

# Wyoming Liberty Index

## 62<sup>nd</sup> Wyoming Legislature ★ 2014 Budget Session

### **SF0106, State education administration.**

Sponsors: Management Council

Aye votes: Senators Anderson, JL S28, Bebout, Burns, Coe, Craft, Emerich, Esquibel, F., Hastert, Johnson, Landen, Nicholas, P., Perkins, Peterson, Ross, Rothfuss, Schiffer, Scott and Von Flatern

Nay votes: Senators Anderson, JD S02, Barnard, Case, Christensen, Cooper, Dockstader, Driskill, Geis, Hicks, Hines, Meier and Nutting

#### **Comments**

The infamous "Son of SF 104". This is an attempt to salvage as much as possible of 2013's disastrous SF 104, declared unconstitutional in *Powers v. Wyoming*. What part of "It's dead, Jim" do they not understand? To drag out the uncertainty and rancor over SF 104 is an affront to the parents, teachers and children of Wyoming.

A: This bill contains an appropriation of \$50,000 from the GENERAL FUND to the Legislative Service Office. Right off the bat, it looks like this is in violation of Article 3, Section 24, Wyoming Constitution. Arguably, this bill is about two different topics: 1) Conformance/hair-splitting with a Wyoming Supreme Court ruling and 2) Allocation of responsibilities to the Wyoming Superintendent of Public Instruction. Ignoring or subverting the provisions of the Constitutions of the USA or of the State of Wyoming almost always promotes the centralization of governmental power and damages Liberty. The hair-splitting language of the first section of the bill sounds enough like the work of a shyster lawyer to leave the impression that the intent is to parse the language of the Supreme Court ruling in such a manner that it can be violated in spirit while remaining in "compliance." If this was honest legislation, it would straightforwardly propose an amendment to the Wyoming Constitution rather than attempt to dance on the edge of lawyerly criminality in order to subvert the clear intent of the Wyoming Constitution! This gem calls to mind Mark Twain's famous quote about Congress, "The only native American criminal class is Congress." Maybe he should have expanded that class with legislators! Since the first part is so bad, we won't even bother to address the second part.

Weighted Rating: -3.00. Unweighted Rating: 1.00.

#### **Categories**

Education, Individual Rights, Limited Government, Separation of Powers, Spirit and Letter of Founding Documents, and Usurpation & Delegation of Power

For more information on the categories:

<http://wyominglibertyindex.info/2014/methodology.html#thecategories>

#### **Document Status**

Final