

HOUSE BILL NO. HB0096

Wyoming wildlife legacy trust.

Sponsored by: Representative(s) Landon, Berger, Osborn and
Parady and Senator(s) Decaria

A BILL

for

1 AN ACT relating to game and fish; creating a wildlife
2 legacy trust account within the game and fish fund;
3 providing an appropriation for the account; specifying use
4 of funds; specifying legislative findings and intent;
5 requiring an annual report; and providing for an effective
6 date.

7

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

9

10 **Section 1.** W.S. 23-1-504 is created to read:

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

14

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

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

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4 (i) For wildlife habitat maintenance and
5 improvement. To further this goal the commission and
6 department may work with private landowners, organizations,
7 land management and other agencies, communities and
8 industry to improve and conserve existing habitat and
9 minimize and mitigate the effect of development on wildlife
10 habitat and to expand existing cooperative wildlife habitat
11 programs. No expenditure shall be made from the trust
12 income account to purchase or acquire any interest in real
13 property;

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

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2 (iii) To address human-wildlife conflicts
3 associated with increased development. To accomplish this
4 goal the commission and department shall work with private
5 landowners, organizations, land management and other
6 agencies, communities and industry to minimize human-
7 wildlife conflicts associated with increased residential
8 and industrial development and demand for wildlife
9 associated recreation;

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11 (iv) To promote the enjoyment of wildlife,
12 including the nonconsumptive use of wildlife; and

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14 (v) For major maintenance projects for the
15 repair or replacement of complete or major portions of
16 building and facility systems at irregular intervals which
17 is required to continue the use of the building or
18 facility.

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20 (b) The commission shall report annually to the joint
21 appropriations interim committee on or before December 1,
22 on expenditures made from the trust income account
23 established under W.S. 23-1-501(g) in the previous fiscal
24 year. The report shall include the total amount of

1 expenditures and the amount of expenditures made pursuant
2 to each paragraph of subsection (a) of this section at the
3 level of budgetary detail required of the statewide
4 accounting system.

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6 **Section 2.** W.S. 23-1-501 by creating a new subsection
7 (g) is amended to read:

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9 **23-1-501. Game and fish fund.**

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11 (g) A trust account separate and apart from the trust
12 accounts established under subsections (d) and (f) of this
13 section is created within the Wyoming game and fish fund to
14 be known as the Wyoming wildlife legacy trust account. The
15 trust account shall consist of those funds appropriated to
16 the trust account by law at the time of its creation or
17 subsequently. Funds deposited within the trust account are
18 intended to be inviolate and constitute a permanent or
19 perpetual trust account which shall be invested by the
20 state treasurer as authorized under W.S. 9-4-711 and in a
21 manner to obtain the highest return possible consistent
22 with preservation of the account corpus. The state
23 treasurer shall credit annually to a Wyoming wildlife
24 legacy trust income account within the Wyoming game and

1 fish fund interest earned from investment of the trust
2 account corpus up to an amount equal to five percent (5%)
3 of the balance of the corpus at the beginning of the fiscal
4 year. Earnings above the five percent (5%) amount shall be
5 retained in the corpus of the trust account.
6 Notwithstanding subsection (b) of this section, funds
7 within the trust income account shall be expended by the
8 commission only for purposes specified under W.S. 23-1-504.

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10 **Section 3.** There is appropriated forty million
11 dollars (\$40,000,000.00) from the budget reserve account to
12 the Wyoming wildlife legacy trust account created by this
13 act, effective July 1, 2004.

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15 **Section 4.** The legislature finds that Wyoming's
16 wildlife resources are invaluable to the people of the
17 state and our progeny. Wildlife resources can be renewable,
18 but those resources currently face a major crisis requiring
19 additional funding to maintain their full potential to the
20 state. Current funding for wildlife resources is provided
21 nearly exclusively by hunting and fishing license fees. The
22 value of wildlife resources extends to all people of the
23 state and the resources should be supported by funding
24 attributable to both consumptive users and other people of

1 the state. The intent of the legislature is to use current
2 and future funds from all people of the state together with
3 funding provided by consumptive users to fulfill the
4 potential of renewable wildlife resources. In making
5 expenditures from the Wyoming wildlife legacy trust income
6 account the game and fish commission shall be guided by the
7 provisions of law and the principles enumerated within this
8 section.

9

10 **Section 5.** This act is effective July 1, 2004.

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12

(END)