

COLORADO WILDLIFE COMMISSION POLICY

Title: **PRIVATE DONATIONS**

Effective Date: April 8, 2004

Re-Adoption Date: February 8, 2007

SUBJECT: Private donations

Introduction

From time to time private individuals and groups seek to make donations to the Colorado Wildlife Commission ("Commission") to assist the efforts of the Commission and the Division of Wildlife ("Division") in managing wildlife in Colorado. Such donations are an important asset and contribute to overall wildlife management in Colorado. Donations are currently made both directly to the Commission and to entities acting as cooperators with the Commission on wildlife management projects.

Objectives

The objective of this policy is to facilitate the receipt and proper use of donations by the Commission, or other entities acting on behalf of the Commission, and to otherwise encourage donations through appropriate recognition of donors.

Authority

Section 33-1-105(1)(a) and (f), C.R.S., authorizes the Commission to receive, use and expend, grants, gifts, devises and bequests made available to it for the purposes for which it is authorized. This specific authority also includes the implied authority to solicit such donations and to publicly recognize those individuals and groups that choose to make donations to the Commission.

Section 33-1-105(1)(e), C.R.S., authorizes the Commission to enter into cooperative agreements with state and other agencies, educational institutions, municipalities, political subdivisions, corporations, clubs, landowners, associations and individuals for the development and promotion of wildlife programs. This authority includes the authority to enter into a cooperative agreement with any of the above legal entities for the purpose of soliciting and receiving donations and providing appropriate recognition of those donors.

Policy Statement

The Commission, in an effort to further encourage charitable donations for wildlife purposes, adopts the following policy statements regarding acceptable types of donations, the role of cooperating entities in the solicitation and receipt of donations and the public recognition of donors by the Commission:

1. All donations must be voluntary.
2. Acceptable donations may include cash and real or personal property, provided the property can be used directly in existing or planned wildlife programs or projects, or readily disposed of for cash. The Commission also recognizes that through the donation of property, certain operation and maintenance costs may be incurred by the Division and provision for such costs should be made whenever possible as part of or concurrently with the donation.
3. Donations may be conditioned or otherwise restricted by the donor provided the conditions do not unduly restrict the ability of the Commission to use the donation to meet its wildlife management goals or otherwise significantly reduce the value of the donation to the Commission.

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4. Donations may be accepted from any person that shares the mission and interests of the Commission in protecting, preserving, enhancing and managing Colorado's wildlife and their environment for the use, benefit and enjoyment of the people of this state and its visitors. Donations from persons supporting interests inconsistent with or contrary to the Commission's or where such donation would tend to otherwise portray the Commission in an unfavorable light will not be accepted.

5. While the Division is authorized to accept appropriate donations on behalf of the Commission, the Commission also recognizes that the effective operation of a private funding campaign sometimes requires special expertise or might otherwise take the Division away from other wildlife management activities. Accordingly, third party entities (acting as independent contractors) may be allowed to solicit and collect donations on behalf of the Commission provided appropriate requirements or safeguards are put in place as part of a cooperative agreement with the Division, including:

The entity's mission and interests must be consistent with the mission and interests of the Commission;

The entity must be 501.c.3 (U.S. Tax Code) nonprofit in good standing and authorized to conduct business in Colorado;

The entity must demonstrate an ability to secure funds for specific wildlife programs or projects and have established donation solicitation policies consistent with the policies of the Commission;

The entity must have established donation acceptance policies consistent with the policies of the Commission, and;

The entity has a trust account available for securing donations collected on behalf of the Commission prior to their transfer to the Division.

Third party entities may be allowed to retain a portion of cash donations to cover documented and necessary costs of administering their fund raising activities. It is the intent of the Wildlife Commission that indirect costs associated with fund raising (administrative, overhead) be kept to a minimum. All retainages shall be negotiated by the Division, subject to Commission approval. Where otherwise appropriate and available, third party entities may also be allowed to use Division resources as part of their fund raising activities.

6. Donors should be given appropriate recognition for their efforts, including public recognition at Commission and Division functions, recognition in Colorado Outdoors or Division brochures, recognition on plaques maintained at Division buildings and facilities and, where exceptional circumstances might otherwise warrant, recognition in perpetuity by attaching the donor's name to a specific portion of a program, project, facility, building or landmark. Any such perpetual recognition shall be subject to Commission approval. Consistent with the Commission's policy regarding third party solicitation and collection of donations, these third party entities may also allow for donor recognition as part of their cooperative agreement with the Division provided they have established donor recognition policies consistent with the policies of the Commission.

These policies and guidelines have been reviewed and accepted by the Commission. The Wildlife Commission must approve any changes to or deviations from these policies.

Date: April 8, 2004