

SENATE JOINT RESOLUTION NO. 8

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - FIRST SESSION

BY SENATORS STEVENS, Kawasaki, Begich, Myers, Gray-Jackson

Introduced: 2/3/21

Referred: Education, Resources

A RESOLUTION

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

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

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

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

10 **WHEREAS** the Alaska Statehood Act repealed the 1915 Wickersham land grant and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

13 **WHEREAS** the United States Congress intended for the Alaska State Legislature to
14 provide the University of Alaska with a land endowment from Alaska Statehood Act land;
15 and

1 **WHEREAS** various interpretations of the state's obligation to transfer land to the
2 University of Alaska resulted in an extended period during which the university struggled to
3 get its remaining land grant, while much of the land originally reserved for the university has
4 been transferred to other entities; and

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

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

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

17 **WHEREAS** fulfilling the intent of the Sixty-Third United States Congress in 1915,
18 the Eighty-Fifth United States Congress in 1958, the Twenty-First Alaska State Legislature in
19 2000, and the Twenty-Fourth Alaska State Legislature in 2005 to provide a permanent land
20 endowment for the University of Alaska will require a joint effort by the federal and state
21 governments to establish a land grant that is "required by the federal government for state
22 participation in federal programs," as specified under art. IX, sec. 7, Constitution of the State
23 of Alaska; and

24 **WHEREAS**, in September 2020, the Alaska delegation in Congress introduced, with
25 the support of Governor Dunleavy, S. 4696 and H.R. 8398, the University of Alaska Fiscal
26 Foundation Act, to establish a federal program under which lands selected by, but not yet
27 conveyed to, the state could be conveyed from the federal government to the Board of
28 Regents of the University of Alaska to be held in trust for the university, subject to a federally
29 imposed trust obligation;

30 **BE IT RESOLVED** that the Alaska State Legislature respectfully urges the Alaska
31 delegation in Congress, the United States Department of the Interior, and the Governor to

1 cooperate in bringing about an ultimate resolution that will facilitate the creation of a
2 permanent land endowment for the University of Alaska, conforms to state constitutional
3 requirements, and will remedy the university's longstanding land grant deficit.

4 **COPIES** of this resolution shall be sent to the Honorable Scott de la Vega, Acting
5 United States Secretary of the Interior; the Honorable Mike Dunleavy, Governor of Alaska;
6 and the Honorable Lisa Murkowski and the Honorable Dan Sullivan, U.S. Senators, and the
7 Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.