

SENATE FILE NO. SF0059

Military assistance trust fund.

Sponsored by: Senator(s) Schiffer and Larson and
Representative(s) Osborn and Walsh

A BILL

for

1 AN ACT relating to a military assistance trust fund;
2 creating a military assistance trust fund as specified;
3 specifying eligibility for financial assistance from the
4 interest on the trust funds; requiring an annual report;
5 requiring rulemaking; providing an appropriation; and
6 providing for an effective date.

7

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

9

10 **Section 1.** W.S. 19-7-401 through 19-7-403 are created
11 to read:

12

13

ARTICLE 4

14

MILITARY ASSISTANCE TRUST FUND

15

1 **19-7-401. Wyoming military assistance trust fund;**
2 **establishment of trust fund; corpus inviolate; investment**
3 **by state treasurer.**

4
5 (a) An account within the trust and agency fund is
6 established which shall be referred to as the Wyoming
7 military assistance trust fund. The trust fund shall
8 consist of those funds designated to the account by law.

9
10 (b) The monies deposited into the trust fund
11 established pursuant to this section are inviolate and
12 constitute a permanent or perpetual trust fund. The monies
13 shall be transmitted to the state treasurer for credit to
14 the trust fund and shall be invested by the state treasurer
15 as authorized under W.S. 9-4-711 in a manner to obtain the
16 highest return possible consistent with the preservation of
17 the corpus. The interest earned from investment of the
18 corpus of the trust fund shall be annually credited by the
19 state treasurer not later than June 30 of each year into a
20 separate account within the trust and agency fund and
21 distributed in accordance with W.S. 19-7-402.

22
23 **19-7-402. Wyoming military assistance trust fund;**
24 **uses of trust fund; administration; rulemaking.**

1

2 (a) The investment income from the military
3 assistance trust fund created by W.S. 19-7-401 shall be
4 administered by the adjutant general only to alleviate
5 financial hardships faced by:

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7 (i) Any member of the Wyoming national guard or
8 a reserve unit that is based in Wyoming who has been called
9 to active duty or active state service;

10

11 (ii) Any Wyoming resident who is a member of a
12 military reserve unit that is not based in Wyoming, if the
13 member is called to active duty;

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15 (iii) Any other Wyoming resident performing
16 service in the uniformed services as defined in W.S.
17 19-11-103(a)(ix) for any branch of the military of the
18 United States; and

19

20 (iv) Members of the immediate family of those
21 personnel identified in paragraphs (i) through (iii) of
22 this subsection. For purposes of this paragraph, "immediate
23 family" means spouse and each child as defined by W.S.
24 2-1-301(a)(v) and, if they are dependents of the member of

1 the military, the parents, grandparents, siblings,
2 stepchildren and adult children of the member of the
3 military.

4

5 (b) The interest income earned from the military
6 assistance trust fund shall only be used as a last resort
7 to assist eligible military personnel and families deal
8 with financial hardship resulting from the military
9 member's active duty status and shall not be used to
10 supplant any other private or public funds to the extent
11 such funds are available.

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13 (c) The adjutant general shall promulgate rules and
14 regulations to establish eligibility requirements for
15 assistance under this section. In developing rules and
16 regulations, the adjutant general shall consult with
17 military support groups, including but not limited to the
18 family assistance fund and family assistance centers.

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20 **19-7-403. Wyoming military assistance trust fund;**
21 **annual report; confidentiality; assistance from the state**
22 **treasurer.**

23

1 (a) Beginning September 1, 2005, the adjutant general
2 shall provide a report to the governor and the joint
3 appropriations interim committee specifying:

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5 (i) The total amount of interest income earned
6 from the military assistance trust fund during the
7 preceding state fiscal year;

8
9 (ii) The total amount of assistance provided
10 from the interest income earned from the military
11 assistance trust fund;

12
13 (iii) The amount of assistance provided from the
14 interest income earned from the military assistance trust
15 fund by branch of service, regular or reserve duty
16 classification, amounts of individual assistance provided,
17 the reasons that qualified a member of the military or his
18 family for assistance and the balance remaining within the
19 interest income account for future disbursements; and

20
21 (iv) The name, address, rank and rating, branch
22 of service, deployment location and amounts of financial
23 assistance provided to each eligible military member and to
24 his family.

1

2 (b) The information provided pursuant to paragraphs
3 (a)(i) through (iii) of this section shall be public
4 records and available for inspection as provided by W.S.
5 16-4-201 et seq. The information provided pursuant to
6 paragraph (a)(iv) of this section shall be confidential and
7 shall be available for inspection only by the governor and
8 the legislature. Names, addresses and deployment locations
9 shall not be in any report available for public access.
10 The governor and legislators with legal access to the
11 report shall be required to hold names, addresses and
12 deployment locations confidential.

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14 (c) The adjutant general may request assistance from
15 the state treasurer to prepare the annual report required
16 by this section.

17

18 **Section 2.**

19

20 (a) Effective July 1, 2004, there is appropriated ten
21 million dollars (\$10,000,000.00) from the budget reserve
22 account to the military assistance trust fund created by
23 this act.

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