HB302

UN15DGX-1

By Representative Kiel (Constitutional Amendment)

RFD: Agriculture and Forestry

First Read: 06-Mar-24

SYNOPSIS:

Under existing law, the Commissioner of Conservation and Natural Resources has the authority to manage and supervise all sixteenth section and indemnity school lands in this state, including leasing and selling these lands, which were originally granted by Congress to each township in this state for the use of schools therein.

Also under existing law, proceeds produced by school lands are provided to schools as determined by their original grant in amounts dependent upon the type of proceeds.

This bill would propose an amendment to the Constitution of Alabama of 2022, to grant certain sixteenth section and indemnity school lands that are owned in fee simple by the Franklin County School System, are located in Fayette County and Walker County, and are for the exclusive use of schools in the Franklin County School System to the Franklin County Board of Education to manage, sell, lease, and control these lands and any timber, minerals, or other natural resource of the land, and to provide for the distribution of any proceeds and interest generated by this land.

A BILL

TO BE ENTITLED

AN ACT

Proposing an amendment to the Constitution of Alabama of 2022, to grant certain sixteenth section and indemnity school lands that are owned in fee simple by the Franklin County School System, are located in Fayette County and Walker County, and are for the exclusive use of schools in the Franklin County School System to the Franklin County Board of Education; and to provide for the distribution of any proceeds and interest generated by this land.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama of 2022, is proposed:

PROPOSED AMENDMENT

(a) All sixteenth section and indemnity school land that is owned in fee simple by the Franklin County School System, is located in Fayette County and Walker County, and is for the exclusive use of schools in the Franklin County School System is vested in the Franklin County Board of Education. The board may manage, sell, lease, and control the land and any timber, minerals, or other natural resource of the land.

(b) Any proceeds generated from the sale of timber, minerals, or other natural resource of the land, or from the lease or sale of the land or its natural resources, shall be paid to the Franklin County Board of Education and deposited

into the Franklin County Board of Education General Fund.

(c) It is the intent of the Legislature that this amendment supersede any other provision of this constitution that may be construed as conflicting with this amendment as it relates to the land and the rights, power, and control thereof and to the sale, lease, or other disposition of the land and timber, minerals, or other natural resource of the land, and any proceeds and interest earned therefrom.

(d) Upon ratification of this amendment, all proceeds realized from the sale, lease, or other disposition of the land or the sale of timber, minerals, or other natural resource of the land occurring before ratification of this amendment, and held in trust by the State of Alabama, shall continue to be held in trust, and any proceeds and interest derived from those transactions shall be paid to the Franklin County Board of Education.

Upon ratification of this constitutional amendment, the Code Commissioner shall number and place this amendment as appropriate in the constitution omitting this instructional paragraph and may make the following nonsubstantive revisions: change capitalization, hierarchy, spelling, and punctuation for purposes of style and uniformity; correct manifest grammatical, clerical, and typographical errors; revise internal or external citations and cross-references; harmonize language; and translate effective dates.

END OF PROPOSED AMENDMENT

Section 2. An election upon the proposed amendment shall be held in accordance with Sections 284 and 285 of the

Constitution of Alabama of 2022, and the election laws of this state. The appropriate election official shall assign a ballot number for the proposed constitutional amendment on the election ballot and shall set forth the following description of the substance or subject matter of the proposed constitutional amendment:

"Proposing an amendment to the Constitution of Alabama of 2022, to grant certain sixteenth section and indemnity school land that is owned in fee simple by the Franklin County school system, is located in Fayette County and Walker County, and is for the exclusive use of schools in the Franklin County School System to the Franklin County Board of Education; and to provide for the distribution of any proceeds and interest generated by this land to the Franklin County Board of Education.

Proposed by Act ____."

This description shall be followed by the following language:

"Yes( ) No( )."

Section 3. The proposed amendment shall become valid as a part of the Constitution of Alabama of 2022, when approved by a majority of the qualified electors voting thereon.