

ENROLLED ACT NO. 44, SENATE

SIXTIETH LEGISLATURE OF THE STATE OF WYOMING  
2009 GENERAL SESSION

AN ACT relating to employee retirement; authorizing payment of employer and employee retirement contributions for employees serving in the United States military as specified; requiring a report; providing an appropriation; authorizing a position; and providing for an effective date.

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

**Section 1.** W.S. 19-11-115 by creating new subsections (e) through (g) is amended to read:

**19-11-115. State retirement systems; payment of contributions; interest.**

(e) Notwithstanding any other requirements in W.S. 19-11-113 or 19-11-114 or this section relating to payment of retirement contributions to a public or private retirement system, employer and employee contributions for any public or private retirement or pension system plan, not to exceed five thousand dollars (\$5,000.00) per person per year, may be paid by the Wyoming adjutant general, if the payment is permitted by the Internal Revenue Code, for any person whose primary occupation is that of a first responder and who is called or ordered into the federal service of the United States under title 10 of the United States Code.

(f) The provisions of subsection (e) of this section shall also apply to any Wyoming resident whose primary occupation is that of a first responder when that person is called or ordered into federal service with a national guard unit in any state in the United States. The adjutant general shall promulgate rules and regulations to provide a

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method for application for persons not serving in the Wyoming national guard.

(g) The adjutant general shall report annually, no later than October 1, to the joint transportation, highways and military affairs interim committee. The report shall include the number of persons who qualified for the contributions under subsections (e) and (f) of this section, a listing of the civilian classifications of the persons applying for the contributions and the total amount expended for the contributions.

**Section 2.**

(a) There is appropriated eight hundred ninety-two thousand nine hundred fourteen dollars (\$892,914.00) from the general fund to the Wyoming adjutant general. This appropriation shall be for the period beginning with the effective date of this act and ending June 30, 2010. Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation shall revert on June 30, 2010. The program created by this act shall be included in the adjutant general's standard budget request. Of this appropriation:

(i) Seven hundred eighty-nine thousand seven hundred fifty dollars (\$789,750.00) shall only be expended for the purpose of funding employer and employee retirement contributions under W.S. 19-11-115(e) and (f) for persons who are called or ordered into federal service of the United States under title 10 of the United States Code;

(ii) One hundred three thousand one hundred sixty-four dollars (\$103,164.00) shall only be expended to

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fund the employee authorized under subsection (b) of this section and other administrative and start-up costs to implement the purposes of this act.

(b) The adjutant general is authorized one (1) full-time equivalent position to implement the purposes of this act, including validating the qualifications of the retirement plans of eligible persons and establishing payment amounts under W.S. 19-11-115(e) and (f), as created by section 1 of this act.

**Section 3.** This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the Senate.

\_\_\_\_\_  
Chief Clerk