

HOUSE BILL NO. HB0161

Wyoming fossil preservation program.

Sponsored by: Representative(s) Davison, Dockstader, Slater, Thompson, Zwonitzer, Dn. and Zwonitzer, Dv. and Senator(s) Aullman, Cooper, Geis and Peterson

A BILL

for

1 AN ACT relating to Wyoming fossils; providing a program for
2 grants for acquisition, preservation and display of Wyoming
3 fossils; establishing a Wyoming fossil presentation trust
4 fund; providing a continuous appropriation; providing
5 additional appropriations; 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. 36-4-201 and 36-4-202 are created to
11 read:

12

13

ARTICLE 2

14

WYOMING FOSSIL PRESENTATION PROGRAM

15

1 **36-4-201. Wyoming fossil presentation program trust**
2 **account created; Wyoming fossil presentation program income**
3 **account created; expenditures.**

4
5 (a) A trust account is created to be known as the
6 Wyoming fossil presentation program trust account. The
7 trust account shall consist of those funds designated to
8 the account by law and all monies received from federal
9 grants and other contributions, grants, gifts, transfers,
10 bequests and donations to the trust account. The trust
11 account is specifically empowered to accept grants, gifts,
12 transfers, bequests and donations including those that are
13 limited in purpose by the grantor. Funds within the trust
14 account shall be invested by the state treasurer as
15 authorized under W.S. 9-4-711 and in a manner to obtain the
16 highest return possible consistent with preservation of the
17 account corpus.

18
19 (b) The state treasurer shall credit annually to a
20 Wyoming fossil presentation program trust income account
21 the interest earned from investment of the trust account
22 corpus. The legislature may, from time to time, appropriate
23 funds directly to the income account for distribution in
24 accordance with the terms of this article. Such specially

1 appropriated funds shall be credited directly by the state
2 treasurer to the income account and are available to the
3 commission for award of grants as otherwise permitted by
4 this article.

5
6 (c) Individuals and other entities may also grant,
7 give, transfer, bequest or donate funds to the trust
8 account or the income account. Such funds shall be credited
9 by the state treasurer to either the trust account or the
10 income account, as appropriate, in a manner consistent with
11 the conditions attached to their receipt.

12
13 (d) Funds within the income account are continuously
14 appropriated to the commission. The commission may expend
15 funds from the income account for staffing and other
16 administrative expenses authorized under this article.
17 Additional disbursements from the income account shall be
18 for grants as provided in W.S. 36-4-202.

19
20 **36-4-202. Wyoming fossil presentation program;**
21 **purpose; creation; administration by commission; rulemaking**
22 **authority; eligible projects.**

23

1 (a) It is the purpose of this article to assist the
2 state and museums throughout the state to acquire, preserve
3 and exhibit legally collected fossil specimens from the
4 state of Wyoming.

5

6 (b) The Wyoming parks and cultural resources
7 commission, in consultation with the state archeologist,
8 shall administer a Wyoming fossil presentation program as
9 provided by this article.

10

11 (c) Any qualifying museum within the state, owned by
12 the state or owned by a city, town, county, joint powers
13 board or other local government entity, may submit an
14 application to the commission for a grant under this
15 program on forms prescribed by and subject to rules
16 promulgated by the commission.

17

18 (d) Grants may be awarded by the commission for
19 purchase, preservation or exhibition of Wyoming fossil
20 specimens as follows:

21

22 (i) Fossil specimens purchased with grant funds
23 shall be legally collected from private and state lands in
24 Wyoming;

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2 (ii) Grants may be requested for purchase of
3 fossil specimens of any value, but no more than seventy-
4 five percent (75%) of the funds available in the income
5 account in any one (1) year shall be granted for the
6 purchase of a single specimen;

7

8 (iii) Casts of fossil specimens may be purchased
9 with grant funds only if the original specimen is no longer
10 available on the open market;

11

12 (iv) Grant funds shall not be used to purchase
13 fossil specimens from museum employees or their families,
14 or specimens originating on lands owned by museum employees
15 or their families;

16

17 (v) The commission shall, by rule and
18 regulation, devise a method of ranking grant requests,
19 which gives priority to the purchase of fossil specimens
20 before granting funds for curation and exhibition;

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22 (vi) Grants shall only be awarded for purchase
23 of fossil specimens that have accurate information

1 regarding locality, stratigraphy, restoration history and
2 preparation techniques;

3

4 (vii) Grants awarded for purchase of fossil
5 specimens may also include the cost of mounting;

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7 (viii) Grant applications shall be submitted
8 with an exhibit plan that clearly states how fossils were
9 part of the museum's exhibition plan prior to July 1, 2007.

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11 **Section 2.** W.S. 36-4-101(j), 36-4-104 by creating a
12 new subsection (g) and 36-4-106(d) by creating a new
13 paragraph (viii) are amended to read:

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15 **36-4-101. Commission established; composition;**
16 **appointment and terms of members; removal; representation**
17 **from appointment districts; vacancies; meetings; president.**

18

19 (j) As used in W.S. 36-4-101 through ~~36-4-119~~
20 36-4-202, "this act" means W.S. 36-4-101 through ~~36-4-119~~
21 36-4-202.

22

23 **36-4-104. Powers; interpretive service agreements.**

24

1 (g) The commission, in consultation with the state
2 archeologist, shall administer the Wyoming fossil
3 presentation program as provided in W.S. 36-4-201 and
4 36-4-202.

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6 **36-4-106. Plan for acquisition and development of**
7 **resources; authority of department; coordination of**
8 **activities; agreements with United States; state**
9 **archaeologist.**

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11 (d) There shall be appointed within the department of
12 state parks and cultural resources a state archaeologist,
13 who shall be a member of the department of anthropology of
14 the University of Wyoming. The state archaeologist shall
15 receive an annual salary to be determined by the Wyoming
16 human resources division, which shall be in addition to any
17 compensation received from the university. The state
18 archaeologist may:

19
20 (viii) Consult with the commission on awarding
21 of grants under the Wyoming fossil presentation program
22 pursuant to W.S. 36-4-201 and 36-4-202.

23
24 **Section 3.**

1

2 (a) There is appropriated five million dollars
3 (\$5,000,000.00) from the budget reserve account to the
4 Wyoming fossil presentation program trust account.

5

6 (b) There is appropriated five million dollars
7 (\$5,000,000.00) from the budget reserve account to the
8 Wyoming fossil presentation program income account for
9 purposes of providing grants under W.S. 36-4-202 in fiscal
10 years 2008 and 2009.

11

12 **Section 4.** This act is effective July 1, 2007.

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(END)