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**JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE  
UNITED STATES AND THE UNITED STATES CONGRESS TO  
SUPPORT THE REFORM OF THE SOCIAL SECURITY OFFSETS**

**WE**, your Memorialists, the Members of the One Hundred and Twenty-fourth Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the President of the United States and the United States Congress as follows:

**WHEREAS**, under current federal law, individuals who receive a Social Security benefit and a public retirement benefit derived from employment not covered under Social Security are subject to a reduction in the Social Security benefits; and

**WHEREAS**, these laws, contained in the federal Social Security Act, 42 United States Code, Chapter 7, Subchapter II, Federal Old-Age, Survivors, and Disability Insurance Benefits, and known as the Government Pension Offset and the Windfall Elimination Provision, greatly affect public employees, particularly women; and

**WHEREAS**, the Windfall Elimination Provision reduces by a formula the Social Security benefit of a person who is also receiving a pension from a public employer that does not participate in Social Security; and

**WHEREAS**, the Government Pension Offset and the Windfall Elimination Provision are particularly burdensome on the finances of low-income and moderate-income public service workers, such as school teachers, clerical workers and school cafeteria employees, whose wages typically are low; and

**WHEREAS**, the Government Pension Offset and the Windfall Elimination Provision both unfairly reduce benefits for those public employees and their spouses whose careers cross the line between the private and public sectors; and

**WHEREAS**, since many lower-paying public service jobs are held by women, both the Government Pension Offset and the Windfall Elimination Provision have a disproportionately adverse effect on women; and

**WHEREAS**, in some cases, additional support in the form of income, housing, heating and prescription drug and other safety net assistance from state and local governments is needed to make up for the reductions imposed at the federal level; and

**WHEREAS**, other participants in Social Security do not have their benefits reduced in this manner; and

**WHEREAS,** to participate or not to participate in Social Security in public sector employment is a decision of employers, even though both the Government Pension Offset and the Windfall Elimination Provision directly punish employees and their spouses; and

**WHEREAS,** although the Government Pension Offset was enacted in 1977 and the Windfall Elimination Provision was enacted in 1983, many of the benefits in dispute were paid into Social Security prior to that time; and

**WHEREAS,** bills are present in Congress in both the Senate and the House of Representatives, known as "The Social Security Fairness Act of 2009," that would amend the federal Social Security Act, 42 United States Code, Chapter 7, Subchapter II and totally repeal both the Government Pension Offset and the Windfall Elimination Provision; now, therefore, be it

**RESOLVED:** That We, your Memorialists, respectfully urge and request that the President of the United States and the United States Congress work together to support reform proposals that include the following protections for low-income and moderate-income government retirees:

1. Protections permitting retention of a combined public pension and Social Security benefit with no applied reductions;
2. Protections permanently ensuring the level of benefits by indexing it to inflation; and
3. Protections ensuring that no current recipient's benefit is reduced by the reform legislation; and be it further

**RESOLVED:** That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable Barack H. Obama, President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives and to each Member of the Maine Congressional Delegation.