

## HOUSE JOINT RESOLUTION NO. HJ0012

Education-judicial review.

Sponsored by: Representative(s) Teeters, Buchanan,  
Childers, Cohee, Edmonds, Landon, McOmie and  
Quarberg and Senator(s) Coe and Scott

A BILL

for

1 A JOINT RESOLUTION proposing to amend the Wyoming  
2 Constitution to modify standards for judicial review  
3 relating to education funding.

4

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

8

9 **Section 1.** The following proposal to amend Wyoming  
10 Constitution, Article 7, Section 9 is proposed for  
11 submission to the electors of the State of Wyoming at the  
12 next general election for approval or rejection to become  
13 valid as a part of the Constitution if ratified by a  
14 majority of the electors at the election:

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1           **Article 7, Section 9. Taxation for schools.**

2

3           (a) The legislature shall make such further provision  
4 by taxation or otherwise, as with the income arising from  
5 the general school fund will create and maintain a thorough  
6 and efficient system of public schools, adequate to the  
7 proper instruction of all youth of the state, between the  
8 ages of six and twenty-one years, free of charge; and in  
9 view of such provision so made, the legislature shall  
10 require that every child of sufficient physical and mental  
11 ability shall attend a public school during the period  
12 between six and eighteen years for a time equivalent to  
13 three years, unless educated by other means.

14

15           (b) To ensure the system for funding public schools  
16 is equitable to the students and taxpayers of the several  
17 school districts, the courts shall have the power, upon  
18 receipt of a properly brought action, to review the formula  
19 for funding the public schools enacted by the legislature.  
20 The courts shall use a rational basis standard of review.  
21 The legislature shall fund the public schools at a level  
22 which in its judgment is proper and adequate.

23

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

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4 This amendment would make it clear that the courts have the  
5 power to review the school finance formula enacted by the  
6 legislature to ensure that it is rational and equitable.

7 It instructs the legislature to fund the public schools at  
8 a level which in its judgment is proper and adequate.

9

10

(END)