

1 HB133
2 188044-1
3 By Representative Wadsworth (Constitutional Amendment)
4 RFD: Education Policy
5 First Read: 09-JAN-18

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8 SYNOPSIS: Under existing law, the Commissioner of
9 Conservation and Natural Resources has the
10 authority to manage, control, and lease sixteenth
11 section land and school indemnity land, originally
12 granted by Congress to each township in the state
13 for the use of the inhabitants of the township for
14 the use of schools, and income arising from the
15 sixteenth section trust fund and the school
16 indemnity land trust fund is applied to the support
17 and maintenance of the public schools in the state.

18 This bill would propose an amendment to the
19 Constitution of Alabama of 1901, to grant certain
20 sixteenth section land and school indemnity land
21 located in that portion of land annexed into the
22 Town of Eldridge in Walker County to the Walker
23 County Board of Education, to authorize the Walker
24 County Board of Education to manage, sell, lease,
25 and control those lands and any timber, minerals,
26 or other natural resources of the land, and to

1 provide for the distribution of any proceeds and
2 interest generated by the properties.

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4 A BILL
5 TO BE ENTITLED
6 AN ACT

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8 To propose an amendment to the Constitution of
9 Alabama of 1901, pertaining only to Walker County, to grant
10 certain sixteenth section and school indemnity lands located
11 in that portion of land annexed into the Town of Eldridge in
12 Walker County, and held in trust by the state for education
13 purposes in the county, to the Walker County Board of
14 Education; to authorize the Walker County Board of Education
15 to manage, sell, lease, and control those lands and any
16 timber, minerals, or other natural resources of the land; and
17 to provide for the distribution of any proceeds and interest
18 generated by the properties.

19 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

20 Section 1. The following amendment to the
21 Constitution of Alabama of 1901, is proposed and shall become
22 valid as a part of the Constitution when all requirements of
23 this act are fulfilled:

24 PROPOSED AMENDMENT

25 (a) All sixteenth section school land and school
26 indemnity land located in that portion of land annexed into
27 the Town of Eldridge by annexation ordinance 48, adopted and

1 filed with the City Clerk of the Town of Eldridge on February
2 23, 2003, in Walker County is vested in the Walker County
3 Board of Education. The board may manage, sell, lease, and
4 control the land and any timber, minerals, or other natural
5 resources of the land.

6 (b) Any proceeds from the sale of sixteenth section
7 or school indemnity land shall be deposited into a trust
8 account in Walker County.

9 (c) Any interest earned on the funds deposited
10 pursuant to subsection (b) shall be annually distributed to
11 the Walker County school system.

12 (d) Any proceeds generated from the sale of timber,
13 minerals, or other natural resources of the land, or from the
14 lease of sixteenth section or school indemnity land shall be
15 paid directly to the Walker County Board of Education and
16 deposited into the Walker County Board of Education General
17 Fund.

18 (e) It is the intent of the Legislature that this
19 amendment supersede any other provision of this constitution
20 which may be construed as being in conflict with this
21 amendment as it relates to sixteenth section or school
22 indemnity lands in Walker County and the rights, power, and
23 control of the property relating to the sale, lease, or other
24 disposition of the land or the sale of timber, minerals, or
25 other natural resources generated by the land, or any proceeds
26 or interest earned therefrom.

1 (f) Upon ratification of this amendment, all
2 proceeds realized from the sale, lease, or other disposition
3 of sixteenth section or school indemnity land or the sale of
4 timber, minerals, or other natural resources generated by
5 Walker County sixteenth section or school indemnity lands
6 occurring before ratification of this amendment, and held in
7 trust by the State of Alabama, shall continue to be held in
8 trust and any revenue and interest derived from those
9 transactions shall be paid to the custodian of funds of the
10 Walker County Board of Education.

11 Section 2. An election upon the proposed amendment
12 shall be held in accordance with Section 284.01 of the
13 Constitution of Alabama of 1901, now appearing as Section
14 284.01 of the Official Recompilation of the Constitution of
15 Alabama of 1901, as amended, and the election laws of this
16 state.

17 Section 3. The appropriate election official shall
18 assign a ballot number for the proposed constitutional
19 amendment on the election ballot and shall set forth the
20 following description of the substance or subject matter of
21 the proposed constitutional amendment:

22 "Relating to Walker County, proposing an amendment
23 to the Constitution of Alabama of 1901, to grant certain
24 sixteenth section lands and school indemnity lands located in
25 that portion of land annexed into the Town of Eldridge by
26 annexation ordinance 48, adopted and filed with the City Clerk
27 of the Town of Eldridge on February 23, 2003, in Walker

1 County, and held in trust by the state for education purposes
2 in Walker County, to the Walker County Board of Education; to
3 authorize the Walker County Board of Education to manage,
4 sell, lease, and control those lands; and to provide for the
5 distribution of any proceeds and interest from the sale,
6 lease, or other disposition of the land or the sale of timber,
7 minerals, or other natural resources generated by the land.

8 "Proposed by Act _____"

9 This description shall be followed by the following
10 language:

11 "Yes () No ()."