

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

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

State Impact

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

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst