

1 SENATE JOINT RESOLUTION NO. 26

2 INTRODUCED BY BOHLINGER

3 BY REQUEST OF THE SENATE LOCAL GOVERNMENT STANDING COMMITTEE

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5 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF
6 MONTANA STRONGLY URGING THE UNITED STATES CONGRESS TO APPROPRIATE JUST
7 COMPENSATION TO THE STATE OF MONTANA FOR THE IMPACT OF FEDERAL LAND OWNERSHIP ON
8 THE STATE'S ABILITY TO FUND PUBLIC EDUCATION.

9

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

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

13 WHEREAS, from 1979 to 1998, the percentage change in expenditures per pupil in 13 western states
14 was 28% compared to 57% in the remaining states; and

15 WHEREAS, in 2000 and 2001, the pupil-to-teacher ratio in 13 western states averaged 17.9 to 1
16 compared with 14.8 to 1 in the remaining states; and

17 WHEREAS, the conditions in western states are exacerbated by projections that enrollment will increase
18 by an average of 7.1% compared to an average decrease of 2.6% in the rest of the nation; and

19 WHEREAS, despite the wide disparities in expenditures per pupil and pupil-to-teacher ratio, western
20 states tax at a comparable rate and allocate as much of their budgets to public education as the rest of the
21 nation; and

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

24 WHEREAS, the federal government owns an average of 51.9% of the land in 13 western states
25 compared to 4.1% in the remaining states; and

26 WHEREAS, the enabling acts of most western states promise that 5% of the proceeds from the sale of
27 federal lands will go to the states for public education; and

28 WHEREAS, a federal policy change in 1977 ended these sales, resulting in an estimated \$14 billion in
29 lost public education funding for western states; and

30 WHEREAS, the ability of western states to fund public education is further impacted by the fact that state

1 and local property taxes, which public education heavily relies upon to fund education, cannot be assessed on
2 federal lands; and

3 WHEREAS, the estimated annual impact of this property tax prohibition on western states is over \$4
4 billion; and

5 WHEREAS, the federal government shares only half of its royalty revenue with the states; and

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

8 WHEREAS, the estimated annual impact of royalty payment policies on western states is over \$1.86
9 billion; and

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

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

15 WHEREAS, the federal government should compensate western states for the significant impact federal
16 land ownership has on the ability of western states to educate their citizens; and

17 WHEREAS, just compensation will allow western states to be on equal footing with the rest of the nation
18 in their efforts to provide education for their citizens.

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20 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF
21 THE STATE OF MONTANA:

22 That the Montana Legislature strongly urge the United States Congress to appropriate just compensation
23 to the State of Montana for the impact of federal land ownership on the State's ability to fund public education.

24 BE IT FURTHER RESOLVED, that the Secretary of State send a copy of this resolution to the President
25 of the United States, the President of the United States Senate, the Speaker of the United States House of
26 Representatives, and the Montana Congressional Delegation.

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