

A JOINT MEMORIAL

ENDORISING THE WESTERN STATES EDUCATION INITIATIVE AND REQUESTING
THE NEW MEXICO LEGISLATIVE COUNCIL TO APPOINT TWO MEMBERS TO SIT ON
A COMMITTEE TO PREPARE THE INITIATIVE FOR CONGRESSIONAL
CONSIDERATION.

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WHEREAS, New Mexico and other western states continually grapple with the challenge of providing the best education for their children in the face of unique problems and within a climate of diminished state resources and increased requirements by the federal government for educational attainment and accountability; and

WHEREAS, data compiled and analyzed by Utah legislative staff show that from 1979 to 1998 the percent change in expenditures per pupil in the thirteen western states was lower than in the rest of the nation and that funding conditions in the western states are exacerbated by projections that public school enrollment will increase in the western states while declining in the rest of the nation; and

WHEREAS, despite wide disparities in expenditures per pupil and pupil-per-teacher ratios, western states tax themselves at a rate comparable to that of the other states and allocate as much of their budgets to public education as do the other states; and

WHEREAS, the ability of a western state to fund public education is directly related to the amount of federal land within that state, and the federal government owns a significant proportion of the land in the thirteen western states but only a small proportion of the land in the other states; and

WHEREAS, the enabling acts of most western states, including New Mexico, promise that a portion of the proceeds from the sale of federal lands will go to the states to fund public education; however, a federal policy change in 1976 ended these sales, resulting in significant funding losses for western states; and

WHEREAS, the ability of New Mexico and the other western states to fund public education is further affected by the fact that state and local property taxes, which public schools rely on to fund public education, cannot be assessed on federal lands, and the estimated annual impact of this federal exemption from state and local property tax on western states is over four billion dollars (\$4,000,000,000); and

WHEREAS, the federal government shares only half of its royalty revenue with the states and royalties are further reduced not only because federal lands are less likely to be developed but because federal laws often place stipulations on the use of royalty payments, and the estimated annual impact of royalty payment policies in the west is over one billion eight hundred sixty million dollars (\$1,860,000,000); and

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

WHEREAS, the federal government should compensate western states for the significant impact that federal land ownership has on the states' abilities to educate their school-age children and should provide an expedited land exchange process for land not in contention for wilderness designation, which would enable western states to be on an equal footing with the rest of the nation in their efforts to adequately fund public education; and

WHEREAS, an initiative to increase the level of education revenue in the

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thirteen western states, including New Mexico, has been established by the Utah state legislature and presented to the other twelve members of the council of state governments—west; and

WHEREAS, a resolution urging the United States congress to compensate western states for the impact of federal land ownership on funding for state education has been endorsed by the council of state governments—west;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO that it endorse the western states education initiative to seek just compensation from the federal government on federally owned land and that it urge the federal government to provide an expedited land exchange process for land not in contention for wilderness designation; and

BE IT FURTHER RESOLVED that the New Mexico legislative council be requested to appoint two legislators to sit on a coordinating committee to assist in the preparation of the western states education initiative for congressional consideration; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the president of the United States, the New Mexico congressional delegation, the president of the United States senate, the speaker of the United States house of representatives and the New Mexico legislative council.

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