

## HOUSE BILL NO. HB0045

Fireman pension plan A.

Sponsored by: Representative(s) Madden and Senator(s)  
Meier

A BILL

for

1 AN ACT relating to a firemen's pension program; modifying  
2 increases in benefits after retirement as specified; making  
3 legislative findings; specifying applicability; and  
4 providing for an effective date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

7

8 **Section 1.** W.S. 15-5-204(g) is amended to read:

9

10 **15-5-204. Pensions; amounts; qualifications; when**  
11 **paid; disability benefits; disqualifications; examinations;**  
12 **disallowance; actions; adjustment.**

13

14 (g) Any pension benefit, survivor benefit or  
15 disability benefit received by an eligible individual under  
16 this article, and the fireman for whom the benefit is

1 generated has been retired for a period of not less than  
2 one (1) year, ~~shall~~ may be increased each year ~~by at least~~  
3 ~~three percent (3%)~~ as provided in this subsection. In the  
4 event the most current actuarial valuation indicates the  
5 market value or actuarial value, whichever is less, of  
6 assets is greater than ~~one hundred fifteen percent (115%)~~  
7 one hundred percent (100%) of the actuarial value of  
8 liabilities, the board may increase the benefit by an  
9 amount determined affordable by the actuary, but in no case  
10 shall the ~~total~~ increase be greater than ~~five percent (5%)~~  
11 ~~of the benefit~~ the amount which after implementation would  
12 reduce the lesser of market value or actuarial value of  
13 assets below one hundred percent (100%) of the actuarial  
14 value of the liabilities. Any increase under this  
15 subsection shall be added to the pension benefit, survivor  
16 benefit or disability benefit and compounded for purposes  
17 of determining the total benefit amount in subsequent  
18 years.

19

20 **Section 2.**

21

22 (a) The legislature finds:

23

1           (i) The firemen's pension fund providing  
2 benefits under the plan amended by this act was initially  
3 enacted in 1935, with that legislation specifying that  
4 "such fund shall be administered by said State Treasurer  
5 without liability on part of the State beyond the amount of  
6 such fund." The current statute governing the plan amended  
7 by this act likewise provides as to the account providing  
8 benefits under the plan amended by this act: "The account  
9 shall be administered without liability on the part of the  
10 state beyond the amount of the funds";

11

12           (ii) The legislature enacted a "Firemen's  
13 Pension Account Reform Act of 1981" due to the firemen's  
14 pension fund's large unfunded liability;

15

16           (iii) Benefits under the firemen's pension plan  
17 amended by this act have been increased numerous times  
18 since its inception;

19

20           (iv) If a three percent (3%) increase under W.S.  
21 15-5-204(g) is maintained, as of January 1, 2012 there is  
22 an unfunded actuarial accrued liability of over forty-two  
23 million dollars (\$42,000,000.00) for the plan amended by  
24 this act;

1

2           (v) The modifications made by this act to the  
3 firemen's pension plan are intended to maintain the  
4 integrity of the plan for current and future retirees  
5 covered by the plan.

6

7           **Section 3.** Nothing in this act shall reduce past  
8 increases implemented pursuant to W.S. 15-5-204(g) prior to  
9 the effective date of this act.

10

11           **Section 4.** This act is effective immediately upon  
12 completion of all acts necessary for a bill to become law  
13 as provided by Article 4, Section 8 of the Wyoming  
14 Constitution.

15

16

(END)