

SENATE FILE NO. SF0165

Public employee retirement-health premiums assistance.

Sponsored by: Joint Appropriations Interim Committee

A BILL

for

1 AN ACT relating to administration of government; providing
2 for additional public employee retirement contributions;
3 providing for corresponding additional retirement benefits;
4 providing an appropriation; providing a statement of
5 legislative intent; and providing for an effective date.

6

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

8

9 **Section 1.** W.S. 9-3-412(a), 9-3-413, 9-3-418 by
10 creating a new subsection (f), 9-3-431 by creating a new
11 subsection (h), 9-3-432(a), (b) and by creating a new
12 subsection (n), 9-3-604(a), 9-3-605, 9-3-610 by creating a
13 new subsection (f), 9-3-704(a), 9-3-705, 9-3-707 by
14 creating a new subsection (d), 15-5-203(a) and (d),
15 15-5-204 by creating a new subsection (h), 15-5-409 by
16 creating a new subsection (c), 15-5-420(a) and 15-5-421 are
17 amended to read:

1

2 **9-3-412. Members' contributions; payroll deductions;**
3 **employer authorized to pay employee's share.**

4

5 (a) Except as otherwise provided in this section and
6 W.S. 9-3-431 and 9-3-432, every member covered under this
7 article and firefighter members, shall pay into the account
8 five and fifty-seven hundredths percent (5.57%) of his
9 salary. Payments shall be deducted each pay period from
10 each member's salary by the chief fiscal officer of each
11 participating employer. In addition to the five and fifty-
12 seven hundredths percent (5.57%) specified by this
13 introductory subsection:

14

15 (i) Every member and firefighter members shall
16 pay into the account one-half percent (.50%) of his salary.
17 This contribution shall be accounted for separately from
18 other contributions by the member in order to calculate a
19 retirement benefit as provided in W.S. 9-3-418(f).

20

21 **9-3-413. Employer's contributions; payable monthly;**
22 **transfer to account; interest imposed upon delinquent**
23 **contributions; recovery.**

24

1 (a) Except as provided by W.S.
2 9-2-1022(a)(xi)(F)(III) or (IV), 9-3-431 and 9-3-432, each
3 employer including employers of firefighter members, shall
4 on a monthly basis, pay into the account a contribution
5 equal to five and sixty-eight hundredths percent (5.68%) of
6 the salary paid to each of its members covered under this
7 article and may on a monthly basis, pay into the account
8 any amount of the members' share of retirement
9 contributions. Employer contributions for any month,
10 together with the members' contributions for that month, if
11 any, shall be transferred to the board not later than the
12 twelfth day of the following month. These contributions
13 shall be credited to the account in a manner as directed by
14 the board. Any employer failing to transfer contributions
15 under this section in sufficient time for the board to
16 receive the contributions by the twenty-fifth day of the
17 month due shall be assessed interest at the rate of eight
18 percent (8%) per annum. Interest imposed under this section
19 shall be payable not later than the twelfth day of the next
20 succeeding month. If the contributions and any interest
21 imposed under this section are not transferred to the board
22 when due, they may be recovered, together with court costs,
23 in an action brought for that purpose in the first judicial
24 district court in Laramie County, Wyoming. In addition to

1 the five and sixty-eighth hundredths percent (5.68%)
2 specified by this introductory subsection:

3
4 (i) Each employer including employers of
5 firefighter members shall, on a monthly basis, pay into the
6 account a contribution equal to one-half percent (.50%) of
7 the salary paid to each of its members covered under this
8 article. This contribution shall be accounted for
9 separately from other contributions on behalf of the member
10 in order to calculate a retirement benefit as provided in
11 W.S. 9-3-418(f).

12
13 **9-3-418. Amount of service retirement benefit;**
14 **firefighter members excluded.**

15
16 (f) In addition to the other retirement benefits
17 provided under this section each eligible retired member
18 shall receive a benefit of an actuarial equivalent amount
19 based upon contributions for that member under W.S.
20 9-3-412(a)(i) and 9-3-413(a)(i).

21
22 **9-3-431. Firefighter members; contributions; benefit**
23 **eligibility; service and disability retirement benefits;**

1 **termination of benefits upon failure to make timely**
2 **contribution payments.**

3
4 (h) In addition to the other retirement benefits
5 provided under this section each eligible retired
6 firefighter member shall receive a benefit of an actuarial
7 equivalent amount based upon contributions for that member
8 under W.S. 9-3-412(a)(i) and 9-3-413(a)(i).

9
10 **9-3-432. Law enforcement officers; contributions;**
11 **benefit eligibility; service and disability benefits; death**
12 **benefits; benefit options.**

13
14 (a) Each law enforcement officer shall pay into the
15 account eight and six-tenths percent (8.6%) of his salary
16 to fund benefits provided to law enforcement officers. Any
17 contribution required under this subsection or subsection
18 (b) of this section shall be paid by the employer from the
19 source of funds used to pay officer salaries in order to be
20 treated as employer contributions for the sole purpose of
21 determining tax treatment under the United States Internal
22 Revenue Code, § 414(h). These payments by the employer are
23 subject to W.S. 9-3-412(c). In addition to the eight and

1 six-tenths percent (8.6%) specified by this introductory
2 subsection:

3
4 (i) Every law enforcement member shall pay into
5 the account one-half percent (.50%) of his salary. This
6 contribution shall be accounted for separately from other
7 contributions by the member in order to calculate a
8 retirement benefit as provided in subsection (n) of this
9 section.

10
11 (b) Each employer of a law enforcement officer
12 covered under this article shall pay into the account a
13 contribution equal to eight and six-tenths percent (8.6%)
14 of the salary paid to each of its law enforcement officers
15 covered under this article and may pay into the account any
16 amount of the officer's share of contributions under
17 subsection (a) of this section. Payments under this
18 subsection shall be made monthly to the account in
19 accordance with W.S. 9-3-413 and are subject to the
20 penalties imposed under W.S. 9-3-413 for delinquent
21 contributions. No additional contribution shall be imposed
22 upon the state, any city, town or county for benefits
23 provided law enforcement officers under this article. In

1 addition to the eight and six-tenths percent (8.6%)
2 specified by this introductory subsection:

3
4 (i) Each employer of a law enforcement officer
5 covered under this article, shall on a monthly basis, pay
6 into the account a contribution equal to one-half percent
7 (.50%) of the salary paid to each of its officer members
8 covered under this article. This contribution shall be
9 accounted for separately from other contributions on behalf
10 of the member in order to calculate a retirement benefit as
11 provided in subsection (n) of this section.

12
13 (n) In addition to the other retirement benefits
14 provided under this section each eligible retired law
15 enforcement officer member shall receive a benefit of an
16 actuarial equivalent amount based upon contributions for
17 that member under paragraphs (a)(i) and (b)(i) of this
18 section.

19
20 **9-3-604. Employee contributions.**

21
22 (a) Except as otherwise provided in this section,
23 every employee covered by this article shall pay into the
24 fund eleven and two one-hundredths percent (11.02%) of his

1 salary. This payment shall be deducted each pay period from
2 employees' salaries by the respective chief fiscal officers
3 of the employers. In addition to the eleven and two one-
4 hundredths percent (11.02%) specified by this introductory
5 subsection:

6
7 (i) Every employee covered by this article shall
8 pay into the account one-half percent (.50%) of his salary.
9 This contribution shall be accounted for separately from
10 other contributions by the member in order to calculate a
11 retirement benefit as provided in W.S. 9-3-610(f).

12
13 **9-3-605. Employer contributions.**

14
15 (a) Each employer subject to this article shall pay
16 into the fund a contribution equal to eleven and thirty-
17 three one-hundredths percent (11.33%) of all salaries paid
18 to its employees and may pay into the fund any amount of
19 the employees' share of retirement contributions. These
20 contributions, together with the employees' contributions,
21 if any, shall be transferred and credited to the retirement
22 program in a manner the board directs. In addition to the
23 eleven and thirty-three one-hundredths percent (11.33%)
24 specified by this introductory subsection:

1
2 (i) Each employer subject to this article, shall
3 on a monthly basis, pay into the account a contribution
4 equal to one-half percent (.50%) of the salary paid to each
5 of its employees covered under this article. This
6 contribution shall be accounted for separately from other
7 contributions on behalf of the employee in order to
8 calculate a retirement benefit as provided in W.S.
9 9-3-610(f).

10
11 **9-3-610. Amount of benefit.**

12
13 (f) In addition to the other retirement benefits
14 provided under this article each eligible retired member
15 shall receive a benefit of an actuarial equivalent amount
16 based upon contributions for that member under W.S.
17 9-3-412(a)(i) and 9-3-413(a)(i).

18
19 **9-3-704. Employee contributions.**

20
21 (a) Except as otherwise provided in this section,
22 every employee covered by this article shall pay into the
23 account nine and twenty-two one-hundredths percent (9.22%)
24 of his salary. This payment shall be deducted each pay

1 period from employees' salaries by the respective fiscal
2 officers of the employers. In addition to the nine and
3 twenty-two one-hundredths percent (9.22%) specified by this
4 introductory subsection:

5
6 (i) Every employee covered by this article shall
7 pay into the account one-half percent (.50%) of his salary.
8 This contribution shall be accounted for separately from
9 other contributions by the employee in order to calculate a
10 retirement benefit as provided in W.S. 9-3-707(d).

11
12 **9-3-705. Employer contributions.**

13
14 (a) Each employer subject to this act shall pay into
15 the account a contribution equal to eight and seventy-eight
16 hundredths percent (8.78%) of the salary paid to each
17 employee covered by this act. These contributions, together
18 with the employees' contributions shall be transferred and
19 credited to the retirement program in a manner the board
20 directs. In addition to the eight and seventy-eight
21 hundredths percent (8.78%) specified by this introductory
22 subsection:

1 (i) Each employer subject to this act, shall pay
2 into the account a contribution equal to one-half percent
3 (.50%) of the salary paid to each of its employees covered
4 under this article. This contribution shall be accounted
5 for separately from other contributions on behalf of the
6 employee in order to calculate a retirement benefit as
7 provided in W.S. 9-3-707(d).

8
9 **9-3-707. Amount of benefit; adjustments.**

10
11 (d) In addition to the other retirement benefits
12 provided under this act each eligible retired employee
13 shall receive a benefit of an actuarial equivalent amount
14 based upon contributions for that employee under W.S.
15 9-3-704(a)(i) and 9-3-705(a)(i).

16
17 **15-5-203. Firemen and employer contributions;**
18 **imposition at discretion of board; amounts; how and when**
19 **collected, suspended and reinstated.**

20
21 (a) In addition to the amount appropriated to the
22 firemen's pension account by W.S. 15-5-202, every paid
23 fireman may, at the discretion of the board, be assessed
24 not more than eight percent (8%) of his gross monthly

1 salary for the use and benefit of the account, up to the
2 maximum monthly salary of a fireman first class. Any
3 salary assessment imposed under this subsection shall be
4 withheld monthly from his salary by the treasurer or other
5 disbursing officer of the city, town or county. In
6 addition to the eight percent (8%) specified by this
7 introductory subsection:

8
9 (i) Every paid fireman shall pay into the
10 account one-half percent (.50%) of his salary. This
11 contribution shall be accounted for separately from other
12 contributions by the member in order to calculate a
13 retirement benefit as provided in W.S. 15-5-204(h).

14
15 (d) Upon a determination by the board in accordance
16 with subsection (g) of this section, every employer shall
17 pay into the account for each paid fireman it employs an
18 amount not to exceed twenty-one percent (21%) of the salary
19 of a fireman first class. Any contributions imposed under
20 this subsection, together with the paid firemen's
21 contributions, shall be transferred and credited to the
22 account in a manner as the board directs. If the
23 contributions are not transferred to the board when due,
24 they may be recovered, together with interest at the rate

1 of ten percent (10%) per annum in an action brought for
2 that purpose in the district court for the county in which
3 the employer has its principal office. In addition to the
4 twenty-one percent (21%) specified by this introductory
5 subsection:

6
7 (i) Every employer shall on a monthly basis pay
8 into the account a contribution equal to one-half percent
9 (.50%) of the salary paid to each paid fireman it employs
10 who is covered under this article. This contribution shall
11 be accounted for separately from other contributions by the
12 member in order to calculate a retirement benefit as
13 provided in W.S. 15-5-204(h).

14
15 **15-5-204. Pensions; amounts; qualifications; when**
16 **paid; disability benefits; disqualifications; examinations;**
17 **disallowance; actions; adjustment.**

18
19 (h) In addition to the other retirement benefits
20 provided under this section, each eligible retired member
21 shall receive a benefit of an actuarial equivalent amount
22 based upon contributions for that member under W.S.
23 15-5-203(a)(i) and (d)(i).

1

2 **15-5-409. Amount of service pension.**

3

4 (c) In addition to the other retirement benefits
5 provided under this section, each eligible retired member
6 shall receive a benefit of an actuarial equivalent amount
7 based upon contributions for that member under W.S.
8 15-5-420(a)(i) and 15-5-421(a)(i).

9

10 **15-5-420. Member contributions.**

11

12 (a) Each employer shall deduct monthly from the
13 compensation of each member participating in the account a
14 sum equal to six percent (6%) of such compensation, and
15 that amount shall be paid by the employer to the account.
16 In addition to the six percent (6%) specified by this
17 introductory subsection:

18

19 (i) Every member participating in the account
20 shall pay into the account one-half percent (.50%) of his
21 salary. This contribution shall be accounted for
22 separately from other contributions by the member in order
23 to calculate a retirement benefit as provided in W.S.
24 15-5-409(c).

1

2 **15-5-421. Contribution by employer.**

3

4 (a) Until January 1, 1983 each employer shall pay
5 into the account an amount equal to twenty-one percent
6 (21%) of the compensation paid all members of the account.
7 Beginning January 1, 1983, each employer shall make monthly
8 contributions to the account in an amount equal to the
9 percentage contribution rate multiplied by the salaries
10 paid to members of the account. The contribution rate,
11 expressed as a percentage, shall be based on the results of
12 actuarial valuations made at least every three (3) years,
13 with the first such actuarial valuation to be made as of
14 January 1, 1982. The city's contribution rate shall be
15 comprised of the normal cost plus the level percentage of
16 salary payment required to amortize the actuarial liability
17 over a period of forty (40) years from January 1, 1983,
18 calculated on the basis of an acceptable actuarial reserve
19 funding method approved by the board. Effective July 1,
20 2007, in addition to the employer contributions otherwise
21 required under this subsection:

22

23 (i) Each employer shall on a monthly basis pay
24 into the account a contribution equal to one-half percent

1 (.50%) of the compensation paid to all members of the
2 account under this article. This contribution shall be
3 accounted for separately from other contributions by the
4 member in order to calculate a retirement benefit as
5 provided in W.S. 15-5-409(c).

6
7 **Section 2.** It is the intent of this act that
8 increased public employee retirement benefits may serve to
9 lessen the burden on those employees upon retirement as
10 they attempt to retain adequate health insurance coverage.
11 The increased retirement benefits resulting from this act
12 are intended to allow public retirees to pay health
13 insurance premium increases as they occur during their
14 retirement period.

15
16 **Section 3.**

17
18 (a) There is appropriated one million two hundred
19 sixty-six thousand dollars (\$1,266,000.00) from the general
20 fund to the state auditor for the fiscal year beginning
21 July 1, 2007 and ending June 30, 2008. The state auditor
22 shall distribute the funds provided under this subsection,
23 based on the determination of the budget division of the
24 department of administration and information that the

1 agencies' budgets do not provide adequate funding to state
2 agencies for purposes of adjustments to employee retirement
3 contributions provided under this act. The budget division
4 shall include amounts necessary to continue funding the
5 provisions of this act in agencies' 2009-2010 biennial
6 standard budget requests.

7

8 (b) Provided funds are available, employees whose
9 benefits are paid from nongeneral fund sources shall
10 receive the same benefits as provided in subsection (a) of
11 this section.

12

13 **Section 4.** This act is effective July 1, 2007.

14

15 (END)