

1 HJR86
2 119537-1
3 By Representative McClammy
4 RFD: Rules
5 First Read: 09-MAR-11

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8 URGING CONGRESS TO ANNUALLY INDEMNIFY, FROM OFFSHORE
9 ROYALTY REVENUES, EACH ALABAMA COUNTY FOR LOST SIXTEENTH
10 SECTION LANDS.
11

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

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

22 WHEREAS, much of the original sixteenth section
23 lands were underwater or valueless; however, an additional
24 100,000 acres of indemnity lands were set aside by Congress in
25 1841 to compensate for the valueless land and some 43,082
26 additional acres of the most productive land in the state were
27 claimed by the state in lieu of sixteenth section lands; and

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

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

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

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

1 If Congress were to indemnify the state in an amount
2 of just one-sixteenth of the 2008 fiscal year royalty
3 revenues, or \$906,312,428, each acre would be assigned an
4 approximate value of \$1,009 (\$906,312,428 divided by 898,393 =
5 \$1,009).

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

15 Autauga - \$14,005,929; Baldwin - \$12,657,905;
16 Barbour - \$14,005,929; Bibb - \$13,642,689; Blount -
17 \$13,906,038; Bullock - \$14,005,929; Butler - \$14,005,929;
18 Calhoun - \$14,005,929; Chambers - \$13,983,731; Cherokee -
19 \$14,005,929; Chilton - \$13,758,724; Choctaw - \$13,316,782;
20 Clarke - \$13,198,729; Clay - \$13,844,489; Cleburne -
21 \$13,844,489; Coffee - \$13,940,344; Colbert - \$14,005,929;
22 Conecuh - \$14,005,929; Coosa - \$14,005,929; Covington -
23 \$13,985,749; Crenshaw - \$14,005,929; Cullman - \$12,858,696;
24 Dale - \$14,005,929; Dallas - \$14,005,929; DeKalb -
25 \$13,277,431; Elmore - \$13,955,479; Escambia - \$14,005,929;
26 Etowah - \$13,804,129; Fayette - \$11,751,823; Franklin -
27 \$12,832,462; Geneva - \$13,890,903; Greene - \$13,019,127; Hale

1 - \$13,683,049; Henry - \$13,844,489; Houston - \$13,230,008;
2 Jackson - \$13,884,849; Jefferson - \$12,116,072; Lamar -
3 \$14,005,929; Lauderdale - \$14,005,929; Lawrence - \$14,005,929;
4 Lee - \$14,005,929; Limestone - \$13,926,218; Lowndes -
5 \$14,005,929; Macon - \$14,005,929; Madison - \$14,005,929;
6 Marengo - \$13,521,609; Marion - \$11,946,560; Marshall -
7 \$13,515,555; Mobile - \$14,005,929; Monroe - \$14,005,929;
8 Montgomery - \$14,005,929; Morgan - \$13,924,200; Perry -
9 \$13,927,227; Pickens - \$14,005,929; Pike - \$14,005,929;
10 Randolph - \$13,807,156; Russell - \$14,005,929; Shelby -
11 \$14,005,929; St. Clair - \$12,705,328; Sumter - \$14,005,929;
12 Talladega - \$13,561,969; Tallapoosa - \$14,005,929; Tuscaloosa
13 - \$11,086,892; Walker - \$7,663,355; Washington - \$12,819,345;
14 Wilcox - \$13,925,209; Winston - \$11,746,778.

15 Sufficient safeguards shall be implemented to ensure
16 that any indemnification funds received by a county for lost
17 sixteenth section land pursuant to this resolution will
18 increase and not supplant, replace, or decrease any existing
19 state or local funds received from any other source for
20 education purposes in the county.

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

25 Alabama's Congressional Delegation is respectfully
26 requested to actively pursue such annual indemnification and
27 take appropriate actions, including the enactment of necessary

1 legislation and the implementation of administrative action,
2 to ensure Alabama is properly paid for lost sixteenth section
3 land. Copies of this resolution shall be provided to each
4 member of Alabama's Congressional Delegation, the President of
5 the United States Senate, and the Speaker of the United States
6 House of Representatives so that our deep interest in this
7 matter is fully known.