1 HJR24
2 148088-1
3 By Representative McClammy
4 RFD: Rules
5 First Read: 07-FEB-13
URGING CONGRESS TO ANNUALLY INDEMNIFY, FROM OFFSHORE ROYALTY REVENUES, EACH ALABAMA COUNTY FOR LOST SIXTEENTH SECTION LANDS.

WHEREAS, sixteenth section lands are those lands which were designated for school purposes when Congress acted to admit the State of Alabama into the Union on March 2, 1819; and

WHEREAS, in the Alabama Enabling Act, Congress declared that "the section numbered sixteen in every township, and when such section has been sold, granted or disposed of, other lands equivalent thereto, and most contiguous to the same shall be granted to the inhabitants of such township for the use of schools"; and

WHEREAS, much of the original sixteenth section lands were underwater or valueless; however, an additional 100,000 acres of indemnity lands were set aside by Congress in 1841 to compensate for the valueless land and some 43,082
additional acres of the most productive land in the state were claimed by the state in lieu of sixteenth section lands; and

WHEREAS, although the state should have the benefit of approximately 930,027 acres of sixteenth section lands, large portions of the lands have been sold or exchanged; principal resulting from the sale or lease of the lands was lost when the state bank failed in 1843; township lines have been abolished; scant records have been maintained to record the share of trust fund balances credited to each township, county, or school district; and many counties, townships, and school districts do not now have identifiable sixteenth section land; and

WHEREAS, for the 2008 fiscal year, the federal government received a total of $14,500,998,847 in Gulf of Mexico Offshore Reported Royalty Revenues, from land that is now considered to be some of the most productive land around; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Congress is respectively requested to annually indemnify, from funds received from offshore royalty revenues, each Alabama county in an amount representative of the value of lost sixteenth section land per county, pursuant to a methodology similar to the following example:

If the approximately 930,027 acres of sixteenth section lands the state is entitled to have are equally
divided among the 67 counties, approximately 13,881 acres is
allocated to each county.

If Congress were to indemnify the state in an amount
of just one-sixteenth of the 2008 fiscal year royalty
revenues, or $906,312,428, each acre would be assigned an
approximate value of $1,009 ($906,312,428 divided by 898,393 =
$1,009).

To determine the amount of indemnification for each
county, the total number of existing sixteenth section acres
attributed to each county, based upon Department of
Conservation and Natural Resources calculations, should be
subtracted from 13,881 to determine the number of lost
sixteenth section acres in each county, and that number should
be multiplied by $1,009. Pursuant to this calculation, the
following counties would be entitled to receive the following
indemnification amounts:

Autauga - $14,005,929; Baldwin - $12,657,905;
Barbour - $14,005,929; Bibb - $13,642,689; Blount -
$13,906,038; Bullock - $14,005,929; Butler - $14,005,929;
Calhoun - $14,005,929; Chambers - $13,983,731; Cherokee -
$14,005,929; Chilton - $13,758,724; Choctaw - $13,316,782;
Clarke - $13,198,729; Clay - $13,844,489; Cleburne -
$13,844,489; Coffee - $13,940,344; Colbert - $14,005,929;
Conecuh - $14,005,929; Coosa - $14,005,929; Covington -
$13,985,749; Crenshaw - $14,005,929; Cullman - $12,858,696;
Dale - $14,005,929; Dallas - $14,005,929; DeKalb -
Sufficient safeguards shall be implemented to ensure that any indemnification funds received by a county for lost sixteenth section land pursuant to this resolution will increase and not supplant, replace, or decrease any existing state or local funds received from any other source for education purposes in the county.

Oversight of the process and procedures relating to the collection and distribution of indemnification funds,
including the promulgation of any necessary rules, should be
the responsibility of the Attorney General.

Alabama's Congressional Delegation is respectively
requested to actively pursue such annual indemnification and
take appropriate actions, including the enactment of necessary
legislation and the implementation of administrative action,
to ensure Alabama is properly paid for lost sixteenth section
land. Copies of this resolution shall be provided to each
member of Alabama's Congressional Delegation, the President of
the United States Senate, and the Speaker of the United States
House of Representatives so that our deep interest in this
matter is fully known.