

**Wyoming Military Department
Wyoming First Responder Fund**

CHAPTER 5

Section 1. **Authority.** These rules are promulgated by authority of W.S. § 19-11-115(f).

Section 2. **Purpose.** The Wyoming First Responder Fund, under certain circumstances, provides payment of 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 if the payment is permitted by the Internal Revenue code. Pursuant to W.S. § 19-11-115(f), these rules specifically establish the method for application for funds from the First Responder Fund for persons specified in W.S. § 19-11-115(f) and that are not serving in the Wyoming national guard.

Section 3. **Implementation.** The Adjutant General, or his designee, is permitted to exercise wide latitude of good faith discretion in administering the rules set forth herein. Moreover, the Adjutant General, or his designee possess discretion to waive the requirements set forth herein that are not specifically established by statute.

Section 4. **Eligibility Requirements.**

(a) A person not serving in the Wyoming national guard is eligible to apply for and receive funds from the First Responder Fund if they are:

(i) A resident of Wyoming at the time they are called or ordered into federal service with a National Guard unit in any state in the United States. Residency will be determined by the “Home of Record” on the Title 10 order (which is the federal document that is used to call or order a person into federal service with a national guard unit in any state); and

(ii) Whose primary occupation is that of a first responder when they are called or ordered into federal service with a National Guard unit in any state in the United States. “First responder” is an individual who in the initial stages of an incident are responsible for the protection and preservation of life, property, evidence, and the environment, including emergency response providers, emergency management, public health, public safety, clinical care, public works, and other skilled support personnel that provide immediate support services during prevention, response, and recovery operations.

(b) Pursuant to W.S. § 19-11-115(f), these rules do not apply to persons serving in the Wyoming national guard. These rules only apply to those persons identified in W.S. § 19-11-115(f).

Section 5. **Application Process.**

(a) Applicants may apply for funds from the First Responder Fund by submitting a completed application packet that contains the following:

(i) Application for First Responder Fund (applications are available from the Wyoming Military Department);

(ii) State of Wyoming WOLFS 109(a) to be filled out for the applicant's employer or the Fund;

(iii) Current statement from applicant's retirement account(s);

(iv) Letter from applicant's employer itemizing employee and employer contribution amounts that would have been paid if the employee had not been ordered into federal service with a national guard unit in any state in the United States, or were paid during the period of time the employee was called or ordered into federal service with a national guard unit;

(v) Title 10 orders calling the applicant into federal service;

(vi) DD Form 214, 215 or NGB 22;

(b) Send application packet to: Wyoming Military Department, Attn: First Responder Benefits Specialist, 5500 Bishop Blvd., Cheyenne, WY 82009.

(c) Once the application packet and supporting materials have been received and reviewed, the Adjutant General or his designee will notify the applicant if he/she is eligible for funds from the First Responder Fund and the amount of the award.

(d) The amount of any award is at the sole discretion of the Adjutant General.

Section 6. **Payments.**

(a) 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 from the first date of eligibility may be paid by the Adjutant General if the payment is permitted by the Internal Revenue Code. Payment shall be made upon termination of Title 10 orders.

(b) Over payments or incorrect payments shall be reimbursed by the responsible party to the First Responder Fund within 30 days of notification.