

SENATE JOINT RESOLUTION NO. SJ0002

State superintendent of public instruction.

Sponsored by: Senator(s) Burns, Coe and Von Flatern and
Representative(s) Berger, Coleman, Greene,
Harshman, Nicholas, B., Petroff, Teeters and
Throne

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, 2019; 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, 2019.

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 4, Section 11, Article 7, Sections
3 11, 14 and 17 and Article 18, Section 3 are proposed for
4 submission to the electors of the State of Wyoming at the
5 next general election for approval or rejection to become
6 valid as a part of the Constitution if ratified by a
7 majority of the electors at the election:

8

9 **Article 4, Section 11. State officers; election;**
10 **qualifications; terms.**

11

12 There shall be chosen by the qualified electors of the
13 state at the times and places of choosing members of the
14 legislature, a secretary of state, auditor, treasurer, and
15 superintendent of public instruction, who shall have
16 attained the age of twenty-five (25) years respectively,
17 shall be citizens of the United States, and shall have the
18 qualifications of state electors. They shall severally
19 hold their offices at the seat of government, for the term
20 of four (4) years and until their successors are elected
21 and duly qualified. Commencing with the 2018 general
22 election, the state superintendent of public instruction
23 shall not be elected and on and after January 5, 2019 the
24 general supervision of public schools pursuant to Article

1 7, Section 14 of this constitution, shall be entrusted to
2 the governor and his appointee. The legislature may
3 provide for such other state officers as are deemed
4 necessary.

5
6 **Article 7, Section 11. Textbooks.**

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

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

16
17 (a) Until January 5, 2019, the general supervision of
18 the public schools shall be entrusted to the state
19 superintendent of public instruction, whose powers and
20 duties shall be prescribed by law.

21
22 (b) On and after January 5, 2019, the general
23 supervision of the public schools of Wyoming shall be
24 entrusted to the governor. The governor shall appoint a

1 cabinet officer of the executive branch of state government
2 to represent the governor in his role to supervise the
3 public schools of this state. The cabinet officer shall be
4 appointed by and with the advice and consent of the senate,
5 and his powers and duties shall be as prescribed by law.

6
7 **Article 7, Section 17. Government of university.**

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9 The legislature shall provide by law for the management of
10 the university, its lands and other property by a board of
11 trustees, consisting of not less than seven members, to be
12 appointed by the governor by and with the advice and
13 consent of the senate, and the president of the university,
14 and until January 4, 2019, the superintendent of public
15 instruction, as members ex officio, as such having the
16 right to speak, but not to vote. On and after January 5,
17 2019, the cabinet officer appointed by the governor under
18 Article 7, Section 14 of this constitution, shall
19 constitute an ex officio member of the board of trustees.
20 The duties and powers of the trustees shall be prescribed
21 by law.

22
23 **Article 18, Section 3. Board of land commissioners.**

1 Until January 4, 2019, the governor, secretary of state,
2 state treasurer, state auditor and superintendent of public
3 instruction shall constitute a board of land
4 commissioners. ~~which~~ On and after January 5, 2019, the
5 governor, secretary of state, state treasurer and state
6 auditor shall constitute the board. The board, under
7 direction of the legislature as limited by this
8 constitution, shall have direction, control, leasing and
9 disposal of lands of the state granted, or which may be
10 hereafter granted for the support and benefit of public
11 schools, subject to the further limitations that the sale
12 of all lands shall be at public auction, after such delay
13 (not less than the time fixed by congress) in portions at
14 proper intervals of time, and at such minimum prices (not
15 less than the minimum fixed by congress) as to realize the
16 largest possible proceeds. And said board, subject to the
17 limitations of this constitution and under such regulations
18 as may be provided by law shall have the direction,
19 control, disposition and care of all lands that have been
20 heretofore or may hereafter be granted to the state.

21

22 **Section 2.** That the Secretary of State shall endorse
23 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 2018. Effective
4 January 5, 2019 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, 2019, 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.

12

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(END)