

## SENATE JOINT RESOLUTION NO. SJ0004

Higher education endowment funds.

Sponsored by: Joint Education Interim Committee

A BILL

for

1 A JOINT RESOLUTION proposing to amend the Wyoming  
2 Constitution to authorize the establishment of inviolate  
3 trust funds for higher education; and authorizing the  
4 investment and use of earnings from such funds.

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6 *BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF WYOMING,*  
7 *two-thirds of all the members of the two houses, voting*  
8 *separately, concurring therein:*

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10 **Section 1.** The following proposal to amend Wyoming  
11 Constitution, Article 15 by creating a new Section 20 is  
12 proposed for submission to the electors of the State of  
13 Wyoming at the next general election for approval or  
14 rejection to become valid as a part of the Constitution if  
15 ratified by a majority of the electors at the election:

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17 **Article 15, Section 20. Higher education trust funds;**

1 **investments; earnings.**

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3 The legislature may from time to time place monies into  
4 endowment funds for higher education scholarships and for  
5 improving the quality of higher education, which funds  
6 shall remain inviolate. The earnings of the funds shall be  
7 used for the purposes specified in this section, but the  
8 legislature may from time to time by law regulate the  
9 manner in which the earnings are expended. The legislature  
10 may also provide for use of the earnings to protect the  
11 funds from inflation and to even fluctuations in earnings  
12 over time. The funds may be invested in the same manner as  
13 other permanent funds of the state.

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

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18 This amendment authorizes the creation of permanent funds  
19 for two purposes: First, higher education scholarships;  
20 and second, improving the quality of higher education. The  
21 principal in the funds cannot be used. The earnings must  
22 be used for the purposes specified and the legislature is  
23 authorized to pass laws regulating how the earnings are  
24 used. In the 2005 legislative session the legislature

1 created a formula to provide one hundred five million  
2 dollars (\$105,000,000.00) for an endowment for excellence  
3 in higher education and four hundred million dollars  
4 (\$400,000,000.00) for Hathaway higher education  
5 scholarships. It is the intention of the legislature to  
6 use the earnings of the scholarship endowment to ensure  
7 that every Wyoming high school student who performs well  
8 has the practical opportunity to go to college. The  
9 legislature has also from time to time appropriated funds  
10 which become part of endowments if matched by private  
11 contributions. This amendment would protect these endowment  
12 funds from raids for other purposes. The legislature also  
13 believes that allowing the funds to be invested the same  
14 way other state permanent funds are invested will improve  
15 the earnings available for use.

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(END)