

## HOUSE BILL NO. HB0102

Wyoming wildlife legacy trust.

Sponsored by: Representative(s) Parady, Law, Lockhart,  
Thompson and Willford and Senator(s) Harris,  
Hinchey, Job, Miller, C. and Vasey

A BILL

for

1 AN ACT relating to game and fish; consolidating various  
2 accounts within the game and fish fund into a wildlife  
3 legacy trust account; providing additional funding for the  
4 account; specifying use of funds; specifying legislative  
5 findings and 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. 23-1-504 is created to read:

10

11 **23-1-504. Wildlife legacy trust expenditures;**  
12 **purposes.**

13

14 (a) Revenues deposited into the Wyoming wildlife  
15 legacy trust income account established under W.S.

1 23-1-501(f) shall be available for expenditure by the  
2 commission:

3

4 (i) For wildlife habitat improvement. To further  
5 this goal the commission and department shall work with  
6 individuals, communities and industry to improve and  
7 conserve existing habitat and minimize and mitigate the  
8 effect of development on habitat. No expenditure shall be  
9 made from the trust income account to purchase or acquire  
10 any interest in real property;

11

12 (ii) For gathering information and other  
13 necessary work related to species which are likely  
14 potential candidates for listing under the federal  
15 Endangered Species Act. As directed by the commission, the  
16 department shall collect biological information on these  
17 species and enhance their habitats when necessary to help  
18 ensure their future under state management authority and  
19 eliminate the need for listing and recovery programs under  
20 the federal Endangered Species Act;

21

22 (iii) Address human-wildlife conflicts  
23 associated with increased development. To accomplish this  
24 goal the commission and department shall work with

1 communities and industry to minimize human-wildlife  
2 conflicts associated with increased residential and  
3 industrial development and demand for wildlife associated  
4 recreation;

5

6 (iv) To promote the enjoyment of wildlife,  
7 including the nonconsumptive use of wildlife;

8

9 (v) To promote the maintenance and growth of the  
10 Wyoming wildlife legacy trust account through additional  
11 long term, sustainable funding sources for the account;

12

13 (vi) To make payments in accordance with W.S.  
14 23-1-901, for property damage caused by trophy game  
15 animals.

16

17 **Section 2.** W.S. 9-4-601(b)(i)(intro), (iv) and by  
18 creating a new paragraph (v), 23-1-302(a)(xxviii),  
19 23-1-501(f), 23-2-101 by creating a new subsection (n) and  
20 23-2-201 by creating a new subsection (f) are amended to  
21 read:

22

23 **9-4-601. Distribution and use; funds, accounts,**  
24 **cities and towns benefited; exception for bonus payments.**

1

2 (b) The state treasurer shall ascertain and withhold  
3 all bonus payments received from the federal government  
4 attributable to coal, oil shale or geothermal leases of  
5 federal land within Wyoming and shall distribute it as  
6 follows:

7

8 (i) Fifty percent (50%), the first seven million  
9 five hundred thousand dollars (\$7,500,000.00) of which  
10 shall be distributed as follows, but for the fiscal year  
11 beginning July 1, 2002 and ending June 30, 2003 any amount  
12 in excess of seven million five hundred thousand dollars  
13 (\$7,500,000.00) shall be deposited in the Wyoming wildlife  
14 legacy trust account established under W.S. 23-1-501(f),  
15 and thereafter any amount in excess of seven million five  
16 hundred thousand dollars (\$7,500,000.00) per year shall be  
17 deposited into the school capital construction account  
18 established under W.S. 21-15-111(a) (i):

19

20 (iv) ~~For the fiscal year commencing July 1,~~  
21 ~~1994, and for each fiscal year thereafter~~ And:

22

23 (A) Ten percent (10%) but not to exceed one  
24 million six hundred thousand dollars (\$1,600,000.00) per

1 year, to an earmarked revenue fund account which may be  
2 expended by the community college commission in accordance  
3 with and in addition to appropriations available under W.S.  
4 21-18-205(c). For the fiscal year beginning July 1, 2002  
5 and ending June 30, 2003, any amount in excess of one  
6 million six hundred thousand dollars (\$1,600,000.00) shall  
7 be deposited in the Wyoming wildlife legacy trust account  
8 established under W.S. 23-1-501(f). Thereafter any amount  
9 in excess of one million six hundred thousand dollars  
10 (\$1,600,000.00) together with any unexpended revenues  
11 within the account at the end of any biennial budget period  
12 shall be credited to the school capital construction  
13 account established under W.S. 21-15-111(a) (i);

14

15 (B) For the fiscal year beginning July 1,  
16 2002 and ending June 30, 2003, forty percent (40%) to the  
17 Wyoming wildlife legacy trust account established under  
18 W.S. 23-1-501(f) and thereafter to the school capital  
19 construction account established under W.S.  
20 21-15-111(a) (i).

21

22 (v) Not more than twenty million dollars  
23 (\$20,000,000.00) shall be distributed to the Wyoming  
24 wildlife legacy trust account pursuant to this subsection.

1 To the extent this limitation would be exceeded under  
2 provisions of paragraph (b)(i) and subparagraphs (iv)(A)  
3 and (B) of this section, the excess amount shall be  
4 distributed to the school capital construction account  
5 established under W.S. 21-15-111(a)(i).

6  
7 **23-1-302. Powers and duties.**

8  
9 (a) The commission is directed and empowered:

10  
11 (xxviii) To reject or to accept ~~and expend for~~  
12 ~~purposes authorized under this section~~ any and all gifts of  
13 cash, stocks, bonds or any other form of monies. Gifts  
14 shall be deposited and expended as provided in W.S.  
15 23-1-501.

16  
17 **23-1-501. Game and fish fund.**

18  
19 (f) A trust account ~~separate and apart from the trust~~  
20 ~~account established under subsection (d) of this section~~ is  
21 created within the Wyoming game and fish fund to be known  
22 as the Wyoming wildlife legacy trust account. The trust  
23 account shall consist of those funds appropriated or  
24 designated to the trust account by law or by gift from

1 whatever source. Revenues collected from the sale of  
2 licenses under W.S. 23-2-101(j)(vii) and 23-2-201(d)(viii)  
3 and conservation stamps as provided by W.S.  
4 23-2-306(a)(ii)(A) shall be deposited within the trust  
5 account. Funds deposited within the trust account are  
6 intended to be inviolate and constitute a permanent or  
7 perpetual trust account which shall be invested by the  
8 state treasurer as authorized under W.S. 9-4-711 and in a  
9 manner to obtain the highest return possible consistent  
10 with preservation of the account corpus. ~~Any~~ The state  
11 treasurer shall credit annually to a Wyoming wildlife  
12 legacy trust income account interest earned from investment  
13 of the trust account corpus ~~shall be credited by the state~~  
14 ~~treasurer into the Wyoming game and fish fund to~~ up to an  
15 amount equal to six percent (6%) of the balance of the  
16 corpus at the beginning of the fiscal year. Earnings above  
17 the six percent (6%) amount shall be retained in the corpus  
18 of the trust account. Notwithstanding subsection (b) of  
19 this section, funds within the trust income account shall  
20 be expended by the commission only for purposes specified  
21 under ~~subsection (b) of this section~~ W.S. 23-1-504.  
22

1           **23-2-101. Fees; restrictions; nonresident application**  
2 **fee; nonresident licenses; verification of residency**  
3 **required.**

4  
5           (n) In addition to other fees under this section,  
6 persons applying for a license or tag under this section  
7 may contribute any whole dollar amount to the Wyoming  
8 wildlife legacy trust account.

9  
10           **23-2-201. Fees; restrictions; verification of**  
11 **residency required.**

12  
13           (f) In addition to other fees under this section,  
14 persons applying for a license or tag under this section  
15 may contribute any whole dollar amount to the Wyoming  
16 wildlife legacy trust account.

17  
18           **Section 3.** W.S. 23-1-501(c) and (d) is repealed.

19  
20           **Section 4.** The legislature finds that Wyoming's  
21 wildlife resources are invaluable to the people of the  
22 state and our progeny. Wildlife resources can be renewable,  
23 but those resources currently face a major crisis requiring  
24 additional funding to maintain their full potential to the



1 state. Current funding for wildlife resources is provided  
2 nearly exclusively by hunting and fishing license fees. The  
3 value of wildlife resources extends to all people of the  
4 state and the resources should be supported by funding  
5 attributable to both consumptive users and other people of  
6 the state. The intent of the legislature is to use funds  
7 from nonrenewable resources together with funding provided  
8 by consumptive users to fulfill the potential of renewable  
9 wildlife resources. In making expenditures from the Wyoming  
10 wildlife legacy trust income account the game and fish  
11 commission shall be guided by the provisions of law and the  
12 principles enumerated within this section.

13

14 **Section 5.** All funds within the accounts created by  
15 W.S. 23-1-501(c), (d) and (f) as of June 30, 2002 shall be  
16 transferred to the Wyoming wildlife legacy trust account  
17 established under W.S. 23-1-501(f).

18

19 **Section 6.** This act is effective July 1, 2002.

20

21

(END)