



University of Alaska

Land Grant Status

HJR 13

House Education Committee

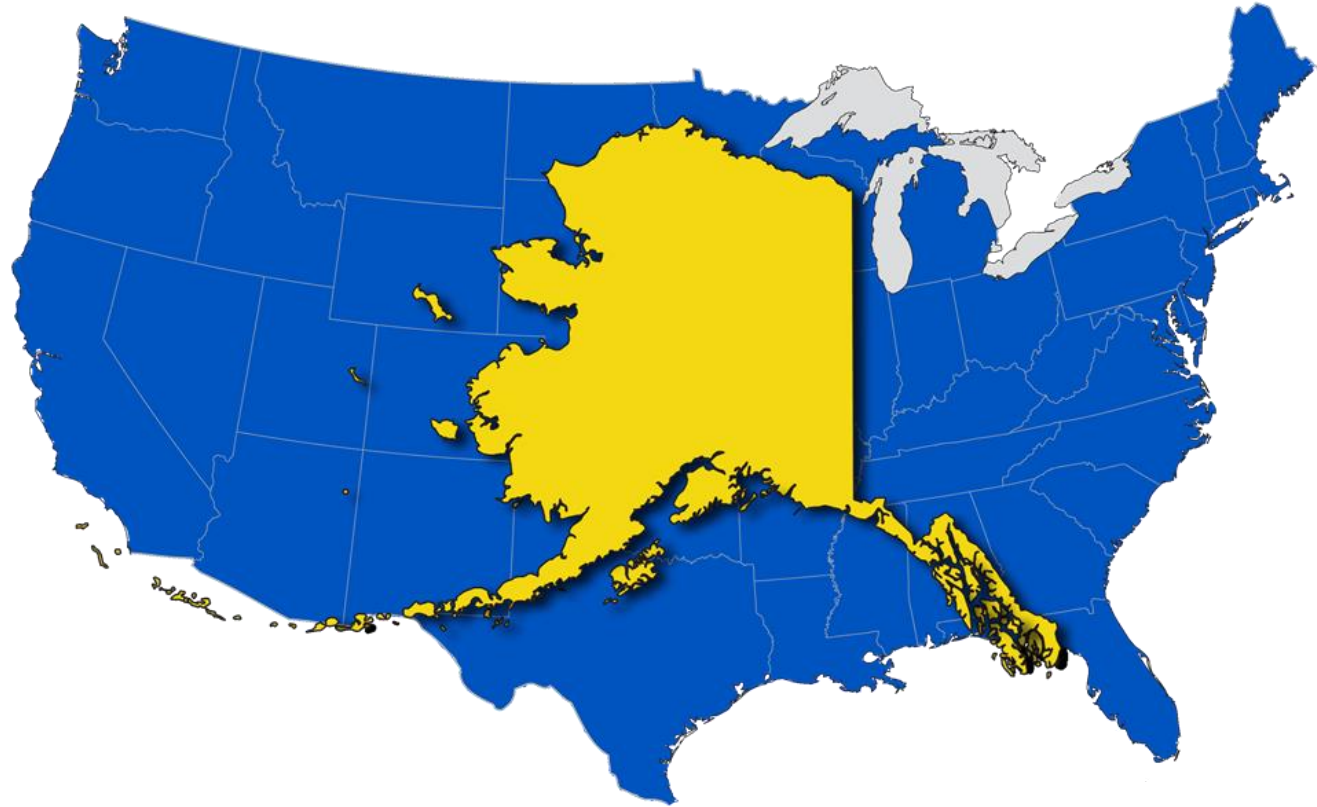
April 22, 2019

Agenda

- UA Land Grant History
- Current Thinking on Solution
- University Land Holdings
- University Land Revenues

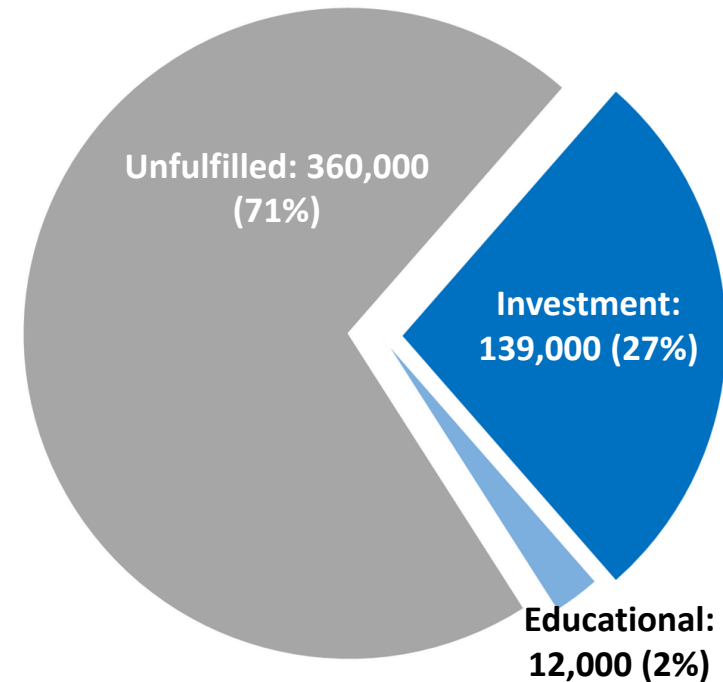
University Land Grant

- Only Delaware & Hawaii rank below Alaska in higher education land grants
- UA only received ~ 110,000 acres of its federal land grant entitlement
- UA's estimated land grant deficit is 360,000 acres



University Land Grant

- A robust permanent land endowment would allow the University to generate more revenue, and over time help moderate state general fund support
- The state has repeatedly attempted to remedy the gap but is constitutionally precluded from doing so
- The federal government's position is that University land was included in Alaska's Statehood Act grant and has resisted remedies that rely solely on additional federal lands



Land Grant History

Three Pre-Statehood Federal laws for UA lands:

- **1862 Morrill Act:** Each state upon admission was to receive 30,000 acres per each member of Congress (90,000 acres for Alaska) dedicated to higher education. Provisions not extended to Alaska at Statehood and so no acreage was conveyed to UA.
- **1915 “Wickersham” Land Grant Statute:** Reserved an estimated 336,000 acres in Tanana Valley area. Lands remained largely unsurveyed and less than 5% were ever conveyed to UA.
- **1929 “Sutherland” Land Grant Statute:** Congress grants 100,000 acres for UA. Left intact at Statehood, and acreage is (eventually) conveyed to UA, where it makes up most of current land holdings.



Land Grant History

- Following Statehood, the Alaska Legislature tries to provide UA's land. In **1959** a bill reserving 1 million acres, passes both Houses, but is vetoed
- During **60's-80's** picture becomes more complicated as available lands become narrower with the Land Freeze, and passage of ANCSA, and ANILCA
- Alaska Legislature in **2000** passes bill, and overrides gubernatorial veto, to grant UA 260,000 acres
- In **2004**, Alaska Supreme Court rules land conveyance is not an appropriation, but declines to address dedication clause issue



Land Grant History

- **2005:** Legislation identifies specific lands for transfer to UA (HB 130)
- **2007:** Southeast Alaska Conservation Council (SEACC) argues land transfer violates constitution's anti-dedication clause (Article 9 Section 7)
- **2009:** Alaska Supreme Court agrees and sticks down the 2000/2005 legislation. State can't make a land grant to UA that "would operate in a manner similar to the way that the University's federal land grant has operated since before statehood."
- **2010:** UA begins transferring land back to the state

Today:

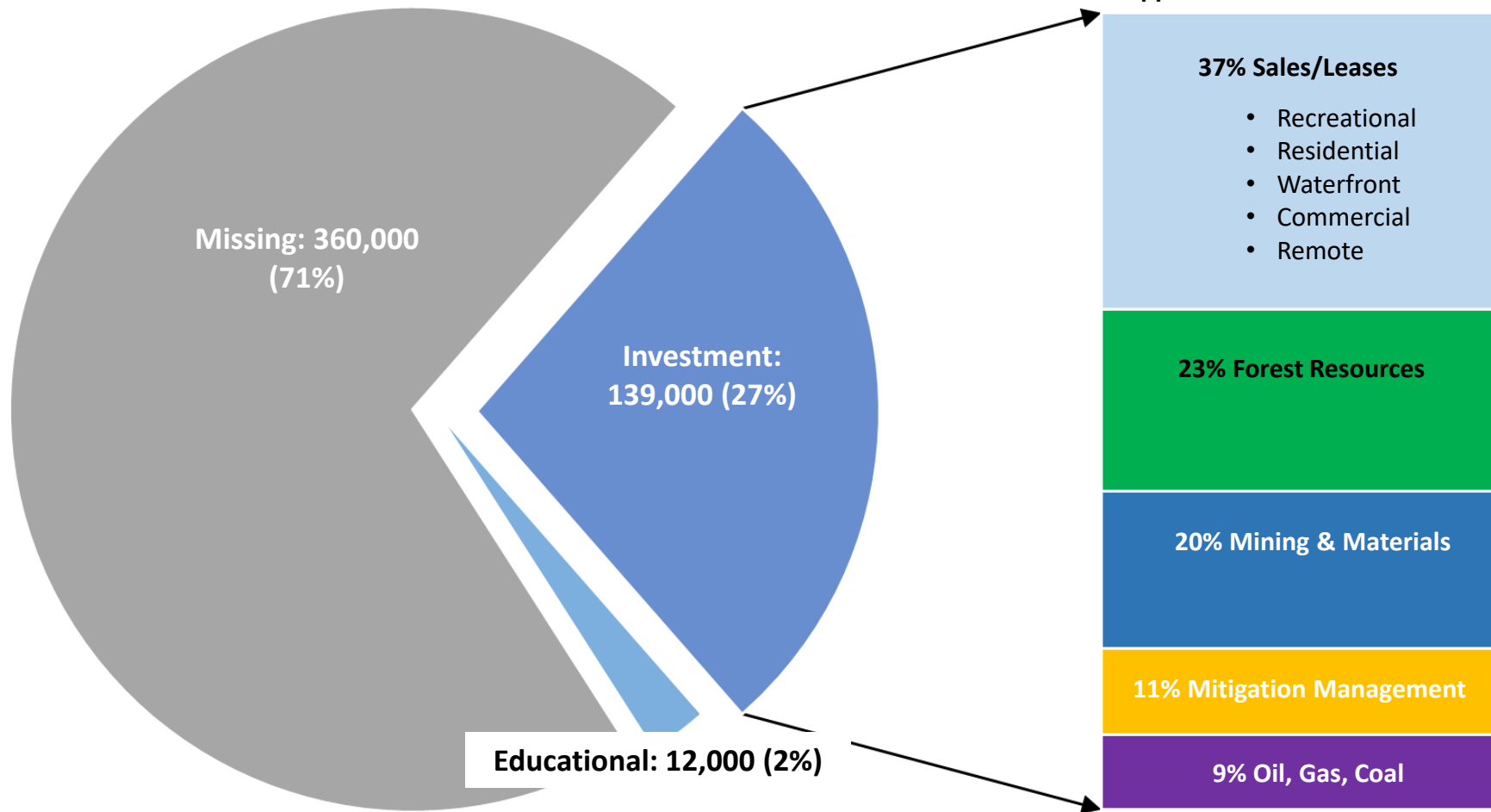
UA owns ~151,000 acres, most from 1929 Sutherland Act, private party donations, as well as from local governments.

Framework for a Solution

- UA's unfulfilled land grant is a Statehood Act issue
- Congress assumed Alaska Legislature would be able to fulfill the entitlement
- Alaska Delegation, Governor, DNR and Dept. of Interior are discussing other issues related to Alaska's remaining 5 million acre Statehood Act land selections
- The anti-dedication clause has an explicit exemption: *"when required by the federal government for state participation in federal programs"*
- Solution may entail a structured federal program permissible under the constitution

UA Land Holdings

~151,000 acres



Educational: Includes campuses, research sites and other facilities



UA Land Holdings

Intended for a Return:

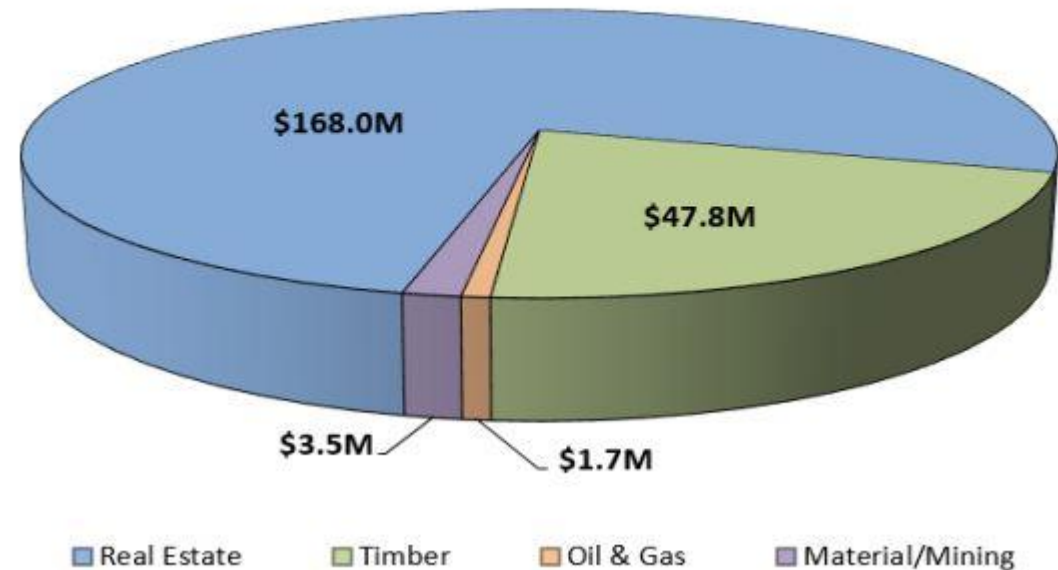
Trust investment lands are actively monetized as Congress intended.

Positive income comes from:

1. Real Estate (*sales, leases, easements*)
2. Forest Timber sales
3. Gravel & Rock Extractions
4. Mining Coal, Oil, and Gas.

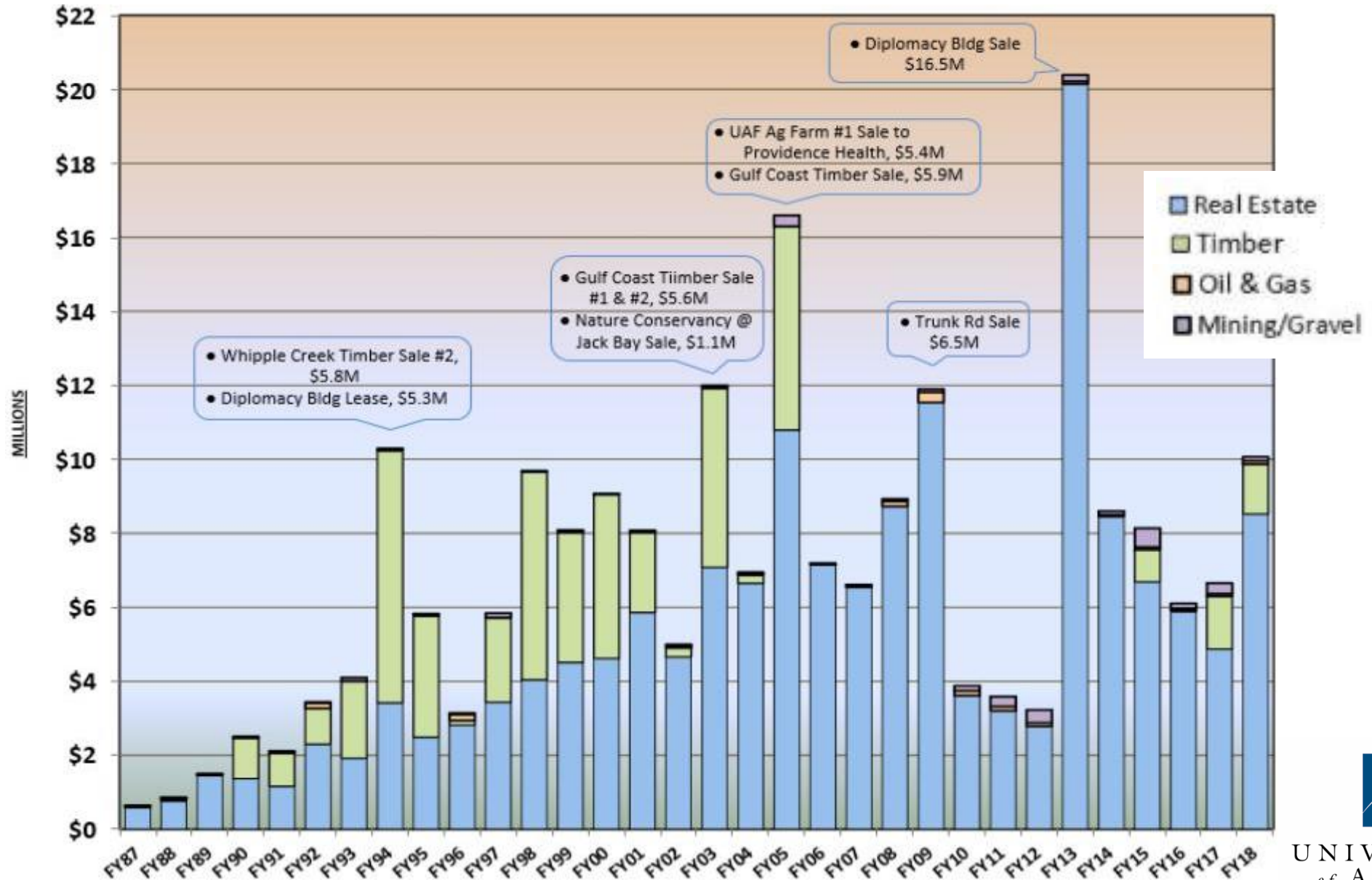
Historical Receipts by Resource

(\$221,005,093 FY87-FY18)

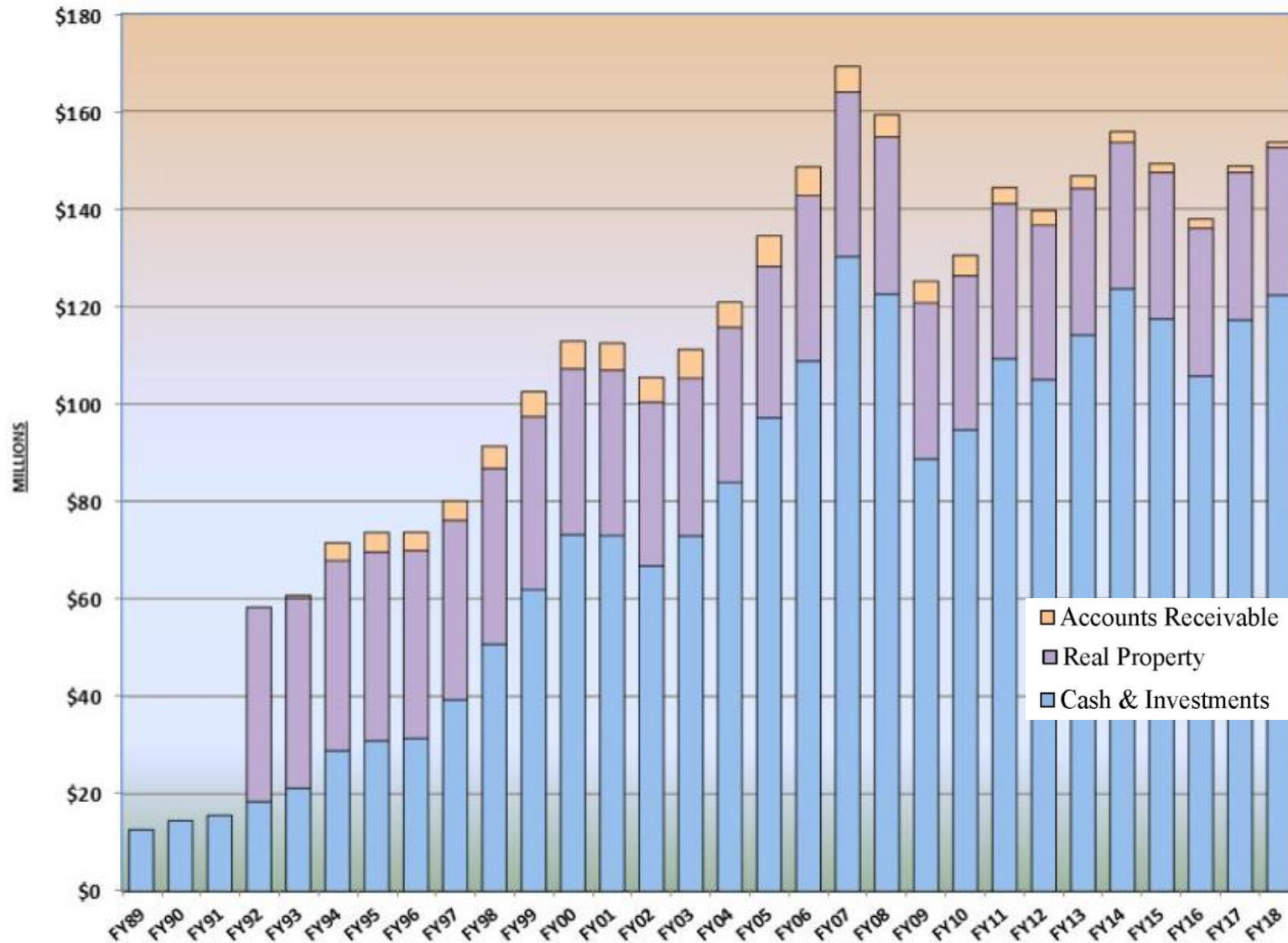


Over \$220 million generated since '87 with limited Trust land assets

Receipts by Resource Category



UA Land Trust Balance



Thank You