

**DRAFT ONLY  
NOT APPROVED FOR  
INTRODUCTION**

HOUSE BILL NO. [BILL NUMBER]

Forest health grant program.

Sponsored by: HDraft Committee

A BILL

for

1 AN ACT relating to state forestry; creating the forest  
2 health grant program; providing duties to the state  
3 forester; creating an account; requiring the attorney  
4 general to approve grants; requiring reports; providing an  
5 appropriation; and providing for an effective date.

6

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

8

9 **Section 1.** W.S. 36-1-601 is created to read:

10

11 \*\*\*\*\*

12 \*\*\*\*\*

13 **STAFF COMMENT**

14

1 This bill draft was requested with insufficient time to  
2 allow for a full LSO review and LSO cannot represent that  
3 the bill is ready for adoption by the sponsor.  
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5 \*\*\*\*\*  
6 \*\*\*\*\*  
7

8 ARTICLE 6  
9 FOREST HEALTH GRANT PROGRAM

10  
11 36-1-601. Forest health grant program; duties of  
12 state forester; account created; attorney general approval.  
13

14 (a) There is created the forest health grant program.  
15 The grant program shall be administered by the state  
16 forester, who shall establish the application process and  
17 any other requirements of the grant program not otherwise  
18 provided by this section.  
19

20 (b) Grants under the forest health grant program  
21 shall pay for not more than sixty-five percent (65%) of the  
22 cost of a project. Any other source of funds may be used as  
23 matching funds to cover the remainder of a project's costs  
24 and the state forester may require that matching funds be  
25 obligated to pay for a portion of any project. Projects  
26 eligible for grant funding shall be conducted on state or

1 private land and shall be designed to accomplish one (1) or  
2 more of the following:

3

4 \*\*\*\*\*  
5 \*\*\*\*\*  
6 STAFF COMMENT

7  
8 By allowing grants to be given to private landowners, this  
9 statute raises questions under the Donations Clause of the  
10 Wyoming Constitution (Art. 16, Sec. 6: Neither the state  
11 nor any county, city, township, town, school district, or  
12 any other political subdivision, shall loan or give its  
13 credit or make donations to or in aid of any individual,  
14 association or corporation, except for necessary support of  
15 the poor;). This concern also exists where grants can be  
16 given for "support of the forest products industry" (see  
17 paragraph (iii) below). If you would like more information  
18 about this clause, please feel free to contact me.

19  
20 \*\*\*\*\*  
21 \*\*\*\*\*  
22

23 (i) Enhancement of water yield;

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25 (ii) Reduction of the risk of catastrophic  
26 wildfire damage;

27

28 (iii) Support of the forest products industry;

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30 (iv) Improvement of habitat conditions for  
31 wildlife;

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1           (v) Any other proposal beneficial to forest  
2 health and substantially beneficial to the interest of the  
3 state and for a public purpose as determined by the state  
4 forester.

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6           (c) No grant shall be made without the written  
7 opinion of the attorney general certifying the legality of  
8 the grant and all documents connected with the grant and  
9 project.

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11           (d) There is created the forest health grant program  
12 account. The account shall consist of those funds  
13 designated to the account by law. Funds in the account  
14 shall be used only upon legislative appropriation for  
15 grants authorized to be made under this article.  
16 Individuals and other entities may also grant, give,  
17 transfer, bequest or donate funds to the account. Any funds  
18 remaining in this account at the end of any fiscal year  
19 shall not lapse or revert as provided by W.S. 9-4-207 but  
20 shall remain in the account and be used to implement the  
21 purposes of this article. Accrued interest and other  
22 earnings on unexpended funds within the forest health grant  
23 program account shall be credited to the account.

1

2 (e) The state forester shall annually report to the  
3 joint agriculture, state and public lands and water  
4 resources interim committee not later than September 1 on  
5 all grants awarded, the amounts of the grants and the  
6 projects the grants were authorized to fund.

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8 **Section 2.** There is appropriated three million  
9 dollars (\$3,000,000.00) from the general fund to the forest  
10 health grant program account for purposes of implementing  
11 this act and making grants authorized by this act. This  
12 appropriation shall not be transferred or expended for any  
13 other purpose without further legislative authorization.  
14 Notwithstanding W.S. 9-2-1008, 9-2-1012(e) and 9-4-207,  
15 this appropriation shall remain in effect and not lapse or  
16 revert at the end of any fiscal period except upon further  
17 legislative action. It is the intent of the legislature  
18 that additional funding for this purpose be included in the  
19 state forester's next budget request submitted under W.S.  
20 9-2-1013.

21

22 **Section 3.** This act is effective July 1, 2025.

23

1

(END)