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RESOLUTION OF SUPPORT FOR THE UNIVERSITY OF ALASKA LAND GRANT CONVEYANCE

WHEREAS, the University of Alaska plays a vital role in educating students from the state and around the world and conducts invaluable research; and

WHEREAS, efforts to provide land grants for higher education in Alaska have reached back over 100 years; and

WHEREAS, the University of Alaska, although a land-grant institution, is a land-poor land grant institution, due to historical anomalies that prevented it from receiving the full benefit of those land reservations and land grants which Congress and the Alaska Territorial Legislature intended for it, and due to Congressional assumptions in the Statehood Act that the remaining unfulfilled land grant expectations of the University could be fulfilled by converting prior land reservations to land grants and/or by allowing then new State of Alaska a large general selection of public lands; and

WHEREAS, the land selection rights embodied in the Alaska Statehood Act reflected in part congressional recognition that the state would need the land to support its government and programs, and the Congress assumed that the State of Alaska would in turn devote some of the land or the income from it for the use and benefit of the University of Alaska; and

WHEREAS, the 21st and 24th Alaska State Legislatures attempted to implement this Congressional expectation in 2000 and 2005 with the enactment of legislation to remedy the University's land grant gap; and

WHEREAS, contrary to the expectations of Congress in the Statehood Act, the Alaska Supreme Court in 2009 held that the State of Alaska could not, acting unilaterally, devote land or the income from it for the use and benefit of the University; and

WHEREAS, the result of this ruling was that the University had to reconvey lands to the Alaska Department of Natural Resources, leaving the University in essentially the same land-poor status as before; and

WHEREAS, despite Alaska's status as the geographically largest state, all but one (Delaware) of those 49 states that received federal land grants for their universities received more land than the University (noting that the University of Hawaii, while not receiving land, did receive \$6 million in 1960 in lieu of Morrill Act lands, an amount roughly equivalent to \$53,000,000 in current dollars); and

WHEREAS, an academically strong and financially secure state university system is a cornerstone to the long-term development of a stable population and to a healthy, diverse economy in the state; and

WHEREAS, it is in the best interests of the state and the University of Alaska that the university take ownership of a significant and substantial portfolio of income producing land in order to provide income for the support of public higher education in the state; and

WHEREAS, fulfilling the intent of these past Congresses and Alaska Legislatures to complete a permanent land endowment for the University of Alaska consistent with the Alaska Constitution will require a joint effort by the federal and state governments to establish a land grant that is "required by the federal government for state participation in federal programs," as specified under art. IX, sec. 7, Constitution of the State of Alaska; and

WHEREAS, Alaska's Congressional delegation in September 2020 introduced, with the support of Governor Dunleavy, S 4696/ HR 8398, the "University of Alaska Fiscal Foundation Act," to establish a federal program under which lands selected by, but not yet conveyed to, the State of Alaska could be conveyed from the federal government to the Board of Regents in trust for the University of Alaska, subject to a federally imposed trust obligation;

BE IT RESOLVED that the Board of Regents expresses its deep appreciation to the Alaska delegation for taking this step and to Governor Dunleavy, and urges all relevant agencies in the legislative and executive branches of both the state and federal governments to cooperate in bringing about an ultimate resolution to this long-standing issue.

BE IT FURTHER RESOLVED that this resolution be incorporated into the official minutes of the January 15, 2021, meeting of the University of Alaska Board of Regents, and engrossed and conveyed to the Congressional Delegation, the Governor, the Speaker of the House, the President of the Senate, the Co-Chairs of the House and Senate Finance Committees, the Commissioner of the Department of Natural Resources and the Chairs of the House and Senate Resource Committees.



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