

HOUSE BILL NO. HB0051

Firemen's pension plan benefits.

Sponsored by: Joint Appropriations Interim Committee

A BILL

for

1 AN ACT relating to a firemen's pension plan; modifying
2 provision for increases in benefits after retirement;
3 specifying application; requiring payment from employers
4 with employees or retirees in the plan; providing for
5 withholding of severance tax distributions to employers
6 failing to make required payments; requiring reports;
7 providing an appropriation; specifying use of appropriated
8 funds; and providing for effective dates.

9

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

11

12 **Section 1.** W.S. 15-5-203 by creating a new subsection
13 (h), 15-5-204(g) and 39-14-801(e) (intro) and by creating a
14 new subsection (f) are amended to read:

15

1 15-5-203. Firemen and employer contributions;
2 imposition at discretion of board; amounts; how and when
3 collected, suspended and reinstated.

4
5 (h) In addition to any other contribution provided by
6 this section, commencing with the 2015 fiscal year the
7 board shall assess employers for contributions in an annual
8 amount necessary to achieve a projected one hundred percent
9 (100%) actuarial funding level for the account by the end
10 of fiscal year 2029. The total assessment shall be paid
11 proportionately by employers with payments allocated to
12 each employer by the board. The amount allocated shall be
13 determined by multiplying the total amount necessary for
14 each fiscal year by a fraction, the numerator of which is
15 the amount projected to be paid in the upcoming fiscal year
16 to all benefit units attributable to the employer and the
17 denominator of which is the total amount projected to be
18 paid in the upcoming fiscal year to all benefit units under
19 this article. The board shall provide to each employer by
20 August 1 of the fiscal year in which payment is due an
21 assessment of the amount due. The employer shall pay the
22 contributions in quarterly payments not later than
23 September 1, December 1, March 1 and June 1 of the same
24 fiscal year. All contributions imposed under this

1 subsection shall be credited to the account. If a
2 contribution is not paid to the board when due the board
3 shall report the delinquency to the state treasurer and the
4 treasurer shall make the delinquent contribution as
5 provided in W.S. 39-14-801(f). Any delinquency not
6 satisfied by that withholding may be recovered in the
7 manner provided in subsection (d) of this section, together
8 with interest as provided therein. The board shall review
9 the assessments annually and adjust the assessment as
10 necessary to achieve a projected one hundred percent (100%)
11 funding level using the board's prevailing assumptions and
12 actuarial methods. The board is authorized to discontinue
13 assessments and to reinstate assessments at the
14 commencement of any fiscal year, and to continue
15 assessments beyond fiscal year 2029, as necessary to
16 maintain a funding level of one hundred percent (100%). No
17 employer shall be entitled to a return of any assessment
18 under this subsection should the funding level exceed one
19 hundred percent (100%). The board shall report the
20 assessments, assumptions, methods and projected funding
21 levels by November 1 of each year to the joint
22 appropriations interim committee.

23

1 15-5-204. Pensions; amounts; qualifications; when
2 paid; disability benefits; disqualifications; examinations;
3 disallowance; actions; adjustment.

4
5 (g) Any pension benefit, survivor benefit or
6 disability benefit received by an eligible individual under
7 this article, and the fireman for whom the benefit is
8 generated has been retired for a period of not less than
9 one (1) year, shall be increased each year by ~~at least~~
10 ~~three percent (3%). In the event the most current actuarial~~
11 ~~valuation indicates the market value of assets is greater~~
12 ~~than one hundred fifteen percent (115%) of the actuarial~~
13 ~~value of liabilities, the board may increase the benefit by~~
14 ~~an amount determined affordable by the actuary, but in no~~
15 ~~case shall the total increase be greater than five percent~~
16 ~~(5%) of the benefit. Any two and one-tenth percent (2.1%).~~

17 An increase under this subsection shall be added to the
18 pension benefit, survivor benefit or disability benefit ~~and~~
19 but shall not be compounded for purposes of determining the
20 total benefit amount in subsequent years.

21
22 39-14-801. Severance tax distributions; distribution
23 account created; formula.

24

1 (e) Deposits into the account created by subsection
2 (a) of this section shall be distributed as follows,
3 subject to subsections (b) through (d) and (f) of this
4 section:

5
6 (f) The state treasurer shall withhold from any
7 payment due to a city or county under this section an
8 amount equal to any delinquent payment owed by a city or
9 county under W.S. 15-5-203(h). The withheld amount shall
10 be deposited to the firemen's pension account created by
11 W.S. 15-5-202 and credited against the delinquent entity's
12 assessment.

13
14 **Section 2.** Nothing in this act shall reduce past
15 increases implemented pursuant to W.S. 15-5-204(g) prior to
16 the effective date of this act.

17
18 **Section 3.** There is appropriated from the general
19 fund to the firemen's pension account created by W.S.
20 15-5-202 thirty-one million four hundred thousand dollars
21 (\$31,400,000.00). Of this appropriation fifteen million
22 seven hundred thousand dollars (\$15,700,000.00) shall be
23 deposited in the account on July 1, 2014 and fifteen

1 million seven hundred thousand dollars (\$15,700,000.00)
2 shall be deposited on July 1, 2015.

3

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

8

9

(END)