

**ALASKA STATE LEGISLATURE
HOUSE SPECIAL COMMITTEE ON EDUCATION**

January 31, 2006

11:05 a.m.

MEMBERS PRESENT

Representative Mark Neuman, Chair
Representative Carl Gatto
Representative Bob Lynn
Representative Bill Thomas
Representative Peggy Wilson
Representative Les Gara
Representative Woodie Salmon

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

HOUSE JOINT RESOLUTION NO. 14

Urging the United States Congress to pass legislation to convey land to the University of Alaska.

- MOVED CSHJR 14(EDU) OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: HJR 14

SHORT TITLE: URGE CONGRESS TO GRANT LAND TO UNIVERSITY

SPONSOR(S): REPRESENTATIVE(S) ELKINS

| | | |
|----------|-----|---------------------------------|
| 03/01/05 | (H) | READ THE FIRST TIME - REFERRALS |
| 03/01/05 | (H) | EDU, RES |
| 01/31/06 | (H) | EDU AT 11:00 AM CAPITOL 106 |

WITNESS REGISTER

JAMES VAN HORN, Staff
to Representative Jim Elkins
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented HJR 14 on behalf of
Representative Elkins.

REPRESENTATIVE JIM ELKINS

Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Testified as the sponsor of HJR 14.

ACTION NARRATIVE

CHAIR MARK NEUMAN called the House Special Committee on Education meeting to order at [11:05:24 AM](#). Representatives Neuman, Gara, Gatto, and Wilson were present at the call to order. Representatives Lynn, Salmon, and Thomas arrived as the meeting was in progress.

HJR 14-URGE CONGRESS TO GRANT LAND TO UNIVERSITY

[11:06:12 AM](#)

CHAIR NEUMAN announced that the only order of business would be HOUSE JOINT RESOLUTION NO. 14, Urging the United States Congress to pass legislation to convey land to the University of Alaska.

[11:06:43 AM](#)

JAMES VAN HORN, Staff to Representative Jim Elkins, Alaska State Legislature, presented the sponsor statement [original punctuation provided]:

House Joint Resolution 14 has been introduced to urge the United States Congress to pass legislation to convey land to the University of Alaska.

HJR 14 voices support for U.S. Senate Bill 293 the federal University Land Bill [introduced] by Senator Lisa Murkowski (R-AK). That legislation provides a grant from the federal government of 250,000 acres and up to an additional 250,000 acres match from the state.

As the largest landholder in Alaska, it is important that the Federal government provide support to the University of Alaska. The University needs a more dependable revenue stream, and this legislation will make the University of Alaska System more stable and similar to other land grant institutions across the nation. Eventually they will be able to become financially independent from yearly funding allocations from the Legislature.

In conjunction with House Bill 130, [which was passed last session], this land grant package will give the University of Alaska as much as 760,000 acres and will make them the envy of universities around the globe. HJR 14 will inform the members of Congress how important S.293 is to Alaskans because producing a long-term revenue stream for the University is imperative and in the best interests of all Alaskans.

[11:08:39 AM](#)

REPRESENTATIVE JIM ELKINS, Alaska State Legislature, said it was "important to recognize that the state has put up their lands already and we just ask the federal government now to step up and produce their lands."

[11:08:58 AM](#)

MR. VAN HORN, in response to a question by Representative Gatto, said it had not yet been determined which group of lands held by the federal government were to be conveyed and whether these lands have some reasonable value. He explained that S.293, introduced by U.S. Senator Lisa Murkowski, is specific as to what lands can not be conveyed.

[11:09:51 AM](#)

CHAIR NEUMAN directed the committee's attention to Attachment C which ranks Alaska last in university land grants in acreage. He explained that the total university land granted to Alaska so far has been only .11 percent, although many other states have already received 100 percent of available university land from the federal government. He opined, "If we can get this [land] through the University [of Alaska], hopefully we can get it into private hands, and the more land ... we have in private hands, the better off we are."

[11:10:48 AM](#)

REPRESENTATIVE GARA noted his disagreement with "that blanket statement" by Chair Neuman and said he would hate to lose access to fishing streams and such. He then asked if there were any available figures showing how Alaska ranks in terms of how much acreage has been given to the university.

REPRESENTATIVE ELKINS replied that he does not have this information but could obtain it. It was his understanding, he said, that [Alaska] ranks really low.

[11:12:17 AM](#)

REPRESENTATIVE GARA expressed his concern that public access provisions to recreational areas such as fishing streams may be lost over time when land is conveyed to the university. Therefore, he suggested introducing a proposal which, in determining which lands to convey, would ensure public access to these recreational areas are not given away.

[11:13:14 AM](#)

REPRESENTATIVE ELKINS said he would support a conceptual amendment to address this.

[11:13:33 AM](#)

CHAIR NEUMAN acknowledged the importance of public access, but recalled that a lot of the access issues were covered last year in HB 130. He related that in his district, when areas involving dog sled mushing were addressed, the university was approachable and provided assurances that access would be maintained around these areas should they ever be sold. He informed the committee that those bills currently moving forward that affect access rights, must follow existing federal statute, R.S. 2477.

[11:14:30 AM](#)

REPRESENTATIVE WILSON expressed her support of the bill, commenting that it was "interesting to see that the federal government has had 91 years to make good their promise to Alaska, and they still have failed to do so ... they owe it to us and that is a promise that's not been kept in all these years." She said the one sentence in the sponsor statement which says that [the university] will eventually "become financially independent from yearly funding allocations from the legislature" is a circumstance she finds "highly doubtful."

[11:15:32 AM](#)

MR. VAN HORN, in regard to Chair Neuman's question on whether [HJR 14] would help S.[293], expressed his belief that it will. He said S.293 is currently being reviewed by the United States

Senate Committee on Energy and Natural Resources, on which Senator Lisa Murkowski is a member, and that HJR 14 might add a "kick start" to the process.

[11:16:37 AM](#)

CHAIR NEUMAN asked whether the lack of ownership of lands has hindered the development of the university.

MR. VAN HORN expressed his belief that it has hindered the university's development and directed the committee's attention to a comprehensive legislative research report by Professor Terrence Cole, dated November 1993, entitled, "A Land Grant College Without the Land: A History of the University of Alaska's Federal Land Grant" [a copy is available in the committee packet]. He said the report indicates that during [1917] and 1947, the University of Alaska's total income from its land was \$227.50. He also referenced the 1915 land grant legislation discussed in the report, which said that public schools and land grant colleges obtained far less acreage than the 20 million originally intended.

[11:18:11 AM](#)

REPRESENTATIVE GATTO noted that the committee packet includes the "Federal Land Grants to States for Educational and Other Purposes" and "Total Grants by State" charts which specify that Alaska has a total of 21 million acres. He said that this data "doesn't seem to square," and asked whether this is land "we never got or is this land that we do have ...?"

[11:19:05 AM](#)

MR. VAN HORN explained that this land was proposed in 1915 by Alaska Delegate James Wickersham but was never conveyed to the state due to the slow progress of surveying federal lands at the time.

[11:19:39 AM](#)

REPRESENTATIVE GATTO again sought clarification on the figures in the two charts and the actual meaning of the 21 million acres listed for Alaska.

[11:20:21 AM](#)

MR. VAN HORN clarified that these charts refer back to the Morrill Act of 1862, the original land grant legislation that specified that 21 million acres would be conveyed to Alaska. However, the land was never conveyed to the state because of lack of surveys.

[11:21:42 AM](#)

REPRESENTATIVE WILSON referred to a chart which showed Alaska as having received .11 percent [of land grants]. [Granting land] may be difficult, she opined, because there are several federal parks in many states as well as [interest] groups that actively oppose conveying the land.

[11:23:31 AM](#)

MR. VAN HORN, in response to Representative Salmon, said the university owns approximately 500,000 acres at this time.

[11:24:03 AM](#)

REPRESENTATIVE THOMAS asked if the land grants in the Haines area which were set aside for education are some of the possible lands addressed in HJR 14. Upon hearing Mr. Van Horn's reply that they might be, Representative Thomas said there were 3 or 4, 15 to 20 acre parcels set aside for the education benefits of the local Natives in the community that were later relinquished by the Alaska Native Claims Settlement Act (ANCSA).

[11:25:44 AM](#)

REPRESENTATIVE WILSON commented that there is also land that K-12 education area were to receive from the state and from the federal government; however, that land hasn't even been surveyed. She questioned whether some of the land the university currently owns has been surveyed.

[11:26:30 AM](#)

REPRESENTATIVE THOMAS asked whether the state or the federal government would determine which lands to convey should HJR 14 pass.

MR. VAN HORN said Senator Murkowski's bill, S.293, is very specific with strict timeframes. The university, he explained, may not select lands conveyed to the State of Alaska or to a Native corporation. Additionally, he said, the university "has

one year, after the Secretary [of Interior's] approval of the selection, to make a final decision whether to accept these lands or interest in lands, and shall notify the Secretary of this decision. Again, it does say 'the university'."

[11:28:50 AM](#)

REPRESENTATIVE THOMAS asked why university representation was not present at the meeting. He asked, "Do they want this or is this something the sponsor wants to do?"

REPRESENTATIVE ELKINS replied that [the resolution] "responds to Lisa Murkowski's legislation to show state support for what she's trying to do in conveying that land."

[11:29:51 AM](#)

REPRESENTATIVE THOMAS opined that [the resolution should be held] and the university present. "I think if I was going to receive a couple million acres of land, I would definitely be on top of something here," he remarked.

[11:30:25 AM](#)

CHAIR NEUMAN suggested that "if HJR 14 does pass this committee, that you make sure that they're there at the next committee this does go through."

REPRESENTATIVE ELKINS commented that when over 250,000 acres was conveyed to the state, "they were here then."

[11:31:39 AM](#)

REPRESENTATIVE GARA moved to adopt Conceptual Amendment 1, which read [original punctuation provided]:

Further resolved that in making land grants Congress shall ensure the grants do not interfere with public access to or along fishing streams, or along established hunting, dog mushing, motorized vehicle, mining trails or roads, or established roads or trails used for recreational purposes.

He said the drafters would need to decide where to insert the amendment and suggested perhaps it should be placed on page 2, line 12.

[11:32:10 AM](#)

REPRESENTATIVE WILSON objected for purposes of discussion. Although she said she agreed with the concept, she opined that there is no way Congress is going to know every single public access area. Therefore, she suggested there should be a provision that ensures [access rights].

CHAIR NEUMAN opined that the amendment does "make a statement towards ensuring that there is access to Alaska's recreational opportunities."

[11:33:50 AM](#)

REPRESENTATIVE THOMAS recalled being involved with the ANCSA under which the federal government did ensure there was access and easements to recreational trails that were previously identified. He suggested that language to that effect would ensure the aforementioned is addressed.

[11:34:23 AM](#)

REPRESENTATIVE GARA expressed his belief that an insertion, addressing access rights, into Senator Murkowski's bill would sufficiently ensure this happens, and that Conceptual Amendment 1, as written, sends the necessary message to Congress.

[11:36:16 AM](#)

REPRESENTATIVE WILSON withdrew her objection.

There being no further objection, Conceptual Amendment 1 was adopted.

[11:37:01 AM](#)

REPRESENTATIVE WILSON moved to report HJR 14, as amended, out of committee with individual recommendations. There being no objection, CSHJR 14(EDU) was reported from the House Special Committee on Education.

[11:37:19 AM](#)

ADJOURNMENT

There being no further business before the committee, the House Special Committee on Education meeting was adjourned at 11:37 a.m.