SENATE JOINT RESOLUTION NO. 10

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FIRST LEGISLATURE - FIRST SESSION

BY SENATORS STEVENS, Costello, Hoffman

Introduced: 3/25/19
Referred: Resources

A RESOLUTION

Urging the Alaska delegation in Congress, the United States Department of the Interior, and the Governor to facilitate the completion of a land grant endowment to the University of Alaska.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

WHEREAS the University of Alaska plays a vital role in educating students from the state and around the world and conducts invaluable research; and

WHEREAS the University of Alaska did not receive any of the federal land granted to states for higher education under the Morrill Land-Grant College Act of 1862 and received only a fraction of the reserved land allocated under the 1915 Wickersham land grant; and

WHEREAS the Alaska Statehood Act repealed the 1915 Wickersham land grant and removed the state's eligibility for land under the Morrill Land-Grant College Act of 1862, instead granting a 103,000,000-acre entitlement to the new State of Alaska; and

WHEREAS the United States Congress intended for the Alaska State Legislature to provide the University of Alaska with a land endowment from Alaska Statehood Act land; and
WHEREAS various interpretations of the state's obligation to transfer land to the University of Alaska resulted in an extended period during which the university struggled to get its remaining land grant, while much of the land originally reserved for the university has been transferred to other entities; and

WHEREAS the Twenty-First Alaska State Legislature passed Senate Bill No. 7 and the Twenty-Fourth Alaska State Legislature passed House Bill No. 130, granting approximately 250,000 acres of state land to the University of Alaska to remedy the university's land grant deficit; and

WHEREAS the Alaska Supreme Court, in Southeast Alaska Conservation Council v. State, 202 P.3d 1162 (Alaska 2009), ruled that the transfer of land under those enactments violated the prohibition on dedicated funds in art. IX, sec. 7, Constitution of the State of Alaska, and ordered the land to be conveyed from the University of Alaska back to the state; and

WHEREAS, among the states that received grants of land for higher education, with the exception of Delaware, the University of Alaska received the smallest amount of land from the federal government, and the land grant deficit remains unremedied; and

WHEREAS fulfilling the intent of the Sixty-Third United States Congress in 1915, the Eighty-Fifth United States Congress in 1958, the Twenty-First Alaska State Legislature in 2000, and the Twenty-Fourth Alaska State Legislature in 2005 to provide a permanent land endowment for the University of Alaska will require a joint effort by the federal and state governments to establish a land grant that is "required by the federal government for state participation in federal programs," as specified under art. IX, sec. 7, Constitution of the State of Alaska;

BE IT RESOLVED that the Alaska State Legislature respectfully urges the Alaska delegation in Congress, the United States Department of the Interior, and the Governor to work together to create a joint federal-state strategy that will facilitate the creation of a permanent land endowment for the University of Alaska that conforms to state constitutional requirements and that will remedy the university's longstanding land grant deficit.

COPIES of this resolution shall be sent to the Honorable David Bernhardt, Acting United States Secretary of the Interior; the Honorable Joe Balash, Assistant Secretary of the Interior; and the Honorable Lisa Murkowski and the Honorable Dan Sullivan, U.S. Senators,
and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.