



THE STATE OF WYOMING

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G.S. to Grant:
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M E M O R A N D U M

TO: Collin Fallat
FROM: Donna Rice *D.R.*
Assistant Attorney General
DATE: May 26, 1989

Question: Can a conservation district use district funds to pay for a membership in a private organization such as the Wyoming Association of Conservation Districts?

Response: Yes.

Discussion

The Wyoming constitutional provision which has created confusion with regard to public membership in private organizations is Article 16, 6 which states:

Neither the state nor any county, city, township, town, school district, or any other political sub-division, shall loan or give its credit or make donations to or in aid of any individual, association or corporation

Payment of private, individual memberships in a private organization would constitute a loan, gift or donation and would violate the constitution. But an institutional or organizational membership which survives any individual and belongs to the organization does not violate the constitution as long as it is not a donation or contribution. To fully comply with the constitution, I suggest the following procedures:

- a. The minutes should clearly reflect the payment of membership dues in a private organization is in the name of the organization or institution paying the dues and not in the name of an individual.

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b. The minutes should reflect what services or benefits are expected from the organization which is receiving the dues. The expected benefits or services should be related to the duties of the district as stated in W.S. 11-16-122.

DRM:bkt