

SENATE FILE NO. SF0160

Local area tourism trade initiative.

Sponsored by: Senator(s) Cooper

A BILL

for

1 AN ACT relating to local area tourism; creating a trust
2 fund; providing for grants for local area tourism
3 promotion; providing an appropriation; and providing for an
4 effective date.

5

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

7

8 **Section 1.** W.S. 9-12-801 through 9-12-807 are created
9 to read:

10

11

ARTICLE 8

12

LOCAL AREA TOURISM TRADE INITIATIVE TRUST FUND

13

14 **9-12-801. Definitions.**

15

16 (a) As used in this article:

17

1 (i) "Board" means the tourism project approval
2 board created by W.S. 9-12-802;

3

4 (ii) "Director" means the director of the Wyoming
5 business council;

6

7 (iii) "Eligible project" means a project by a
8 local governmental entity as defined in W.S.
9 1-39-103(a)(ii) which meets the requirements of W.S.
10 9-12-805(c);

11

12 (iv) "Council" means the Wyoming business
13 council created by W.S. 9-12-103.

14

15 **9-12-802. Tourism project approval board; members;**
16 **expenses.**

17

18 (a) The tourism project approval board shall consist
19 of five (5) members, as follows:

20

21 (i) The state treasurer or his designee;

22

23 (ii) The director or his designee;

24

1 (iii) Three (3) persons representing the
2 interests of the tourism industry appointed by the
3 governor.

4
5 (b) The terms of members appointed under paragraph
6 (a)(iii) of this section shall be for four (4) years. Of
7 the initial appointees under paragraph (a)(iii) of this
8 section, two (2) members shall be appointed for two (2)
9 years and one (1) member shall be appointed for four (4)
10 years. The governor may remove any member appointed under
11 paragraph (a)(iii) of this section as provided in W.S.
12 9-1-202. A vacancy on the board shall be filled for the
13 balance of the unexpired term. The director or his
14 designee shall serve as chairman.

15

16 (c) The board shall meet not less than two (2) times
17 each year. Members shall serve without compensation but
18 shall be reimbursed for expenses incurred in the
19 performance of their official duties in the manner and
20 amounts provided by law for state employees. Members who
21 are government employees or public officials shall be
22 considered on official business of their agency when
23 performing duties as members of the board.

24

1 **9-12-803. Board; duties and responsibilities.**

2

3 (a) The tourism project approval board shall:

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5 (i) Review innovative program grants and grant
6 proposals;

7

8 (ii) Approve grant applications in accordance
9 with rules and regulations promulgated by the council to
10 meet the demands of Wyoming's local governments with
11 respect to encouraging, promoting and facilitating tourism
12 in each local area;

13

14 (iii) Review and monitor the expenditure of
15 monies awarded under W.S. 9-12-805; and

16

17 (iv) Consider other necessary matters.

18

19 (b) In fulfilling its duties under subsection (a) of
20 this section, the board shall:

21

22 (i) Consult with the council as necessary;

23

1 (ii) Consider and may accept federal grants and
2 other contributions, grants, gifts, bequests and donations
3 from any source.

4
5 **9-12-804. Council duties.**

6
7 (a) The council shall:

8
9 (i) Maintain, manage and be responsible for the
10 distribution of the funds appropriated for distribution
11 under W.S. 9-12-805;

12
13 (ii) Disburse the funds appropriated in
14 accordance with awards made by the board pursuant to W.S.
15 9-12-805.

16
17 **9-12-805. Disbursement of grants.**

18
19 (a) From the funds available for distribution, the
20 board may award grants to local governments throughout the
21 state to support the purposes specified in W.S.
22 9-12-803(a)(ii). The council shall disburse the funds in
23 accordance with awards made by the board under this
24 section.

1

2 (b) Notwithstanding W.S. 9-4-207, unobligated or
3 unencumbered funds retained by the council under this
4 section shall not lapse at the end of a fiscal period and
5 shall remain available for distribution as provided in this
6 section.

7

8 (c) The council shall by rule and regulation
9 establish a process for application and approval of
10 projects and for distribution of funds available for
11 distribution under this section. Projects may be approved
12 in each county only to the extent funds are available in
13 the individual county's account created under W.S.
14 9-12-807. Applications for eligible projects shall:

15

16 (i) Define the project in terms of the specific
17 goal to be attained;

18

19 (ii) Clearly state how the project will meet the
20 specific goal;

21

22 (iii) Include a complete estimated cost using
23 either accepted averages or actual construction bids, a

1 financial operational budget projection and a profit and
2 loss projection;

3

4 (iv) Include a marketing study or analysis
5 stating the merits of the project.

6

7 **9-12-806. Biennial report by board; audit.**

8

9 (a) Beginning September 1, 2005, the board shall
10 report to the council, the governor and the joint travel,
11 recreation, wildlife and cultural resources interim
12 committee no later than September 1 of each year with
13 respect to the grants awarded, and how those grants have
14 benefited tourism in the state.

15

16 (b) The director of the department of audit or his
17 designee shall audit the trust fund and individual county
18 accounts created by W.S. 9-12-807 biennially. The initial
19 audit shall occur not later than June 30, 2006. A report
20 on the audit shall be provided to the council, the board,
21 the governor and the joint travel, recreation, wildlife and
22 cultural resources interim committee no later than December
23 31 of the year in which the audit occurs.

24

1 **9-12-807. Local area tourism trade initiative trust**
2 **fund established; investment by state treasurer.**

3

4 (a) An account is established which shall be referred
5 to as the local area tourism trade initiative trust fund.
6 The trust fund shall consist of those funds designated to
7 the account by law and other contributions, grants, gifts,
8 bequests and donations to the trust fund. Within the
9 account there shall be twenty-three (23) separate accounts
10 corresponding to each county within the state. The corpus
11 of the trust fund shall be divided equally between the
12 twenty-three (23) separate accounts.

13

14 (b) The monies deposited into the trust fund
15 established pursuant to this section shall be transmitted
16 to the state treasurer for credit to the trust fund and
17 shall be invested by the state treasurer as authorized
18 under W.S. 9-4-711 in a manner to obtain the highest return
19 possible consistent with the preservation of the corpus.
20 The investment interest earned from investment of the
21 corpus of the trust fund shall be annually credited by the
22 state treasurer not later than June 30 of each year as
23 follows:

24

(i) All investment interest earned shall be divided into twenty-three (23) equal portions, deposited into twenty-three (23) separate accounts corresponding to each county within the state and distributed for projects in each county in accordance with W.S. 9-12-805.

6

7 **Section 2.** There is appropriated two hundred thirty
8 million dollars (\$230,000,000.00) from the budget reserve
9 account to the local area tourism trade initiative trust
10 fund created by this act.

11

12 **Section 3.** This act is effective July 1, 2005.

13

14 (END)