

Assembly Joint Resolution No. 5—Assemblyman Manendo

FILE NUMBER.....

ASSEMBLY JOINT RESOLUTION—Urging Congress to enact legislation to provide for the payment of lump sums to persons who have received lower social security benefits because of the year in which they initially became eligible for such benefits.

WHEREAS, The provisions set forth in 42 U.S.C. § 415 for determining the primary insurance amount of a person receiving social security were amended in 1977 by Public Law 95-216; and

WHEREAS, Those amendments resulted in disparate benefits according to when a person initially becomes eligible for benefits; and

WHEREAS, Persons who were born during the years 1917 to 1926, inclusive, and who are commonly referred to as “notch babies,” receive lower benefits than persons who were born before that time; and

WHEREAS, The payment of benefits under the social security system is not based on need or other considerations related to welfare, but on a program of insurance based on contributions by a person and his employer; and

WHEREAS, During the 105th session of Congress, H.R. 3008 and S. 2003 were introduced in the House of Representatives and the Senate, respectively, to provide compensation for the inequities in the payment of social security benefits to persons based on the year in which they initially become eligible for such benefits, but no action has been taken on such legislation; and

WHEREAS, The discrimination between persons receiving benefits is contrary to the principles of justice and fairness; now, therefore, be it

RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA, JOINTLY, That Congress is hereby urged to enact legislation that provides for the payment of lump sums to persons who became eligible for social security benefits after 1981 and before 1992 and have received lower benefits as a result of the changes in the computation of benefits enacted by Public Law 95-216, as compensation for the reduced benefits they have been paid; and be it further

RESOLVED, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to the Vice President of the United States as presiding officer of the Senate, the Speaker of the House of Representatives and each member of the Nevada Congressional Delegation; and be it further

RESOLVED, That this resolution becomes effective upon passage and approval.