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HOUSE JOINT MEMORIAL 29
48TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2008

INTRODUCED BY
Thomas A. Anderson

A JOINT MEMORIAL

URGING THE UNITED STATES CONGRESS TO COMPENSATE WESTERN STATES
FOR THE IMPACT OF FEDERAL LAND OWNERSHIP ON STATE EDUCATION
FUNDING BY ENACTING THE ACTION PLAN FOR PUBLIC LANDS AND
EDUCATION ACT OF 2007.

WHEREAS, for many years, western states have grappled with
the challenge of providing the best education for their
residents; and

WHEREAS, western states face unique challenges in
achieving this goal; and

WHEREAS, from 1979 to 1998, the expenditures per pupil in
thirteen western states increased twenty-eight percent compared
with fifty-seven percent in the remaining states; and

WHEREAS, in 2000-2001, the pupil per teacher ratio in
thirteen western states averaged 17.9:1 compared with 14.8:1 in
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1 the remaining states; and

2 WHEREAS, it is projected that enrollment will increase by
3 an average of seven and one-tenth percent in the western states
4 compared with an average decrease of two and six-tenths percent
5 in the rest of the nation, exacerbating the conditions in
6 western states; and

7 WHEREAS, despite the wide disparities in expenditures per
8 pupil and pupil-per-teacher ratio, western states tax at a rate
9 comparable to the remaining states and allocate as much of
10 their budgets to public education as the rest of the nation;
11 and

12 WHEREAS, the ability of western states to fund education
13 is directly related to federal ownership of state lands; and

14 WHEREAS, the federal government owns an average of almost
15 fifty-two percent of the land in thirteen western states,
16 compared with four and one-tenth percent in the remaining
17 states; and

18 WHEREAS, the enabling acts of most western states promise
19 that five percent of the proceeds from the sale of federal
20 lands will go to the states for public education; and

21 WHEREAS, a federal policy change in 1977 ended these
22 sales, resulting in an estimated fourteen billion dollars
23 (\$14,000,000,000) in lost public education funding for western
24 states; and

25 WHEREAS, the ability of western states to fund public

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1 education is further impacted by the fact that state and local
2 property taxes upon which public education relies heavily
3 cannot be assessed on federal lands; and

4 WHEREAS, the estimated annual impact of this property tax
5 prohibition on western lands is over four billion dollars
6 (\$4,000,000,000); and

7 WHEREAS, the federal government shares only one-half of
8 its royalty revenue with the states; and

9 WHEREAS, royalties are further reduced because federal
10 lands are less likely to be developed and federal laws often
11 place stipulations on the use of state royalty payments; and

12 WHEREAS, the estimated annual impact of royalty payment
13 policies on western states is over one billion eight hundred
14 sixty million dollars (\$1,860,000,000); and

15 WHEREAS, much of the land that the federal government
16 transferred to states upon statehood as a trust for public
17 education is difficult to administer and to make productive
18 because it is surrounded by federal land; and

19 WHEREAS, federal land ownership greatly hinders the
20 ability of western states to fund public education; and

21 WHEREAS, the federal government should compensate western
22 states for the significant impact federal land ownership has on
23 the ability of western states to educate their residents; and

24 WHEREAS, just compensation will allow western states to be
25 on equal footing with the rest of the nation in their efforts

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1 to provide education for their residents;

2 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
3 STATE OF NEW MEXICO that the passage of H.R. 3614 or S. 2072,
4 also known as the Action Plan for Public Lands and Education
5 Act of 2007, which would authorize western states to make
6 selections of public land within their borders in lieu of
7 receiving five percent of the proceeds of the sale of public
8 land lying within their borders, be supported; and

9 BE IT FURTHER RESOLVED that the New Mexico congressional
10 delegation be requested to actively work for the passage of
11 these bills so that New Mexico may receive federal payments or
12 land that will contribute to education improvement for New
13 Mexico's school children; and

14 BE IT FURTHER RESOLVED that copies of this memorial be
15 transmitted to each member of the New Mexico congressional
16 delegation.