

HOUSE BILL NO. HB0177

Wyoming outdoor recreation trust fund.

Sponsored by: Joint Travel, Recreation, Wildlife & Cultural Resources Interim Committee

A BILL

for

1 AN ACT relating to the administration of government;  
2 creating a Wyoming outdoor recreation trust fund account  
3 and income account; creating the Wyoming outdoor recreation  
4 trust fund account board and specifying powers and duties  
5 of the board; providing for distribution of funds;  
6 requiring audits and reports; providing rulemaking  
7 authority; and providing for an effective date.

8

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

10

11 **Section 1.** W.S. 9-2-3101 through 9-2-3107 are created  
12 to read:

13

14

ARTICLE 31

15

WYOMING OUTDOOR RECREATION TRUST FUND

1

2           **9-2-3101. Short title.**

3

4 This act shall be known and may be cited as the "Wyoming  
5 Outdoor Recreation Trust Fund Act."

6

7           **9-2-3102. Definitions.**

8

9           (a) As used in this act:

10

11                   (i) "Board" means the Wyoming outdoor recreation  
12 trust fund account board created by W.S. 9-2-3104;

13

14                   (ii) "Division" means the division of state  
15 parks and historic sites within the department of state  
16 parks and cultural resources, or its successor;

17

18                   (iii) "Income account" means the Wyoming outdoor  
19 recreation trust fund income account created by W.S.  
20 9-2-3103(b);

21

22                   (iv) "Outdoor recreational infrastructure" means  
23 trailheads, trails, shooting ranges, boat ramps, cell

1 towers, motorized and nonmotorized play areas and other  
2 related physical and organizational structures and  
3 facilities;

4

5 (v) "Trust account" means the Wyoming outdoor  
6 recreation trust fund account created by W.S. 9-2-3103(a);

7

8 (vi) "This act" means W.S. 9-2-3101 through  
9 9-2-3107.

10

11 **9-2-3103. Wyoming outdoor recreation trust fund**  
12 **account and income account; creation; source of funds.**

13

14 (a) The Wyoming outdoor recreation trust fund account  
15 is created. The trust account shall consist of those funds  
16 designated to the account by law and all monies collected  
17 from federal grants and other contributions, grants, gifts,  
18 bequests and donations to the trust account. The trust  
19 account is specifically empowered to accept grants, gifts,  
20 transfers, bequests and donations. Funds deposited within  
21 the trust account shall be inviolate and constitute a  
22 perpetual trust fund which shall be invested by the state  
23 treasurer as authorized under W.S. 9-4-715(a), (d) and (e)

1 and in a manner to obtain the highest return possible  
2 consistent with preservation of the trust account corpus.

3

4 (b) The Wyoming outdoor recreation trust fund income  
5 account is created. The state treasurer shall credit  
6 annually to the income account interest on funds in the  
7 income account and in the trust account and income earned  
8 from the investment of funds in the income account and the  
9 trust account corpus, except no funds shall be credited to  
10 the income account under this subsection, and shall be  
11 instead credited to the trust account, until the corpus of  
12 the trust account equals four million dollars  
13 (\$4,000,000.00) or until July 1, 2022, whichever occurs  
14 earlier. The legislature may, from time to time,  
15 appropriate funds directly to the income account for  
16 distribution in accordance with the terms of this act. Such  
17 specially appropriated funds shall be credited directly by  
18 the state treasurer to the income account. No funds shall  
19 be expended from the income account until appropriated by  
20 the legislature.

21

22 (c) Individuals and other entities may grant, give,  
23 transfer, bequest or donate funds to the trust account or

1 the income account. These individuals and other entities  
2 may specify in writing whether the funds should be credited  
3 to the trust account or the income account.

4

5 (d) Subject to legislative appropriation,  
6 expenditures from the income account shall only be for the  
7 following:

8

9 (i) No more than eighty percent (80%) of the  
10 funds in the income account per annum may be disbursed by  
11 the board for:

12

13 (A) Grants for the planning, design,  
14 improvement and maintenance of existing or potential  
15 outdoor recreational infrastructure tied to local  
16 governmental entities, the state or the federal government,  
17 including grants for the purchase of public access  
18 easements necessary to enhance these lands;

19

20 (B) Outdoor recreation related education  
21 and public outreach.

22

1           (ii) No more than twenty percent (20%) of the  
2 funds in the income account per annum may be expended for  
3 necessary administrative expenses incurred by the board  
4 under this act and for the operation, administration and  
5 maintenance of the division to enhance and expand the  
6 outdoor recreation industry and improve outdoor recreation  
7 infrastructure and access within the state.

8

9           **9-2-3104. Wyoming outdoor recreation trust fund**  
10 **account board; creation; meetings.**

11

12           (a) The Wyoming outdoor recreation trust fund account  
13 board is created. The board shall consist of six (6)  
14 members, as follows:

15

16           (i) The administrator of the division or his  
17 designee who shall serve as a nonvoting ex officio member  
18 of the board; and

19

20           (ii) Five (5) members appointed by the governor  
21 and confirmed by the senate. The members shall be Wyoming  
22 residents and knowledgeable in the area of outdoor  
23 recreation. Membership on the board shall reflect the broad

1 spectrum of interests involved in outdoor recreation. Not  
2 more than one (1) member shall be from any given county.

3

4 (b) Except for the initial board, each appointed  
5 member of the board shall serve for a term of six (6)  
6 years. Of the initial appointees, one (1) member shall be  
7 appointed for two (2) years, two (2) members shall be  
8 appointed for four (4) years and two (2) members shall be  
9 appointed for six (6) years. The governor may remove any  
10 member as provided in W.S. 9-1-202. Board members may be  
11 reappointed for a maximum of one (1) additional six (6)  
12 year term. A vacancy on the board shall be filled by the  
13 governor for the balance of the unexpired term. The board  
14 shall select one (1) of its appointed members to serve as  
15 chairman.

16

17 **9-2-3105. Wyoming outdoor recreation trust fund**  
18 **account board; duties and responsibilities.**

19

20 (a) The board shall meet not less than two (2) times  
21 each year. Members shall serve without compensation but,  
22 subject to legislative appropriation, shall be reimbursed  
23 from the income account for expenses incurred in the

1 performance of their duties in the manner and amounts  
2 provided by law for legislators.

3

4 (b) The board shall receive and evaluate applications  
5 for grants from the income account as authorized under W.S.  
6 9-2-3103(d)(i).

7

8 (c) The board shall annually report to the governor,  
9 the joint appropriations committee and the joint travel,  
10 recreation, wildlife and cultural resources interim  
11 committee no later than October 1 with respect to all:

12

13 (i) Federal grants, state appropriations and  
14 other contributions, grants, gifts, bequests and donations  
15 received and credited to the Wyoming outdoor recreation  
16 trust fund during the preceding fiscal year; and

17

18 (ii) Grants awarded by the board to nonprofit  
19 and governmental organizations.

20

21 (d) The board shall review and monitor grants to  
22 grantees and expenditure of monies from the income account  
23 to the board and the division.



1

2 (e) The board shall adopt rules and regulations in  
3 accordance with the Wyoming Administrative Procedure Act as  
4 necessary to carry out its duties under this act, including  
5 rules to:

6

7 (i) Establish the procedure for grant  
8 application submittal;

9

10 (ii) Establish criteria for grants from the  
11 income account as authorized under W.S. 9-2-3103(d)(i);

12

13 (iii) Establish criteria to require matching  
14 funds or other in-kind contributions from grantees;

15

16 (iv) Evaluate, rank and prioritize grant  
17 proposals with an emphasis on those projects that will have  
18 the greatest impact on citizen utilization of outdoor  
19 recreational infrastructure.

20

21 (f) In fulfilling its duties under this act the board  
22 may:

23

1           (i) Consult as necessary with other governmental  
2 agencies, persons and nonprofit organizations;

3

4           (ii) Accept or decline federal grants and other  
5 contributions, grants, gifts, transfers, bequests and  
6 donations of any money or personal property from any  
7 source.

8

9           **9-2-3106. Disbursement of grants from the income**  
10 **account.**

11

12           (a) Subject to application approval and legislative  
13 appropriation, the board may award grants as authorized  
14 under W.S. 9-2-3103(d)(i) and consistent with the rules of  
15 the board.

16

17           (b) The board shall have the discretion to determine  
18 the amount of money awarded under each grant and any  
19 conditions attached to the grant.

20

21           (c) No funds shall be expended for grants from the  
22 income account except upon specific legislative  
23 authorization as provided under W.S. 9-2-3105(c).

1

2           **9-2-3107. Biennial audit; report by board.**

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4           (a) The director of the department of audit or his  
5 designee shall audit the trust account and the income  
6 account.

7

8           (b) The board shall annually report to the governor,  
9 the joint appropriations committee and the joint travel,  
10 recreation, wildlife and cultural resources interim  
11 committee not later than September 1 with respect to all:

12

13           (i) Federal grants, state appropriations and  
14 other contributions, grants, gifts, bequests and donations  
15 received and credited to the trust account or income  
16 account during the preceding fiscal year;

17

18           (ii) Grants awarded and funds disbursed by the  
19 board under W.S. 9-2-3103(d)(i);

20

21           (iii) Funds disbursed by the board to the  
22 division under W.S. 9-2-3103(d)(ii).

23

1           **Section 2.** This act is effective immediately upon  
2 completion of all acts necessary for a bill to become law  
3 as provided by Article 4, Section 8 of the  
4 Wyoming Constitution.

5

6

(END)