

Assembly Joint Resolution No. 13—Assemblymen Manendo, Goldwater, Buckley, Parks, McClain, Anderson, Angle, Arberry, Bache, Beers, Berman, Brower, Brown, Carpenter, Cegavske, Chowning, Claborn, Collins, de Braga, Dini, Freeman, Gibbons, Giunchigliani, Gustavson, Hettrick, Humke, Koivisto, Lee, Leslie, Marvel, Mortenson, Neighbors, Nolan, Ocegueda, Ohrenschall, Parnell, Perkins, Price, Smith, Tiffany, Von Tobel and Williams

Joint Sponsors: Senators Titus, Schneider, Coffin, O’Connell, Carlton, Amodei, Care, Jacobsen, Mathews, McGinness, Neal, Porter, Raggio, Rawson, Rhoads, Shaffer, Townsend and Wiener

FILE NUMBER.....

ASSEMBLY JOINT RESOLUTION—Urging Congress to eliminate inequities in the payment of social security benefits based on the year that persons initially became eligible for those 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, The Social Security Amendments of 1977 made changes in the benefit computation rules, resulting in disparate benefits according to when a person initially became eligible for benefits; and

WHEREAS, An estimated 12 million persons who were born during the years 1917 to 1926, inclusive, commonly referred to as “notch babies,” receive an average of 20 percent less in social security benefits than persons born before or after them; 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, Because the discrimination among persons receiving benefits is totally inequitable and contrary to the principles of justice and fairness, two bills have been introduced in the House of Representatives during the 107th session of Congress to rectify this injustice; and

WHEREAS, H.R. 80, known as the “Notch Baby Act of 2001,” which provides for an improved benefit computation formula for those workers who attain the age of 65 years during the 10-year period after 1981 and before 1992, and their related beneficiaries, and which provides for increases in their benefits accordingly, has been introduced to correct these inequities; and

WHEREAS, H.R. 97, known as the “Notch Fairness Act of 2001,” if enacted, would allow those workers to choose either lump sum payments over 4 years totaling \$5,000 or an improved benefit computation formula under a new 10-year rule governing the transition to the changes in benefit computation rules; and

WHEREAS, The group affected by this injustice are the senior citizens who have been the backbone of our country and who have earned the right to a good quality of life; and

WHEREAS, Those senior citizens are now facing spiraling health care and prescription drug costs and would benefit from the passage of a bill to rectify this inequity; now, therefore, be it

RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA, JOINTLY, That the members of the 107th session of Congress are hereby urged to consider the bills before them that will attempt to eliminate these inequities and to enact appropriate legislative remedies; 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.