

1                   **JOINT RESOLUTION SUPPORTING ACTION**  
2                   **PLAN FOR PUBLIC LANDS AND EDUCATION**

3                                   2003 GENERAL SESSION

4                                   STATE OF UTAH

5                                   **Sponsor: Stephen H. Urquhart**

6   **This joint resolution of the Legislature urges the United States Congress to appropriate**  
7   **just compensation to the state of Utah for the impact of federal land ownership on the**  
8   **state's ability to fund public education.**

9   *Be it resolved by the Legislature of the state of Utah:*

10           WHEREAS, for many years western states have grappled with the challenge of  
11   providing the best education for their citizens;

12           WHEREAS, western states face unique challenges in achieving this goal;

13           WHEREAS, from 1979 to 1998 the percent change in expenditures per pupil in 13  
14   western states was 28%, compared to 57% in the remaining states;

15           WHEREAS, in 2000-01, the pupil per teacher ratio in 13 western states averaged 17.9%  
16   to one compared with 14.8% to one in the remaining states;

17           WHEREAS, the conditions in western states are exacerbated by projections that  
18   enrollment will increase by an average of 7.1%, compared to an average decrease of 2.6% in  
19   the rest of the nation;

20           WHEREAS, despite the wide disparities in expenditures per pupil and pupil per teacher  
21   ratio, western states tax at a comparable rate and allocate as much of their budgets to public  
22   education as the rest of the nation;

23           WHEREAS, the ability of western states to fund education is directly related to federal  
24   ownership of state lands;

25           WHEREAS, the federal government owns an average of 51.9% of the land in 13  
26   western states, compared to 4.1% in the remaining states;

27           WHEREAS, the enabling acts of most western states promise that 5% of the proceeds



28 from the sale of federal lands will go to the states for public education;

29 WHEREAS, a federal policy change in 1977 ended these sales resulting in an estimated  
30 \$14 billion in lost public education funding for western states;

31 WHEREAS, the ability of western states to fund public education is further impacted  
32 by the fact that state and local property taxes, which public education relies heavily upon to  
33 fund education, cannot be assessed on federal lands;

34 WHEREAS, the estimated annual impact of this property tax prohibition on western  
35 states is over \$4 billion;

36 WHEREAS, the federal government shares only half of its royalty revenue with the  
37 states;

38 WHEREAS, royalties are further reduced because federal lands are less likely to be  
39 developed and federal laws often place stipulations on the use of state royalty payments;

40 WHEREAS, the estimated annual impact of royalty payment policies on western states  
41 is over \$1.86 billion;

42 WHEREAS, much of the land that the federal government transferred to states upon  
43 statehood as a trust for public education is difficult to administer and to make productive  
44 because it is surrounded by federal land;

45 WHEREAS, federal land ownership greatly hinders the ability of western states to fund  
46 public education;

47 WHEREAS, the federal government should compensate western states for the  
48 significant impact federal land ownership has on the ability of western states to educate its  
49 citizens; and

50 WHEREAS, just compensation will allow western states to be on equal footing with the  
51 rest of the nation in their efforts to provide education for their citizens:

52 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah  
53 urges the United States Congress to appropriate just compensation to the state of Utah for the  
54 impact of federal land ownership on the state's ability to fund public education.

55 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the President of  
56 the United States Senate, the Speaker of the United States House of Representatives, the  
57 President of the United States, and the members of Utah's congressional delegation.

**Legislative Review Note**

as of 1-27-03 8:11 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**

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**Fiscal Note****Bill Number HJR014****Joint Resolution Supporting Action Plan for Public Lands and  
Education***29-Jan-03**10:59 AM*

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**State Impact**

Mailing requirements of this resolution can be handled within existing budgets.

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**Individual and Business Impact**

No fiscal impact.

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**Office of the Legislative Fiscal Analyst**