

HOUSE JOINT RESOLUTION NO. HJ0011

State superintendent of public instruction.

Sponsored by: Representative(s) Harshman, Brown, Esquibel,
K. and Krone and Senator(s) Rothfuss

A BILL

for

1 A JOINT RESOLUTION proposing to amend the Wyoming
2 Constitution relating to the superintendent of public
3 instruction; eliminating the elected status of the state
4 superintendent on and after January 5, 2015; providing for
5 supervision of public schools by the governor through
6 appointed cabinet officer; designating the appointed
7 officer as ex officio member of University of Wyoming board
8 of trustees; removing the state superintendent from the
9 board of land commissioners on and after January 5, 2015.

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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

15 **Section 1.** The following proposal to amend Wyoming
16 Constitution, Article 4, Section 11, Article 7, Sections

1 11, 14 and 17 and Article 18, Section 3 are proposed for
2 submission to the electors of the State of Wyoming at the
3 next general election for approval or rejection to become
4 valid as a part of the Constitution if ratified by a
5 majority of the electors at the election:

6

7 **Article 4, Section 11. State officers; election;**
8 **qualifications; terms.**

9

10 There shall be chosen by the qualified electors of the
11 state at the times and places of choosing members of the
12 legislature, a secretary of state, auditor, treasurer, and
13 superintendent of public instruction, who shall have
14 attained the age of twenty-five (25) years respectively,
15 shall be citizens of the United States, and shall have the
16 qualifications of state electors. They shall severally
17 hold their offices at the seat of government, for the term
18 of four (4) years and until their successors are elected
19 and duly qualified. Commencing with the 2014 general
20 election, the state superintendent of public instruction
21 shall not be elected and on and after January 5, 2015 the
22 general supervision of public schools pursuant to Article
23 7, Section 14 of this constitution, shall be entrusted to
24 the governor and his appointee. The legislature may

1 provide for such other state officers as are deemed
2 necessary.

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4 **Article 7, Section 11. Textbooks.**

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6 Neither the legislature, nor while the office exists the
7 superintendent of public instruction, nor the governor or
8 his appointee under Article 7, Section 14 of this
9 constitution, shall have power to prescribe text books to
10 be used in the public schools.

11

12 **Article 7, Section 14. Supervision of schools**
13 **entrusted to governor; cabinet officer appointment.**

14

15 (a) Until January 5, 2015, the general supervision of
16 the public schools shall be entrusted to the state
17 superintendent of public instruction, whose powers and
18 duties shall be prescribed by law.

19

20 (b) On and after January 5, 2015, the general
21 supervision of the public schools of Wyoming shall be
22 entrusted to the governor. The governor shall appoint a
23 cabinet officer of the executive branch of state government
24 to represent the governor in his role to supervise the

1 public schools of this state. The cabinet officer shall be
2 appointed by and with the advice and consent of the senate,
3 and his powers and duties shall be as prescribed by law.

4
5 **Article 7, Section 17. Government of university.**

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7 The legislature shall provide by law for the management of
8 the university, its lands and other property by a board of
9 trustees, consisting of not less than seven members, to be
10 appointed by the governor by and with the advice and
11 consent of the senate, and the president of the university,
12 and until January 4, 2015, the superintendent of public
13 instruction, as members ex officio, as such having the
14 right to speak, but not to vote. On and after January 5,
15 2015, the cabinet officer appointed by the governor under
16 Article 7, Section 14 of this constitution, shall
17 constitute an ex officio member of the board of trustees.

18 The duties and powers of the trustees shall be prescribed
19 by law.

20
21 **Article 18, Section 3. Board of land commissioners.**

22
23 Until January 4, 2015, the governor, secretary of state,
24 state treasurer, state auditor and superintendent of public

1 instruction shall constitute a board of land
2 commissioners. ~~which~~ On and after January 5, 2015, the
3 governor, secretary of state, state treasurer and state
4 auditor shall constitute the board. The board, under
5 direction of the legislature as limited by this
6 constitution, shall have direction, control, leasing and
7 disposal of lands of the state granted, or which may be
8 hereafter granted for the support and benefit of public
9 schools, subject to the further limitations that the sale
10 of all lands shall be at public auction, after such delay
11 (not less than the time fixed by congress) in portions at
12 proper intervals of time, and at such minimum prices (not
13 less than the minimum fixed by congress) as to realize the
14 largest possible proceeds. And said board, subject to the
15 limitations of this constitution and under such regulations
16 as may be provided by law shall have the direction,
17 control, disposition and care of all lands that have been
18 heretofore or may hereafter be granted to the state.

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

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1 The adoption of this amendment eliminates the state
2 superintendent of public instruction as an elected official
3 commencing with the general election in 2014. Effective
4 January 5, 2015 the general supervision of Wyoming public
5 schools will be under the governor through an appointed
6 cabinet level officer by and with the advice and consent of
7 the Wyoming senate. Effective January 5, 2015, the state
8 board of land commissioners will be reduced from five to
9 four members and the appointed cabinet level officer will
10 become an ex officio member of the University of Wyoming
11 board of trustees.

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(END)