

HOUSE JOINT RESOLUTION NO. 18

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES GALVIN, Fields, Stutes, Dibert

Introduced: 1/22/24

Referred: State Affairs

A RESOLUTION

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

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

4 **WHEREAS** public employees, while employed by the State of Alaska or a political
5 subdivision of the state that participates in the Public Employees' Retirement System of
6 Alaska, are ineligible by law to earn Social Security credits; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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