Health and Human Services; the Honorable Miguel Cardona, United States Secretary of Education; the Honorable Martin O'Malley, Commissioner of the Social Security Administration; and the Honorable Lisa Murkowski and the Honorable Dan Sullivan, U.S. Senators, and the Honorable Mary Peltola, U.S. Representative, members of the Alaska delegation in Congress.