A MEMORIAL

REQUESTING CONGRESS TO REMOVE THE PENALTY ASSOCIATED WITH BEING A MARRIED INDIVIDUAL WITH A DISABILITY RECEIVING SUPPLEMENTAL SECURITY INCOME BENEFITS.

WHEREAS, in the past, individuals with disabilities were not expected to fully participate as equal members of their communities; and

WHEREAS, in the past, individuals with disabilities were not perceived as capable of developing loving relationships with others; and

WHEREAS, individuals with disabilities have the same need as people without disabilities to develop and maintain permanent loving relationships; and

WHEREAS, many individuals with disabilities hold religious and moral beliefs that preclude them from living together as husband and wife without being married; and

WHEREAS, individuals with disabilities want to marry and live as full members of their communities; and

WHEREAS, individuals with disabilities often depend on supplemental security income from federal social security and other governmental benefits for meeting their basic living requirements; and

WHEREAS, social security law places strict limits on the amount of resources that individuals with disabilities are

allowed to hold; and

WHEREAS, when two individuals with disabilities each receiving supplemental security income get married, social security laws require that one of those individuals receive a reduced supplemental security income benefit as a marriage penalty; and

WHEREAS, two unmarried individuals with disabilities living in the same residence each receive the full federal benefit rate; and

WHEREAS, of the three major public income assistance programs, temporary assistance for needy families, food stamps and supplemental security income, supplemental security income is the only one to use marital status in determining the amount of an individual's benefit;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NEW MEXICO that the United States congress be requested to remove the penalty associated with being a married individual with a disability receiving supplemental security income benefits; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to each member of New Mexico's congressional delegation.

2007