

HOUSE JOINT RESOLUTION NO. HJ0003

State lands mineral royalties-constitutional amendment.

Sponsored by: Representative(s) Hallinan, Andrew, Baker,
Banks, Bear, Henderson, Sommers, Stith and
Sweeney

A JOINT RESOLUTION

for

1 A JOINT RESOLUTION proposing to amend the Wyoming
2 Constitution to provide that two-thirds of state mineral
3 royalties earned from the lease of state school lands may be
4 appropriated by the legislature for the support of the public
5 schools for six years and to provide thereafter for retaining
6 a portion of mineral royalties within the perpetual fund to
7 be made available for expenditure for support of public
8 schools in subsequent years; and providing a ballot
9 statement.

10

11 *BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF WYOMING,*
12 *two-thirds of all the members of the two houses, voting*
13 *separately, concurring therein:*

14

1 **Section 1.** The following proposal to amend Wyoming
2 Constitution, Article 7, Section 2 is proposed for submission
3 to the electors of the State of Wyoming at the next general
4 election for approval or rejection to become valid as a part
5 of the Constitution if ratified by a majority of the electors
6 at the election:

7

8 **Article 7, Section 2. School revenues.**

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10 The following are declared to be perpetual funds for school
11 purposes, of which the annual income only can be appropriated,
12 to wit: Such per centum as has been or may hereafter be
13 granted by congress on the sale of lands in this state; all
14 moneys arising from the sale or lease of sections number
15 sixteen and thirty-six in each township in the state, and the
16 lands selected or that may be selected in lieu thereof; the
17 proceeds of all lands that have been or may hereafter be
18 granted to this state, where by the terms and conditions of
19 the grant, the same are not to be otherwise appropriated; the
20 net proceeds of lands and other property and effects that may
21 come to the state by escheat or forfeiture, or from unclaimed
22 dividends or distributive shares of the estates of deceased
23 persons; all moneys, stocks, bonds, lands and other property

1 now belonging to the common school funds. Provided, that the
2 rents for the ordinary use of said lands shall be applied to
3 the support of public schools and, when authorized by general
4 law, not to exceed thirty-three and one-third (33 1/3) per
5 centum of oil, gas, coal, or other mineral royalties arising
6 from the lease of any said school lands may be so applied,
7 except for the period from July 1, 2023 through June 30, 2029,
8 during which time up to sixty-six and two-thirds (66 2/3) per
9 centum of mineral royalties may be so applied. In each fiscal
10 year commencing on and after July 1, 2029, thirty-three and
11 one-third percent (33 1/3%) of mineral royalties shall be
12 retained within a separate account of the perpetual fund to
13 be available in subsequent years for the support of the public
14 schools as authorized by general law. The amount available
15 from the separate account shall be limited each fiscal year
16 to that necessary, when added to income made available from
17 investments of the perpetual fund, to provide an amount equal
18 to five and one-half percent (5 1/2%) of the five (5) year
19 average value of the perpetual fund. Funds within the separate
20 account shall not be subject to Article 18, Section 6 of this
21 Constitution.

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1 **Section 2.** That the Secretary of State shall endorse
2 the following statement on the proposed amendment:

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1 This amendment provides that from July 1, 2023 through June
2 30, 2029 up to two-thirds (2/3) of state mineral royalties
3 earned from the lease of state school lands may be available
4 for appropriation by the legislature for the support of the
5 public schools. The amendment also establishes a separate
6 account within the perpetual fund to hold one-third (1/3) of
7 state mineral royalties earned each year from the lease of
8 school lands. Funds within the separate account would be
9 available for the support of public schools in subsequent
10 years to supplement investment income from the perpetual
11 fund. The amendment limits expenditures from the separate
12 account so that the total amount from the separate account
13 and investment income made available for expenditure cannot
14 exceed five and one-half percent (5 1/2%) of the five (5)
15 year average value of the perpetual fund. Currently, one-
16 third (1/3) of the mineral royalties are available for
17 appropriation by the legislature for the support of the public
18 schools and the remaining two-thirds (2/3) of mineral
19 royalties become part of the perpetual school fund.

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21

(END)