

c

SENATE JOINT RESOLUTION NO. SJ0001

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

10

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

14

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

5

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

10

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

16

17 WHEREAS, the Act of Admission specified that certain
18 previously granted lands constituted a permanent fund, with
19 the income to be used for university purposes; and

20

21 WHEREAS, the state created the common school account within
22 the permanent land fund in accordance with the requirements

1 of the Act of Admission and Article 7, Section 2 of the
2 Wyoming Constitution; and

3

4 WHEREAS, the common school account within the permanent fund
5 has grown over the years and has been invested to where the
6 current value of the fund exceeds four billion dollars
7 (\$4,000,000,000.00); and

8

9 WHEREAS, the investment of the funds in the common school
10 account generates earnings and capital gains that are in
11 addition to interest generated from the funds; and

12

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

16

17 WHEREAS, an amendment to Wyoming's Act of Admission that would
18 replace references to "interest" and "income" with references
19 to "earnings" will better reflect the reality of how the
20 common school account is invested and will allow the earnings
21 that are generated from the investment of the permanent funds
22 of the common school account to be better and more efficiently
23 applied for the benefit of Wyoming's public schools; and

1

2 WHEREAS, an amendment to the Act of Admission to allow the
3 state to lease granted school lands under laws that the
4 Wyoming Legislature prescribes and subject to each lease
5 securing the maximum long-term financial return will allow
6 the state of Wyoming to secure greater returns from leases.

7

8 *NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE*
9 *LEGISLATURE OF THE STATE OF WYOMING:*

10

11 **Section 1.** That the Wyoming Legislature requests that
12 members of Wyoming's congressional delegation introduce, and
13 that Congress enact, legislation that will amend Wyoming's
14 Act of Admission to strike references to "interest" in
15 sections 5 and 7 of the Act of Admission and insert references
16 to "earnings," and to strike the reference to "income" in
17 section 8 and insert a reference to "earnings" and to amend
18 provisions related to leases of granted school lands to secure
19 greater returns from those leases.

20

21 **Section 2.** That members of Wyoming's congressional
22 delegation and Congress consider introducing legislation that

1 makes the following changes to sections 5, 7 and 8 of the Act
2 of Admission as follows:

3

4 **Section 5.**

5

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

22

23

Section 7.

24

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

10
11 **Section 8.**

12
13 The lands granted to the Territory of Wyoming by
14 the act of February 18, 1881, entitled "An act to
15 grant lands to Dakota, Montana, Arizona, Idaho and
16 Wyoming, for university purposes," are hereby
17 vested in the State of Wyoming, to the extent of
18 the full quantity of 72 sections to said state, and
19 any portion of said lands that may not have been
20 selected by said Territory of Wyoming may be
21 selected by the said state; but said act of February
22 18, 1881, shall be so amended as to provide that
23 none of said lands shall be sold for less than \$10

1 per acre, and the proceeds shall constitute a
2 permanent fund to be safely invested and held by
3 said state, and the ~~income~~earnings thereof be used
4 exclusively for university purposes. The schools,
5 colleges, and universities provided for in this act
6 shall forever remain under exclusive control of
7 said state, and no part of the proceeds arising
8 from the sale or disposal of any lands herein
9 granted for educational purposes shall be used for
10 the support of any sectarian or denominational
11 school, college, or university. The section of land
12 granted by the act of May 28, 1888 to the Territory
13 of Wyoming for a fish hatchery and other public
14 purposes shall, upon the admission of said State of
15 Wyoming into the union, become the property of said
16 state.
17

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

7

8

(END)