

**HOUSE JOINT RESOLUTION NO. 39**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - SECOND SESSION

**BY REPRESENTATIVES PRUITT, Grenn**

**Introduced: 2/21/18**

**Referred: Education, Resources**

**A RESOLUTION**

1 **Supporting federal legislation to provide for the completion of land grants to the**  
2 **University of Alaska.**

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

4 **WHEREAS** the University of Alaska plays a vital role in educating students from the  
5 state and around the world and conducts invaluable research as America's Arctic university;  
6 and

7 **WHEREAS** the university received none of the federal land granted to other states for  
8 higher education under the 1862 Morrill Act and only a fraction of the reserved land allocated  
9 under the 1915 Wickersham land grant statute; and

10 **WHEREAS** the 1958 Alaska Statehood Act repealed the 1915 Wickersham land grant  
11 statute and removed Alaska from eligibility for Morrill Act land when the Act granted a  
12 103,000,000-acre entitlement to the new state; and

13 **WHEREAS** the United States Congress intended for the state to provide the  
14 university with a land endowment from Statehood Act land; and

15 **WHEREAS** various interpretations of the state's obligations to transfer land to the  
16 university resulted in an extended period during which the university struggled to get its

1 remaining land grant while many of the lands originally reserved for the university were  
2 transferred to other entities; and

3 **WHEREAS** the Twenty-First Alaska State Legislature passed SB 7, and the Twenty-  
4 Fourth Alaska State Legislature passed HB 130, ultimately granting approximately 250,000  
5 acres of state land to the university to remedy the university's land grant deficit; and

6 **WHEREAS** the Alaska Supreme Court, in SEACC v. State of Alaska, 202 P.3d 1162  
7 (Alaska 2009), ruled the transfer of land under HB 130 violated the prohibition on dedicated  
8 funds in Art. IX, sec. 7, of the Constitution of the State of Alaska and ordered the land to be  
9 conveyed from the university back to the state; and

10 **WHEREAS** the university's land grant deficit remains unremedied, with the  
11 university having, with the exception of Delaware, received the smallest amount of land from  
12 the federal government among states that received grants of land for higher education; and

13 **WHEREAS** fulfilling the intent of the 63rd United States Congress in 1915, the 85th  
14 United States Congress in 1958, the Twentieth Alaska State Legislature in 2000, and the  
15 Twenty-Fourth Alaska State Legislature in 2005 to provide a permanent land endowment for  
16 the university will require a joint federal-state effort to make a land grant "by the federal  
17 government for state participation" as required under Art. IX, sec. 7, of the Constitution of the  
18 State of Alaska;

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

24 **COPIES** of this resolution shall be sent to the Honorable Donald J. Trump, President  
25 of the United States; the Honorable Michael R. Pence, Vice President of the United States and  
26 President of the U.S. Senate; the Honorable Ryan Zinke, U.S. Secretary of the Interior; the  
27 Honorable Joe Balash, Assistant Secretary of the Interior; the Honorable Paul D. Ryan,  
28 Speaker of the U.S. House of Representatives; the Honorable Kevin McCarthy, Majority  
29 Leader of the U.S. House of Representatives; the Honorable Nancy Pelosi, Minority Leader of  
30 the U.S. House of Representatives; the Honorable Orrin Hatch, President pro tempore of the  
31 U.S. Senate; the Honorable Mitch McConnell, Majority Leader of the U.S. Senate; the

- 1 Honorable Charles E. Schumer, Minority Leader of the U.S. Senate; the Honorable Lisa
- 2 Murkowski and the Honorable Dan Sullivan, U.S. Senators, and the Honorable Don Young,
- 3 U.S. Representative, members of the Alaska delegation in Congress; and the Honorable James
- 4 Johnsen, President of the University of Alaska.