

HOUSE JOINT RESOLUTION NO. HJ0001

Amending Wyoming's act of admission for earnings.

Sponsored by: Select Committee on Capital Financing &
Investments

A JOINT RESOLUTION

for

1 A JOINT RESOLUTION requesting Congress to introduce a bill
2 and enact law to amend Wyoming's act of admission to authorize
3 the expenditure of earnings for the support of the common
4 schools in Wyoming.

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6 WHEREAS, on July 10, 1890, the United States Congress enacted
7 the Act of Admission that admitted Wyoming as a state in the
8 United States of America; and

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10 WHEREAS, the Act of Admission granted the state of Wyoming
11 two (2) sections of land in every township for the support of
12 common schools; and

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14 WHEREAS, the Act of Admission specified that any proceeds
15 from the disposition of granted school lands were to

1 constitute a permanent school fund, "the interest of which
2 only shall be expended in the support of said schools"; and

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4 WHEREAS, the Act of Admission specified that a percentage of
5 the proceeds of the sales of federal public lands in Wyoming
6 were to constitute a permanent fund, "the interest of which
7 only shall be expended for the support of the common schools"
8 in Wyoming; and

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10 WHEREAS, the Act of Admission specified that certain
11 previously granted lands constituted a permanent fund, with
12 the interest and income to be used for university purposes;
13 and

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15 WHEREAS, the state created the common school account within
16 the permanent land fund in accordance with the requirements
17 of the Act of Admission and Article 7, Section 2 of the
18 Wyoming Constitution; and

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20 WHEREAS, the common school account within the permanent land
21 fund has grown over the years and has been invested to where
22 the current value of the fund exceeds four billion dollars
23 (\$4,000,000,000.00); and

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2 WHEREAS, the investment of the funds in the common school
3 account generates earnings and capital gains that are in
4 addition to interest and income generated from the funds; and
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6 WHEREAS, an amendment to Wyoming's Act of Admission that would
7 replace references to "interest" and "income" with references
8 to "earnings" will better reflect the reality of how the
9 common school account is invested and will allow the earnings
10 that are generated from the investment of the permanent funds
11 of the common school account to be better and more efficiently
12 applied for the benefit of Wyoming's public schools.

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14 *NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE*
15 *LEGISLATURE OF THE STATE OF WYOMING:*

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17 **Section 1.** That the Wyoming Legislature requests that
18 members of Wyoming's congressional delegation introduce, and
19 that Congress enact, legislation that will amend Wyoming's
20 Act of Admission to strike references to "interest" in
21 sections 5 and 7 of the Act of Admission and to insert
22 references to "earnings" and to strike the reference to
23 "income" in section 8 and insert a reference to "earnings."

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2 **Section 2.** That members of Wyoming's congressional
3 delegation and Congress consider introducing legislation that
4 makes the following changes to sections 5, 7 and 8 of the Act
5 of Admission as follows:

6

7

Section 5.

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9 All lands herein granted for educational purposes
10 shall be disposed of only at public sale, the
11 proceeds to constitute a permanent school fund, the
12 ~~interest~~earnings of which only shall be expended
13 in the support of said schools. But said lands may,
14 under such regulations as the legislature shall
15 prescribe, be leased for mineral, grazing,
16 agricultural, or other purposes, provided that the
17 term of agricultural and grazing leases shall not
18 exceed 10 years; and such land shall not be subject
19 to preemption, homestead entry, or any other entry
20 under the land laws of the United States, whether
21 surveyed or unsurveyed, but shall be reserved for
22 school purposes only.

23

1 **Section 7.**

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3 Five per cent of the proceeds of the sales of public
4 lands lying within said state which shall be sold
5 by the United States subsequent to the admission of
6 said state into the union, after deducting all the
7 expenses incident to the same, shall be paid to the
8 said state, to be used as a permanent fund, the
9 ~~interest~~earnings of which only shall be expended
10 for the support of the common schools within said
11 state.

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13 **Section 8.**

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15 The lands granted to the Territory of Wyoming by
16 the act of February 18, 1881, entitled "An act to
17 grant lands to Dakota, Montana, Arizona, Idaho and
18 Wyoming, for university purposes," are hereby
19 vested in the State of Wyoming, to the extent of
20 the full quantity of 72 sections to said state, and
21 any portion of said lands that may not have been
22 selected by said Territory of Wyoming may be
23 selected by the said state; but said act of February

1 18, 1881, shall be so amended as to provide that
2 none of said lands shall be sold for less than \$10
3 per acre, and the proceeds shall constitute a
4 permanent fund to be safely invested and held by
5 said state, and the ~~income~~earnings thereof be used
6 exclusively for university purposes. The schools,
7 colleges, and universities provided for in this act
8 shall forever remain under exclusive control of
9 said state, and no part of the proceeds arising
10 from the sale or disposal of any lands herein
11 granted for educational purposes shall be used for
12 the support of any sectarian or denominational
13 school, college, or university. The section of land
14 granted by the act of May 28, 1888, to the Territory
15 of Wyoming for a fish hatchery and other public
16 purposes shall, upon the admission of said State of
17 Wyoming into the union, become the property of said
18 state.

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2 **Section 3.** That the Secretary of State of Wyoming
3 transmit copies of this resolution to the President of the
4 United States, to the President of the Senate and the Speaker
5 of the House of Representatives of the United States Congress,
6 the governor, the state treasurer and to each member of the
7 Wyoming Congressional Delegation.

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(END)