

1                   **JOINT RESOLUTION SUPPORTING THE RETENTION OF**  
2                                   **PUBLIC EDUCATORS**

3                                   2017 GENERAL SESSION

4                                   STATE OF UTAH

5                                   **Chief Sponsor: Rebecca P. Edwards**

6                                   Senate Sponsor: Ann Millner

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8 **LONG TITLE**

9 **General Description:**

10                   This joint resolution supports the retention of public educators by directing revenue  
11 generated from public lands towards a fund to increase educator salaries.

12 **Highlighted Provisions:**

13                   This resolution:

- 14                   ▶ recognizes the shortage of credentialed public educators in the state of Utah;
- 15                   ▶ acknowledges that public education is a critical component of Utah's prosperity; and
- 16                   ▶ directs that net revenue generated from the management of public lands that have

17 been transferred to the state of Utah be deposited into a new fund for the purpose of  
18 increasing public educator salaries.

19 **Special Clauses:**

20                   None

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

23                   WHEREAS, in all states east of the state of Colorado, the federal government controls  
24 4% of the land;

25                   WHEREAS, the federal government still controls nearly 50% of the land in the states of  
26 Alaska, Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah,  
27 Washington, and Wyoming;



28 WHEREAS, the federal government still controls 66.5% of Utah's 54.3 million acres of  
29 land;

30 WHEREAS, the scarcity of state and private land in Utah severely constrains the size  
31 and diversity of the state's economy and educational opportunities, including options for  
32 funding education;

33 WHEREAS, in 2012 the Legislature passed H.B. 148, Transfer of Public Lands Act and  
34 Related Study, which seeks the transfer to the state of Utah the title of ordinary public lands in  
35 the state currently managed by the federal government;

36 WHEREAS, in Section [63L-6-102](#), the Transfer of Public Lands Act defines ordinary  
37 "public lands" to exclude certain federally controlled lands, such as national parks, national  
38 monuments, national historic sites, and federal wilderness areas, as well as tribal lands;

39 WHEREAS, the movement to assert control and ownership over public lands within the  
40 state's borders is, therefore, focused on ordinary public lands;

41 WHEREAS, a team of nationally renowned constitutional scholars and legal experts  
42 completed an extensive legal analysis in 2015, concluding that federal retention of ordinary  
43 public lands in Utah would have been rejected by the Founders, and should be rejected by the  
44 United States Supreme Court, as "unfair and unacceptable";

45 WHEREAS, the legal analysis concluded that "Utah has been treated as decidedly less  
46 than an equal sovereign, a result... the Constitution does not allow";

47 WHEREAS, in the event that these federally controlled lands are transferred to the state  
48 of Utah, the state would be the recipient of any revenue generated from the lands;

49 WHEREAS, public education is a critical component of Utah's prosperity, and state  
50 revenue invested in public schools is an investment in Utah's children and future economic  
51 success; and

52 WHEREAS, the state of Utah is experiencing a growing shortage of credentialed  
53 educators while the population of students in the public education system continues to grow:

54 NOW, THEREFORE, BE IT RESOLVED that 50% of any new, recurring net revenue  
55 derived from the management of transferred public lands shall be deposited into a new fund  
56 and disbursed for the purpose of increasing public primary and secondary educator salaries.

57 BE IT FURTHER RESOLVED that the revenue described above continue to be  
58 deposited into the fund and disbursed until educators' starting salaries have increased by a

59 minimum of 25% from the average starting salary in the year in which the state receives control  
60 of at least 50% of the ordinary public lands in the state.

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**Legislative Review Note**  
**Office of Legislative Research and General Counsel**