

**DRAFT ONLY  
NOT APPROVED FOR  
INTRODUCTION**

HOUSE JOINT RESOLUTION NO.

Amending Wyoming's act of admission for leases and 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 and to amend the authority for leasing  
5 state school lands.

6

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

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

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5 WHEREAS, the Act of Admission specified that any proceeds  
6 from the disposition of granted school lands were to  
7 constitute a permanent school fund, "the interest of which  
8 only shall be expended in the support of said schools"; and

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10 WHEREAS, the Act of Admission authorized the state of Wyoming  
11 to lease granted school lands for mineral, grazing,  
12 agricultural or other purposes but that agricultural and  
13 grazing leases shall not exceed ten (10) years; and

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15 WHEREAS, the Act of Admission specified that a percentage of  
16 the proceeds of the sales of federal public lands in Wyoming  
17 were to constitute a permanent fund, "the interest of which  
18 only shall be expended for the support of the common schools"  
19 in Wyoming; and

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21 WHEREAS, the Act of Admission specified that certain  
22 previously granted lands constituted a permanent fund, with

1 the interest and income to be used for university purposes;  
2 and

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4 WHEREAS, the state created the common school account within  
5 the permanent land fund in accordance with the requirements  
6 of the Act of Admission and Article 7, Section 2 of the  
7 Wyoming Constitution; and

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9 WHEREAS, the common school account within the permanent land  
10 fund has grown over the years and has been invested to where  
11 the current value of the fund exceeds four billion dollars  
12 (\$4,000,000,000.00); and

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14 WHEREAS, the investment of the funds in the common school  
15 account generates earnings and capital gains that are in  
16 addition to interest and income generated from the funds; and

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18 WHEREAS, providing broader authority to the state of Wyoming  
19 for leasing granted school lands will allow the state of  
20 Wyoming to secure better long-term returns from leases; and

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22 WHEREAS, an amendment to Wyoming's Act of Admission that would  
23 replace references to "interest" and "income" with references

1 to "earnings" will better reflect the reality of how the  
2 common school account is invested and will allow the earnings  
3 that are generated from the investment of the permanent funds  
4 of the common school account to be better and more efficiently  
5 applied for the benefit of Wyoming's public schools; and

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7 WHEREAS, an amendment to the Act of Admission to allow the  
8 state to lease granted school lands under laws that the  
9 Wyoming Legislature prescribes and subject to each lease  
10 securing the maximum long-term financial return will allow  
11 the state of Wyoming to secure greater returns from leases.

12

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

15

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

1 amend provisions related to leases of granted school lands to  
2 secure greater returns from those leases.

3

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

8

9 **Section 5.**

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

1 under the land laws of the United States, whether  
2 surveyed or unsurveyed, but shall be reserved for  
3 school purposes only.

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**Section 7.**

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

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**Section 8.**

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19 The lands granted to the Territory of Wyoming by  
20 the act of February 18, 1881, entitled "An act to  
21 grant lands to Dakota, Montana, Arizona, Idaho and  
22 Wyoming, for university purposes," are hereby  
23 vested in the State of Wyoming, to the extent of  
24 the full quantity of 72 sections to said state, and

1 any portion of said lands that may not have been  
2 selected by said Territory of Wyoming may be  
3 selected by the said state; but said act of February  
4 18, 1881, shall be so amended as to provide that  
5 none of said lands shall be sold for less than \$10  
6 per acre, and the proceeds shall constitute a  
7 permanent fund to be safely invested and held by  
8 said state, and the ~~income~~earnings thereof be used  
9 exclusively for university purposes. The schools,  
10 colleges, and universities provided for in this act  
11 shall forever remain under exclusive control of  
12 said state, and no part of the proceeds arising  
13 from the sale or disposal of any lands herein  
14 granted for educational purposes shall be used for  
15 the support of any sectarian or denominational  
16 school, college, or university. The section of land  
17 granted by the act of May 28, 1888 to the Territory  
18 of Wyoming for a fish hatchery and other public  
19 purposes shall, upon the admission of said State of  
20 Wyoming into the union, become the property of said  
21 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)