

1 **SENATE JOINT MEMORIAL 70**

2 **46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003**

3 **INTRODUCED BY**

4 Cynthia Nava

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8 **FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE**

9
10 **A JOINT MEMORIAL**

11 **ENDORING THE WESTERN STATES EDUCATION INITIATIVE AND**
12 **REQUESTING THE NEW MEXICO LEGISLATIVE COUNCIL TO APPOINT TWO**
13 **MEMBERS TO SIT ON A COMMITTEE TO PREPARE THE INITIATIVE FOR**
14 **CONGRESSIONAL CONSIDERATION.**

15
16 **WHEREAS, New Mexico and other western states continually**
17 **grapple with the challenge of providing the best education for**
18 **their children in the face of unique problems and within a**
19 **climate of diminished state resources and increased**
20 **requirements by the federal government for educational**
21 **attainment and accountability; and**

22 **WHEREAS, data compiled and analyzed by Utah legislative**
23 **staff show that from 1979 to 1998 the percent change in**
24 **expenditures per pupil in the thirteen western states was lower**
25 **than in the rest of the nation and that funding conditions in**

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1 the western states are exacerbated by projections that public
2 school enrollment will increase in the western states while
3 declining in the rest of the nation; and

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

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

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

21 WHEREAS, the ability of New Mexico and the other western
22 states to fund public education is further affected by the fact
23 that state and local property taxes, which public schools rely
24 on to fund public education, cannot be assessed on federal
25 lands, and the estimated annual impact of this federal

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1 exemption from state and local property tax on western states
2 is over four billion dollars (\$4,000,000,000); and

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

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

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

22 WHEREAS, an initiative to increase the level of education
23 revenue in the thirteen western states, including New Mexico,
24 has been established by the Utah state legislature and
25 presented to the other twelve members of the council of state

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1 governments-west; and

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

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

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

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