

HB 2196-4
(LC 2570)
4/5/19 (MNJ/ps)

Requested by HOUSE COMMITTEE ON VETERANS AND EMERGENCY PREPAREDNESS (at the request of Representative Paul Evans)

**PROPOSED AMENDMENTS TO
HOUSE BILL 2196**

1 In line 2 of the printed bill, before the period insert “; creating new pro-
2 visions; and amending ORS 238.005 and 238A.005”.

3 Delete lines 4 through 7 and insert:

4 **“SECTION 1.** ORS 238.005, as amended by section 4, chapter 54, Oregon
5 Laws 2018, is amended to read:

6 “238.005. For purposes of this chapter:

7 “(1) ‘Active member’ means a member who is presently employed by a
8 participating public employer in a qualifying position and who has completed
9 the six-month period of service required by ORS 238.015.

10 “(2) ‘Annuity’ means payments for life derived from contributions made
11 by a member as provided in this chapter.

12 “(3) ‘Board’ means the Public Employees Retirement Board.

13 “(4) ‘Calendar year’ means 12 calendar months commencing on January
14 1 and ending on December 31 following.

15 “(5) ‘Continuous service’ means service not interrupted for more than five
16 years, except that such continuous service shall be computed without regard
17 to interruptions in the case of:

18 “(a) An employee who had returned to the service of the employer as of
19 January 1, 1945, and who remained in that employment until having estab-
20 lished membership in the Public Employees Retirement System.

21 “(b) An employee who was in the armed services on January 1, 1945, and

1 returned to the service of the employer within one year of the date of being
2 otherwise than dishonorably discharged and remained in that employment
3 until having established membership in the Public Employees Retirement
4 System.

5 “(6) ‘Creditable service’ means any period of time during which an active
6 member is being paid a salary by a participating public employer and for
7 which benefits under this chapter are funded by employer contributions and
8 earnings on the fund. For purposes of computing years of ‘creditable
9 service,’ full months and major fractions of a month shall be considered to
10 be one-twelfth of a year and shall be added to all full years. ‘Creditable
11 service’ includes all retirement credit received by a member.

12 “(7) ‘Earliest service retirement age’ means the age attained by a member
13 when the member could first make application for retirement under the pro-
14 visions of ORS 238.280.

15 “(8) ‘Employee’ includes, in addition to employees, public officers, but
16 does not include:

17 “(a) Persons engaged as independent contractors.

18 “(b) Seasonal, emergency or casual workers whose periods of employment
19 with any public employer or public employers do not total 600 hours in any
20 calendar year.

21 “(c) Persons provided sheltered employment or made-work by a public
22 employer in an employment or industries program maintained for the benefit
23 of such persons.

24 “(d) Persons employed and paid from federal funds received under a fed-
25 eral program intended primarily to alleviate unemployment. However, any
26 such person shall be considered an ‘employee’ if not otherwise excluded by
27 paragraphs (a) to (c) of this subsection and the public employer elects to
28 have the person so considered by an irrevocable written notice to the board.

29 “(e) Persons who are employees of a railroad, as defined in ORS 824.020,
30 and who, as such employees, are included in a retirement plan under federal

1 railroad retirement statutes. This paragraph shall be deemed to have been
2 in effect since the inception of the system.

3 “(f) Persons employed in positions classified as post-doctoral scholar po-
4 sitions by a public university listed in ORS 352.002, or by the Oregon Health
5 and Science University, under ORS 350.370.

6 “(9) ‘Final average salary’ means whichever of the following is greater:

7 “(a) The average salary per calendar year paid by one or more partic-
8 ipating public employers to an employee who is an active member of the
9 system in three of the calendar years of membership before the effective date
10 of retirement of the employee, in which three years the employee was paid
11 the highest salary. The three calendar years in which the employee was paid
12 the largest total salary may include calendar years in which the employee
13 was employed for less than a full calendar year. If the number of calendar
14 years of active membership before the effective date of retirement of the
15 employee is three or fewer, the final average salary for the employee is the
16 average salary per calendar year paid by one or more participating public
17 employers to the employee in all of those years, without regard to whether
18 the employee was employed for the full calendar year.

19 “(b) One-third of the total salary paid by a participating public employer
20 to an employee who is an active member of the system in the last 36 calendar
21 months of active membership before the effective date of retirement of the
22 employee.

23 “(10) ‘Firefighter’ does not include a volunteer firefighter, but does in-
24 clude:

25 “(a) The State Fire Marshal, the chief deputy fire marshal and deputy
26 state fire marshals; *[and]*

27 “(b) An employee of the State Forestry Department who is certified by the
28 State Forester as a professional wildland firefighter and whose primary du-
29 ties include the abatement of uncontrolled fires as described in ORS
30 477.064[.]; **and**

1 **“(c) An employee of the Oregon Military Department whose primary**
2 **duties include fighting structural, aircraft, wildland or other fires.**

3 “(11) ‘Fiscal year’ means 12 calendar months commencing on July 1 and
4 ending on June 30 following.

5 “(12) ‘Fund’ means the Public Employees Retirement Fund.

6 “(13) ‘Inactive member’ means a member who is not employed in a quali-
7 fying position, whose membership has not been terminated in the manner
8 described by ORS 238.095 and who is not retired for service or disability.

9 “(14) ‘Institution of higher education’ means a public university listed in
10 ORS 352.002, the Oregon Health and Science University and a community
11 college, as defined in ORS 341.005.

12 “(15) ‘Member’ means a person who has established membership in the
13 system and whose membership has not been terminated as described in ORS
14 238.095. ‘Member’ includes active, inactive and retired members.

15 “(16) ‘Member account’ means the regular account and the variable ac-
16 count.

17 “(17) ‘Normal retirement age’ means:

18 “(a) For a person who establishes membership in the system before Jan-
19 uary 1, 1996, as described in ORS 238.430, 55 years of age if the employee
20 retires at that age as a police officer or firefighter or 58 years of age if the
21 employee retires at that age as other than a police officer or firefighter.

22 “(b) For a person who establishes membership in the system on or after
23 January 1, 1996, as described in ORS 238.430, 55 years of age if the employee
24 retires at that age as a police officer or firefighter or 60 years of age if the
25 employee retires at that age as other than a police officer or firefighter.

26 “(18) ‘Pension’ means annual payments for life derived from contributions
27 by one or more public employers.

28 “(19) ‘Police officer’ includes:

29 “(a) Employees of institutions defined in ORS 421.005 as Department of
30 Corrections institutions whose duties, as assigned by the Director of the

1 Department of Corrections, include the custody of persons committed to the
2 custody of or transferred to the Department of Corrections and employees
3 of the Department of Corrections who were classified as police officers on
4 or before July 27, 1989, whether or not such classification was authorized
5 by law.

6 “(b) Employees of the Department of State Police who are classified as
7 police officers by the Superintendent of State Police.

8 “(c) Employees of the Oregon Liquor Control Commission who are clas-
9 sified as regulatory specialists by the administrator of the commission.

10 “(d) Sheriffs and those deputy sheriffs or other employees of a sheriff
11 whose duties, as classified by the sheriff, are the regular duties of police
12 officers or corrections officers.

13 “(e) Police chiefs and police personnel of a city who are classified as po-
14 lice officers by the council or other governing body of the city.

15 “(f) Police officers who are commissioned by a university under ORS
16 352.121 or 353.125 and who are classified as police officers by the university.

17 “(g) Parole and probation officers employed by the Department of Cor-
18 rections, parole and probation officers who are transferred to county em-
19 ployment under ORS 423.549 and adult parole and probation officers, as
20 defined in ORS 181A.355, who are classified as police officers for the pur-
21 poses of this chapter by the county governing body. If a county classifies
22 adult parole and probation officers as police officers for the purposes of this
23 chapter, and the employees so classified are represented by a labor organ-
24 ization, any proposal by the county to change that classification or to cease
25 to classify adult parole and probation officers as police officers for the pur-
26 poses of this chapter is a mandatory subject of bargaining.

27 “(h) Police officers appointed under ORS 276.021 or 276.023.

28 “(i) Employees of the Port of Portland who are classified as airport police
29 by the Board of Commissioners of the Port of Portland.

30 “(j) Employees of the State Department of Agriculture who are classified

1 as livestock police officers by the Director of Agriculture.

2 “(k) Employees of the Department of Public Safety Standards and Train-
3 ing who are classified by the department as other than secretarial or clerical
4 personnel.

5 “(L) Investigators of the Criminal Justice Division of the Department of
6 Justice.

7 “(m) Corrections officers as defined in ORS 181A.355.

8 “(n) Employees of the Oregon State Lottery Commission who are classi-
9 fied by the Director of the Oregon State Lottery as enforcement agents pur-
10 suant to ORS 461.110.

11 “(o) The Director of the Department of Corrections.

12 “(p) An employee who for seven consecutive years has been classified as
13 a police officer as defined by this section, and who is employed or transferred
14 by the Department of Corrections to fill a position designated by the Direc-
15 tor of the Department of Corrections as being eligible for police officer sta-
16 tus.

17 “(q) An employee of the Department of Corrections classified as a police
18 officer on or prior to July 27, 1989, whether or not that classification was
19 authorized by law, as long as the employee remains in the position held on
20 July 27, 1989. The initial classification of an employee under a system im-
21 plemented pursuant to ORS 240.190 does not affect police officer status.

22 “(r) Employees of a school district who are appointed and duly sworn
23 members of a law enforcement agency of the district as provided in ORS
24 332.531 or otherwise employed full-time as police officers commissioned by
25 the district.

26 “(s) Employees at youth correction facilities and juvenile detention facil-
27 ities under ORS 419A.050, 419A.052 and 420.005 to 420.915 who are required
28 to hold valid Oregon teaching licenses and who have supervisory, control or
29 teaching responsibilities over juveniles committed to the custody of the De-
30 partment of Corrections or the Oregon Youth Authority.

1 “(t) Employees at youth correction facilities as defined in ORS 420.005
2 whose primary job description involves the custody, control, treatment, in-
3 vestigation or supervision of juveniles placed in such facilities.

4 “(u) Employees of the Oregon Youth Authority who are classified as ju-
5 venile parole and probation officers.

6 “(v) Employees of the Department of Human Services who are prohibited
7 from striking under ORS 243.726 and whose duties include the care of resi-
8 dents of residential facilities, as defined in ORS 443.400, that house individ-
9 uals with intellectual or developmental disabilities.

10 “(20) ‘Prior service credit’ means credit provided under ORS 238.442 or
11 under ORS 238.225 (2) to (6) (1999 Edition).

12 “(21) ‘Public employer’ means the state, one of its agencies, any city,
13 county, or municipal or public corporation, any political subdivision of the
14 state or any instrumentality thereof, or an agency created by one or more
15 such governmental organizations to provide governmental services. For pur-
16 poses of this chapter, such agency created by one or more governmental or-
17 ganizations is a governmental instrumentality and a legal entity with power
18 to enter into contracts, hold property and sue and be sued.

19 “(22) ‘Qualifying position’ means one or more jobs with one or more par-
20 ticipating public employers in which an employee performs 600 or more hours
21 of service in a calendar year, excluding any service in a job for which a
22 participating public employer does not provide benefits under this chapter
23 pursuant to an application made under ORS 238.035.

24 “(23) ‘Regular account’ means the account established for each active and
25 inactive member under ORS 238.250.

26 “(24) ‘Retired member’ means a member who is retired for service or dis-
27 ability.

28 “(25) ‘Retirement credit’ means a period of time that is treated as credit-
29 able service for the purposes of this chapter.

30 “(26)(a) ‘Salary’ means the remuneration paid an employee in cash out of

1 the funds of a public employer in return for services to the employer, plus
2 the monetary value, as determined by the Public Employees Retirement
3 Board, of whatever living quarters, board, lodging, fuel, laundry and other
4 advantages the employer furnishes the employee in return for services.

5 “(b) ‘Salary’ includes but is not limited to:

6 “(A) Payments of employee and employer money into a deferred compen-
7 sation plan, which are deemed salary paid in each month of deferral;

8 “(B) The amount of participation in a tax-sheltered or deferred annuity,
9 which is deemed salary paid in each month of participation;

10 “(C) Retroactive payments described in ORS 238.008; and

11 “(D) Wages of a deceased member paid to a surviving spouse or dependent
12 children under ORS 652.190.

13 “(c) ‘Salary’ or ‘other advantages’ does not include:

14 “(A) Travel or any other expenses incidental to employer’s business which
15 is reimbursed by the employer;

16 “(B) Payments for insurance coverage by an employer on behalf of em-
17 ployee or employee and dependents, for which the employee has no cash op-
18 tion;

19 “(C) Payments made on account of an employee’s death;

20 “(D) Any lump sum payment for accumulated unused sick leave;

21 “(E) Any accelerated payment of an employment contract for a future
22 period or an advance against future wages;

23 “(F) Any retirement incentive, retirement severance pay, retirement bonus
24 or retirement gratuitous payment;

25 “(G) Payments for periods of leave of absence after the date the employer
26 and employee have agreed that no future services qualifying pursuant to ORS
27 238.015 (3) will be performed, except for sick leave and vacation;

28 “(H) Payments for instructional services rendered to public universities
29 listed in ORS 352.002 or the Oregon Health and Science University when
30 such services are in excess of full-time employment subject to this chapter.

1 A person employed under a contract for less than 12 months is subject to this
2 subparagraph only for the months to which the contract pertains;

3 “(I) Payments made by an employer for insurance coverage provided to a
4 domestic partner of an employee;

5 “(J) Compensation described and authorized under ORS 341.556 that is not
6 paid by the community college employing the faculty member;

7 “(K) Compensation described and authorized under ORS 352.232 that is
8 not paid by the public university employing the officer or employee; or

9 “(L) Compensation described and authorized under ORS 353.270 that is
10 not paid by Oregon Health and Science University.

11 “(27) ‘School year’ means the period beginning July 1 and ending June 30
12 next following.

13 “(28) ‘System’ means the Public Employees Retirement System.

14 “(29) ‘Variable account’ means the account established for a member who
15 participates in the Variable Annuity Account under ORS 238.260.

16 “(30) ‘Vested’ means being an active member of the system in each of five
17 calendar years.

18 “(31) ‘Volunteer firefighter’ means a firefighter whose position normally
19 requires less than 600 hours of service per year.

20 **“SECTION 2.** ORS 238A.005, as amended by section 5, chapter 54, Oregon
21 Laws 2018, and section 2, chapter 101, Oregon Laws 2018, is amended to read:

22 “238A.005. For the purposes of this chapter:

23 “(1) ‘Active member’ means a member of the pension program or the in-
24 dividual account program of the Oregon Public Service Retirement Plan who
25 is actively employed in a qualifying position.

26 “(2) ‘Actuarial equivalent’ means a payment or series of payments having
27 the same value as the payment or series of payments replaced, computed on
28 the basis of interest rate and mortality assumptions adopted by the board.

29 “(3) ‘Board’ means the Public Employees Retirement Board.

30 “(4) ‘Eligible employee’ means a person who performs services for a par-

1 participating public employer, including elected officials other than judges. ‘El-
2 ible employee’ does not include:

3 “(a) Persons engaged as independent contractors;

4 “(b) Aliens working under a training or educational visa;

5 “(c) Persons provided sheltered employment or make-work by a public
6 employer;

7 “(d) Persons categorized by a participating public employer as student
8 employees;

9 “(e) Any person who is an inmate of a state institution;

10 “(f) Employees of foreign trade offices of the Oregon Business Develop-
11 ment Department who live and perform services in foreign countries under
12 the provisions of ORS 285A.075 (1)(g);

13 “(g) An employee actively participating in an alternative retirement pro-
14 gram established under ORS 353.250 or an optional retirement plan estab-
15 lished under ORS 341.551;

16 “(h) Employees of a public university listed in ORS 352.002 who are ac-
17 tively participating in an optional retirement plan offered under ORS 243.800;

18 “(i) Persons employed in positions classified as post-doctoral scholar po-
19 sitions by a public university listed in ORS 352.002, or by the Oregon Health
20 and Science University, under ORS 350.370;

21 “(j) Any employee who belongs to a class of employees that was not eli-
22 gible on August 28, 2003, for membership in the system under the provisions
23 of ORS chapter 238 or other law;

24 “(k) Any person who belongs to a class of employees who are not eligible
25 to become members of the Oregon Public Service Retirement Plan under the
26 provisions of ORS 238A.070 (2);

27 “(L) Any person who is retired under ORS 238A.100 to 238A.250 or ORS
28 chapter 238 and who continues to receive retirement benefits while employed;
29 and

30 “(m) Judges.

1 “(5) ‘Firefighter’ means:

2 “(a) A person employed by a local government, as defined in ORS 174.116,
3 whose primary job duties include the fighting of fires;

4 “(b) The State Fire Marshal, the chief deputy state fire marshal and
5 deputy state fire marshals; [*and*]

6 “(c) An employee of the State Forestry Department who is certified by the
7 State Forester as a professional wildland firefighter and whose primary du-
8 ties include the abatement of uncontrolled fires as described in ORS
9 477.064[.]; **and**

10 “**(d) An employee of the Oregon Military Department whose primary**
11 **duties include fighting structural, aircraft, wildland or other fires.**

12 “(6) ‘Fund’ means the Public Employees Retirement Fund.

13 “(7)(a) ‘Hour of service’ means:

14 “(A) An hour for which an eligible employee is directly or indirectly paid
15 or entitled to payment by a participating public employer for performance
16 of duties in a qualifying position; and

17 “(B) An hour of vacation, holiday, illness, incapacity, jury duty, military
18 duty or authorized leave during which an employee does not perform duties
19 but for which the employee is directly or indirectly paid or entitled to pay-
20 ment by a participating public employer for services in a qualifying position,
21 as long as the hour is within the number of hours regularly scheduled for
22 the performance of duties during the period of vacation, holiday, illness, in-
23 capacity, jury duty, military duty or authorized leave.

24 “(b) ‘Hour of service’ does not include any hour for which payment is
25 made or due under a plan maintained solely for the purpose of complying
26 with applicable unemployment compensation laws.

27 “(8) ‘Inactive member’ means a member of the pension program or the
28 individual account program of the Oregon Public Service Retirement Plan
29 whose membership has not been terminated, who is not a retired member and
30 who is not employed in a qualifying position.

1 “(9) ‘Individual account program’ means the defined contribution individ-
2 ual account program of the Oregon Public Service Retirement Plan estab-
3 lished under ORS 238A.025.

4 “(10) ‘Institution of higher education’ means a public university listed in
5 ORS 352.002, the Oregon Health and Science University or a community
6 college, as defined in ORS 341.005.

7 “(11) ‘Member’ means an eligible employee who has established member-
8 ship in the pension program or the individual account program of the Oregon
9 Public Service Retirement Plan and whose membership has not been termi-
10 nated under ORS 238A.110 or 238A.310.

11 “(12) ‘Participating public employer’ means a public employer as defined
12 in ORS 238.005 that provides retirement benefits for employees of the public
13 employer under the system.

14 “(13) ‘Pension program’ means the defined benefit pension program of the
15 Oregon Public Service Retirement Plan established under ORS 238A.025.

16 “(14) ‘Police officer’ means a police officer as described in ORS 238.005.

17 “(15) ‘Qualifying position’ means one or more jobs with one or more par-
18 ticipating public employers in which an eligible employee performs 600 or
19 more hours of service in a calendar year, excluding any service in a job for
20 which benefits are not provided under the Oregon Public Service Retirement
21 Plan pursuant to ORS 238A.070 (2).

22 “(16) ‘Retired member’ means a pension program member who is receiving
23 a pension as provided in ORS 238A.180 to 238A.195.

24 “(17)(a) ‘Salary’ means the remuneration paid to an active member in re-
25 turn for services to the participating public employer, including
26 remuneration in the form of living quarters, board or other items of value,
27 to the extent the remuneration is includable in the employee’s taxable in-
28 come under Oregon law. ‘Salary’ includes the additional amounts specified
29 in paragraph (b) of this subsection, but does not include the amounts speci-
30 fied in paragraph (c) of this subsection, regardless of whether those amounts

1 are includable in taxable income.

2 “(b) ‘Salary’ includes the following amounts:

3 “(A) Payments of employee and employer money into a deferred compen-
4 sation plan that are made at the election of the employee.

5 “(B) Contributions to a tax-sheltered or deferred annuity that are made
6 at the election of the employee.

7 “(C) Any amount that is contributed to a cafeteria plan or qualified
8 transportation fringe benefit plan by the employer at the election of the
9 employee and that is not includable in the taxable income of the employee
10 by reason of 26 U.S.C. 125 or 132(f)(4), as in effect on December 31, 2017.

11 “(D) Any amount that is contributed to a cash or deferred arrangement
12 by the employer at the election of the employee and that is not included in
13 the taxable income of the employee by reason of 26 U.S.C. 402(e)(3), as in
14 effect on December 31, 2017.

15 “(E) Retroactive payments described in ORS 238.008.

16 “(F) The amount of an employee contribution to the individual account
17 program that is paid by the employer and deducted from the compensation
18 of the employee, as provided under ORS 238A.335 (1) and (2)(a).

19 “(G) The amount of an employee contribution to the individual account
20 program that is not paid by the employer under ORS 238A.335.

21 “(H) Wages of a deceased member paid to a surviving spouse or dependent
22 children under ORS 652.190.

23 “(c) ‘Salary’ does not include the following amounts:

24 “(A) Travel or any other expenses incidental to employer’s business which
25 is reimbursed by the employer.

26 “(B) Payments made on account of an employee’s death.

27 “(C) Any lump sum payment for accumulated unused sick leave, vacation
28 leave or other paid leave.

29 “(D) Any severance payment, accelerated payment of an employment
30 contract for a future period or advance against future wages.

1 “(E) Any retirement incentive, retirement bonus or retirement gratuitous
2 payment.

3 “(F) Payment for a leave of absence after the date the employer and em-
4 ployee have agreed that no future services in a qualifying position will be
5 performed.

6 “(G) Payments for instructional services rendered to public universities
7 listed in ORS 352.002 or the Oregon Health and Science University when
8 those services are in excess of full-time employment subject to this chapter.
9 A person employed under a contract for less than 12 months is subject to this
10 subparagraph only for the months covered by the contract.

11 “(H) The amount of an employee contribution to the individual account
12 program that is paid by the employer and is not deducted from the compen-
13 sation of the employee, as provided under ORS 238A.335 (1) and (2)(b).

14 “(I) Compensation described and authorized under ORS 341.556 that is not
15 paid by the community college employing the faculty member.

16 “(J) Compensation described and authorized under ORS 352.232 that is not
17 paid by the public university employing the officer or employee.

18 “(K) Compensation described and authorized under ORS 353.270 that is
19 not paid by Oregon Health and Science University.

20 “(L) Any amount in excess of \$200,000 for a calendar year. If any period
21 over which salary is determined is less than 12 months, the \$200,000 limita-
22 tion for that period shall be multiplied by a fraction, the numerator of which
23 is the number of months in the determination period and the denominator
24 of which is 12. The board shall adopt rules adjusting this dollar limit to in-
25 corporate cost-of-living adjustments authorized by the Internal Revenue Ser-
26 vice.

27 “(18) ‘System’ means the Public Employees Retirement System.

28 “(19) ‘Workers’ compensation benefits’ means:

29 “(a) Payments made under ORS chapter 656; or

30 “(b) Payments provided in lieu of workers’ compensation benefits under

1 ORS 656.027 (6).

2 **“SECTION 3. (1) The amendments to ORS 238.005 and 238A.005 by**
3 **sections 1 and 2 of this 2019 Act apply only to a person who:**

4 **“(a) Is employed by the Oregon Military Department and whose**
5 **primary duties include fighting fires on the effective date of this 2019**
6 **Act; or**

7 **“(b) Becomes employed by the department as a person whose pri-**
8 **mary duties include fighting fires after the effective date of this 2019**
9 **Act.**

10 **“(2) A person whose service as a firefighter for the department be-**
11 **fore the effective date of this 2019 Act was reported to the Public**
12 **Employees Retirement Board as service as a firefighter before the ef-**
13 **fective date of this 2019 Act shall be deemed a firefighter for purposes**
14 **of ORS chapters 238 and 238A for all service as a firefighter performed**
15 **for the department, whether performed before, on or after the effec-**
16 **tive date of this 2019 Act.**

17 **“(3) A person whose service as a firefighter for the department be-**
18 **fore the effective date of this 2019 Act was reported to the board as**
19 **service as a general service member shall be deemed a firefighter for**
20 **purposes of ORS chapters 238 and 238A only for service as a firefighter**
21 **performed for the department on or after the effective date of this 2019**
22 **Act.**

23 **“(4) For purposes of subsections (2) and (3) of this section, a**
24 **person’s service for the department is considered to have been re-**
25 **ported to the board as service as a firefighter before the effective date**
26 **of this 2019 Act to the extent that the department has made the em-**
27 **ployer contributions for the person, before the effective date of this**
28 **2019 Act, that were required because the person’s service was reported**
29 **to the board as service as a firefighter at the time of the employer**
30 **contribution.”.**

