

Sponsor: Sen. Stewart
Committee: LBHS
Drafter: SL
LR: 154402
Date: March 11, 2021

New title: Resolve, To Establish the Committee To Study the Government Pension Offset and Windfall Elimination Provision

Sec. 1. Committee established. Resolved: That the Committee To Study the Government Pension Offset and Windfall Elimination Provision, referred to in this resolve as "the committee," is established.

Sec. 2. Committee membership. Resolved: That the committee consists of 11 members appointed as follows:

1. Three members of the Senate appointed by the President of the Senate, including a member from each of the two parties holding the largest number of seats in the Legislature, from the following joint standing committees:

- A. The Joint Standing Committee on Labor and Housing;
- B. The Joint Standing Committee on Taxation; and
- C. The Joint Standing Committee on Health and Human Services.

2. Three members of the House of Representatives appointed by the Speaker of the House, including a member from each of the two parties holding the largest number of seats in the Legislature, from the following joint standing committees:

- A. The Joint Standing Committee on Labor and Housing;
- B. The Joint Standing Committee on Taxation; and
- C. The Joint Standing Committee on Health and Human Services.

3. The Executive Director of the Maine Public Employees Retirement System, or the executive director's designee;

4. One member of the public who represents retirees, appointed by the Speaker of the House;

5. One member of the public adversely effected by the Government Pension Offset or Windfall Elimination Provision, appointed by the President of the Senate;

- 6. One member who is an expert on social security matters, appointed by the Governor; and
- 7. One member who represents public employees, appointed by the Governor.

Sec. 3. Chairs. Resolved: That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the committee.

Sec. 4. Appointments; convening of committee. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting

of the committee. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the committee to meet and conduct its business.

Sec. 5. Duties. Resolved: That the committee shall examine the impacts and burdens that individuals subject to the Government Pension Offset and the Windfall Elimination face. The committee shall, at a minimum, examine:

1. The reliance of individuals affected by these social security offsets on safety net assistance programs, such as housing, heating, income, prescription drug and other forms of assistance by state and local governments;

2. The disproportionate adverse effect these social security offsets have on public employees and women; and

3. Efforts at the federal level to eliminate or otherwise ease the burden these social security offsets cause.

The committee shall also consider the creation of an interstate compact to collaborate with other U.S. States to petition the U.S. Congress to enact federal legislation that eases or eliminates these social security offsets.

Sec. 6. Staff assistance. Resolved: That the Legislative Council shall provide necessary staffing services to the committee, except that Legislative Council staff support is not authorized when the Legislature is in regular or special session.

Sec. 7. Report. Resolved: That, no later than December 1, 2021, the committee shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Second Regular Session of the 130th Legislature.

SUMMARY

This amendment replaces the bill, which is a concept draft. This resolve establishes the Committee To Study the Government Pension Offset and the Windfall Elimination Provision. The committee must examine the reliance of those effected by the Government Pension Offset and Windfall Elimination Provisions on social safety net programs, the disproportionate effects these social security offsets have on public employees and women and efforts at the federal level to eliminate or otherwise ease the burden these social security offsets cause. The committee shall also consider the creation of an interstate compact to collaborate with other U.S. States to petition the U.S. Congress to enact federal legislation that eases or eliminates these social security offsets.