

1 HJR54  
2 135106-2  
3 By Representatives Wren, Hubbard (M) and Hammon  
4 RFD: Rules  
5 First Read: 08-FEB-12

1  
2 ENROLLED, House Joint Resolution,  
3 EXPRESSING OPPOSITION TO THE PUBLIC EMPLOYEE PENSION  
4 TRANSPARENCY ACT.  
5

6 WHEREAS, the states should regulate their unique  
7 markets - including insurance, health care, and financial  
8 services industries - and jurisdiction-specific policies and  
9 programs; and

10 WHEREAS, we believe in targeted state-based  
11 modernization initiatives that aim to protect consumers and  
12 streamline regulation; and

13 WHEREAS, we further believe that states have a  
14 proven history of providing appropriate solutions to state or  
15 local policy concerns and that such history precludes the need  
16 for new federal preemption; and

17 WHEREAS, retirement security issues are important to  
18 all Americans and to public officials at all levels of  
19 government, and state and local governments have designed  
20 unique retirement systems that represent the promise of future  
21 benefits for their specific populations of public employees;  
22 and

23 WHEREAS, public pension plans are continuously  
24 evaluated at the state and local levels to protect the

1 retirement security of public employees and to ensure that  
2 taxpayer dollars are allocated appropriately; and

3 WHEREAS, according to the National Conference of  
4 State Legislatures, 39 states enacted significant revisions to  
5 their state retirement plans in 2010 or 2011, with reforms  
6 addressing employee contributions, eligibility, calculation of  
7 benefits, and cost-of-living adjustments, among other things;  
8 and

9 WHEREAS, in addition to the efforts of state and  
10 local government policymakers, the independent Government  
11 Accounting Standards Board, in July 2011, exposed new draft  
12 rules for state and local government pension plan accounting  
13 and financial reporting; and

14 WHEREAS, despite state and local governmental  
15 efforts to strengthen their individual public pension plans,  
16 Members of Congress have considered legislation that would  
17 insert the federal government into the administration of such  
18 plans; and

19 WHEREAS, H.R. 567 and S. 347, the Public Employee  
20 Pension Transparency Act (PEPTA), was introduced in the U.S.  
21 House of Representatives and in the U.S. Senate on February 9  
22 and 15, 2011, respectively; and

23 WHEREAS, PEPTA would mandate that state and local  
24 government pension plan sponsors make annual reports to the  
25 U.S. Secretary of the Treasury related to funding status,

1 schedule of contributions, alternative projections and  
2 assumptions, actuarial assumptions, plan participants,  
3 investment returns, and outstanding pension obligation bonds,  
4 among other things, and would dictate the form, timing, and  
5 calculations used to submit such reports; and

6 WHEREAS, PEPTA would put the funding for state and  
7 local government projects at risk by making continued tax  
8 benefits for government bonds conditional upon compliance with  
9 these new federally directed reporting requirements; and

10 WHEREAS, at a time when many in Washington, D.C.,  
11 are looking to reduce federal spending, PEPTA would needlessly  
12 require the creation of a new U.S. Treasury Department  
13 bureaucracy to handle state and local pension plan  
14 information, including development and maintenance of a  
15 searchable website to house such information; and

16 WHEREAS, PEPTA would also declare that the United  
17 States would not bail out any state or local government  
18 pension plan despite the fact that state and local governments  
19 have not sought a federal bailout; and

20 WHEREAS, numerous organizations representing state  
21 and local governments and officials, including the National  
22 Conference of State Legislatures, the National Association of  
23 Counties, the U.S. Conference of Mayors, the National League  
24 of Cities, the National Association of State Auditors,  
25 Comptrollers & Treasurers, the Government Finance Officers

1 Association, and the National Association of State Retirement  
2 Administrators have cautioned that PEPTA would set a precedent  
3 for federal intervention into areas that are the financial  
4 responsibility of, and have thus been historically regulated  
5 by, the state and local governmental entities; now therefore,

6 BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH  
7 HOUSES THEREOF CONCURRING, That we hereby join state and local  
8 government officials, and other public pension plan  
9 stakeholders, in opposing H.R. 567 and S. 347, the Public  
10 Employee Pension Transparency Act (PEPTA).

11 BE IT FURTHER RESOLVED, That we urge Congress to  
12 defer to the expertise and experience of state and local  
13 government officials in managing their unique pension systems  
14 and to, therefore, oppose H.R. 567 and S. 347.

15 BE IT FURTHER RESOLVED, That a copy of this  
16 resolution be provided to all members of the Alabama  
17 Congressional Delegation.

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Speaker of the House of Representatives

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President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in  
and was adopted by the House 14-FEB-12.

Greg Pappas  
Clerk

Senate

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16-FEB-12

Adopted