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SENATE BILL NO. 367

Offered January 9, 2008

Prefiled January 8, 2008

A *BILL to amend the Code of Virginia by adding in Chapter 1 of Title 51.1 an article numbered 6.1, consisting of a section numbered 51.1-143.2, relating to retirement credits for special forest wardens.*

Patron—Watkins

Referred to Committee on Finance

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 1 of Title 51.1 an article numbered 6.1, consisting of a section numbered 51.1-143.2, as follows:

*Article 6.1.**Retirement Credits for Special Forest Wardens.*

§ 51.1-143.2. Retirement credits for special forest wardens fighting forest fires.

A. For purposes of this section:

"Actually fights forest fires" or "fought a forest fire" means participates directly in extinguishing a forest fire.

B. A special forest warden in service as an employee of the Department of Forestry shall receive retirement credits for fighting forest fires in the scope of his employment. Such special forest warden shall receive eight hours of retirement credits for each day, or portion thereof, in which he actually fights forest fires. Such person may use the accumulated retirement credits to reduce the 30 years of service otherwise required of him for eligibility for an unreduced service retirement allowance under this chapter. In no case, however, shall such person use such accumulated retirement credits to reduce such years of service otherwise required for eligibility for an unreduced service retirement allowance below 25 years of service. The net years and months of service remaining after application of the retirement credits shall be the years and months of service required of such special forest warden for eligibility for an unreduced service retirement allowance. Each month of service shall be eliminated at the rate of one month of service for each 173 hours of retirement credits.

C. No creditable service shall be allowed or granted for any retirement credits described in subsection B. No compensation or remuneration of any kind shall be allowed or paid for any unused retirement credits described in subsection B. No retirement credits shall be received for a "prescribed burning" as defined in § 10.1-1150.1. Nothing in this section shall be construed or interpreted to affect any age requirements under this chapter for eligibility for an unreduced service retirement allowance.

D. At least annually and in accordance with reporting dates established by the Board, the State Forester shall provide a written certification to the Director of the Virginia Retirement System that reports the name of each special forest warden who has fought a forest fire in the scope of his employment during the reporting period, the total number of days or any portion thereof that each special forest warden fought a forest fire in the scope of his employment during the reporting period, and such other information as may be requested by the Board or Director for purposes of implementing the provisions of this section.

E. The actuarial cost relating to a reduction in the 30 years of service otherwise required of special forest wardens for eligibility for an unreduced service retirement allowance (pursuant to this section) shall be charged to the Department of Forestry and incorporated into the Department's annual employer contribution determined pursuant to § 51.1-145.

2. That no retirement credits pursuant to the provisions of this act shall be allowed or granted for duties performed by special forest wardens prior to July 1, 2008.

3. That the Director of the Virginia Retirement System shall develop procedures for using the retirement credits described under this act.

INTRODUCED

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