

Chapter 1

Wyoming Cultural Trust Fund Board Rules and Regulations

Section 1. Wyoming Cultural Trust Fund Board. The Wyoming Cultural Trust Fund was established by W.S. 9-2-2301 to 9-2-2308, as may be amended, and has the power and duties established in other related legislation as applicable.

Section 2. Authority. These rules are promulgated as authorized by the Wyoming Administrative Procedures Act, W.S. 16-3-101 to 16-3-115 and the provisions of law creating the Wyoming Cultural Trust Fund pursuant to W.S. 9-2-2301 thru 9-2-2308, specifically W.S. 9-2-2306(c) which mandates the adoption of rules and regulations to implement the provisions of W.S. 9-2-2301 to 9-2-2308, or other provisions of law subsequently enacted.

Section 3. Purpose and Objectives. These Rules and Regulations are established to effectuate, and shall be applied so as to accomplish, the general purposes of the Wyoming Cultural Trust Funding Act (the "Act"), as may be amended to promote, preserve and enhance Wyoming's unique cultural heritage for the citizens of the state and nation and for future generations to understand and appreciate the heritage that makes Wyoming unique among the United States.

Section 4. Definitions. The following definitions shall control in any application of these rules and regulations:

(a) "Board" means the Wyoming Cultural Trust Fund Board established by W.S. 9-2-2305;

(b) "Cultural Heritage" means movable and immovable property that has cultural significance, whether in the nature of antiquities and monuments of a classical age or important modern items of fine arts, decorative arts, and architecture, or intangible aspects of culture such as humanities, folklore, crafts, skills, artifacts, art, or history. Cultural Heritage also includes but is not limited to contemporary and traditional folklore, crafts, skills, architecture, history, artifacts, humanities or the arts.

(c) "Division" means the Division of Cultural Resources within the Department of State Parks and Cultural Resources, or its successor;

(d) "Governmental organization" means any state, tribal, federal and county or local governmental agency, including municipal subdivisions;

(e) "Matching contribution" includes money and in-kind contributions, including the economic value of any non-monetary donated contributions to a project/program by the applicant, including but not limited to labor, equipment or supplies, facilities, or other terms essential to a project;

(f) "Rules" means the rules and regulations established by the Wyoming Cultural Trust Fund Board;

(g) "Trust Fund" means the Wyoming Cultural Trust Fund created by W.S. 9-2-2304;

Section 5. Board

(a) Each appointed Board member shall serve on staggered three (3) year terms, as stated in W.S. 9-2-2305. Members shall serve without compensation, but shall be reimbursed for expenses incurred in the performance of their duties in the manner and amounts provided by law.

(b) The Board shall meet regularly to review and dispose of grant proposals/programs, and the chairperson may call special meetings. Nothing contained in these rules shall be construed as prohibiting the Board or the chairperson from holding information proceedings, workshop meetings, or conferences deemed by the Board to be necessary in the performance of its duties. All regular and special meetings shall be held in accordance with the Public Meetings Act as set forth in W.S. 16-4-401 et seq.

(c) The Board shall establish criteria for grant selection and initiate program planning.

(d) The Board shall review, monitor and administer the expenditures of monies from the trust fund.

(e) The Board may consult with the Wyoming Arts Council Board and Wyoming Parks and Cultural Resources Commission. The Board may also consult with other agencies, boards, commission, and organizations as they deem necessary.

(f) The Board may accept federal grants, and other contributions, grants, gifts, bequests, and donations from any source.

(g) The Board may approve grants for nonprofit and governmental, cultural, historical, and arts organizations, and have the discretion in determining the amount of money, as well as the amount of required match, under each grant.

(h) The Board shall annually report to the Governor, the Joint Appropriations Interim Committee, and the Joint Travel, Recreation, Wildlife and Cultural Resources Committee no later than October 1 of each year.

Section 6. Eligibility for Grants.

(a) Grants will require local matching funds or other in-kind contributions from applicants;

(b) Grants may be awarded only to nonprofit or governmental, cultural, historical, historical preservation, humanities, and arts organizations;

(c) All applicants will need to demonstrate that the proposed project, program or entity for which they are seeking a grant is supported by a solid plan to effectuate the proposal, demonstrates the fiscal capability to maintain the project, program or entity over time, and demonstrates clear support of Wyoming's cultural community and affected interests;

(d) All grant recipients will submit an evaluation of their programs, projects or entities assisted by any Trust Fund Grant within 60-days of the completion of grant period.

Section 7. Application Procedure. Application deadlines and procedures will be widely publicized to facilitate equal access to the funds to the most diverse and comprehensive potential grantees within Wyoming's cultural community.

(a) Applications shall be on forms prescribed by the Board, and received by such date(s) as the Board shall establish.

(b) The application shall include the following:

- (i) Name and address of applicant(s)/organization(s) and contact information for project/program/entity director, (name, phone, email, mailing address).
- (ii) A description of need for funds.
- (iii) The manner in which the need will be met.
- (iv) The dollar amount requested.
- (v) How will matching dollars be achieved.
- (vi) The number of persons who will be served and a project plan.
- (vii) Whether the program, project or entity involves one time or ongoing costs, and, if ongoing, how program, project or entity may be funded and maintained over time.
- (viii) Schedule for project/program completion.
- (ix) The description of intended evaluation and accountability procedures.
- (x) Two or three letters of support from local community organizations, agencies, or individuals.
- (xi) Other information as deemed necessary by the board.

Section 8. Grant Award Procedure/Prioritization Process

(a) Applications shall be evaluated by criteria established by the Board.

(b) The Board shall have final decision regarding the approval or denial of grant awards.

(c) Grant applicants shall have the right to resubmit denied grant applications for consideration during future grant application periods.

(d) All final Board decisions regarding the approval or denial of grant awards shall require a majority vote of the Board.

Section 9. Grant Distribution and Administration

(a) All fiscal records of the Board shall be maintained in accordance with State of Wyoming Accounting Procedures.

- (b) Records shall be maintained by the State Parks and Cultural Resources Department.
- (c) Board members shall present vouchers and requests for payment in accordance with policies and procedures of the Wyoming State Auditor's Office.
- (d) Grants will be distributed annually, or as requested by the Board.

Section 10. Audits/Inspections

- (a) The Director of the Department of Audit or his designee shall audit the trust fund designated by W.S. 9-2-2304 biennially. Copies of the audit shall be provided to the Governor and the Joint Travel, Recreation, Wildlife and Cultural Resources Interim Committee.
- (b) The Board shall annually report to the Governor, the Joint Appropriations Committee, and the Joint Travel, Recreation, Wildlife and Cultural Resources Interim Committee no later than October 1.

Section 11. Gifts, Transfers, Bequests and Donations

- (a) The Board may accept grants, gifts, bequests, and donations to the cultural trust fund from any source.