

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.**

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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.

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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.

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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 military  
8 department in a reserve unit that is based in Wyoming who  
9 has been called to active duty;

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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

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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 children and, if they are  
24 dependents of the member of the military, the parents,

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

3

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

11

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

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

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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;

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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

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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.

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10 (c) The adjutant general may request assistance from  
11 the state treasurer to prepare the annual report required  
12 by this section.

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14 **Section 2.** Effective July 1, 2004, there is  
15 appropriated ten million dollars (\$10,000,000.00) from the  
16 budget reserve account to the military assistance trust  
17 fund created by this act.

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19 **Section 3.** This act is effective July 1, 2004.

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(END)