

1 HB594
2 167944-1
3 By Representative Wadsworth (Constitutional Amendment)
4 RFD: Local Legislation
5 First Read: 30-APR-15

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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 and school land, originally granted by
12 Congress to each township in the state for the use
13 of the inhabitants of the township for the use of
14 schools, and income arising from the sixteenth
15 section trust fund is applied to the support and
16 maintenance of the public schools in the state.

17 This bill would propose an amendment to the
18 Constitution of Alabama of 1901, to grant sixteenth
19 section and school lands located in Winston County
20 to the Winston County Board of Education, to
21 authorize the Winston County Board of Education to
22 manage, sell, lease, and control those lands and
23 any timber, minerals, or other natural resources of
24 the land, and to provide for the distribution of
25 any proceeds and interest generated by the
26 properties.

1
2 A BILL
3 TO BE ENTITLED
4 AN ACT
5

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

16 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

21 PROPOSED AMENDMENT

22 (a) All sixteenth section school and school land
23 located in Winston County is vested in the Winston County
24 Board of Education. The board may manage, sell, lease, and
25 control the land and any timber, minerals, or other natural
26 resources of the land.

1 (b) Any proceeds from the sale of sixteenth section
2 or school land shall be deposited into a trust account in
3 Winston County.

4 (c) Any interest earned on the funds deposited
5 pursuant to subsection (b) shall be annually distributed to
6 the Winston County school system.

7 (d) Any proceeds generated from the sale of timber,
8 minerals, or other natural resources of the land, or from the
9 lease of sixteenth section or school land shall be paid
10 directly to the Winston County Board of Education and
11 deposited into the Winston County Board of Education General
12 Fund.

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

22 (f) Upon ratification of this amendment, all
23 proceeds realized from the sale, lease, or other disposition
24 of sixteenth section or school land or the sale of timber,
25 minerals, or other natural resources generated by Winston
26 County sixteenth section or school lands occurring before

1 ratification of this amendment, and held in trust by the State
2 of Alabama, shall continue to be held in trust and any revenue
3 and interest derived from those transactions shall be paid to
4 the custodian of funds of the Winston County Board of
5 Education.

6 Section 2. An election upon the proposed amendment
7 shall be held in accordance with Amendment 555 to the
8 Constitution of Alabama of 1901, now appearing as Section
9 284.01 of the Official Recompilation of the Constitution of
10 Alabama of 1901, as amended, and the election laws of this
11 state.

12 Section 3. The appropriate election official shall
13 assign a ballot number for the proposed constitutional
14 amendment on the election ballot and shall set forth the
15 following description of the substance or subject matter of
16 the proposed constitutional amendment:

17 "Relating to Winston County, proposing an amendment
18 to the Constitution of Alabama of 1901, to grant sixteenth
19 section and school lands located in Winston County, and held
20 in trust by the state for education purposes in Winston
21 County, to the Winston County Board of Education; to authorize
22 the Winston County Board of Education to manage, sell, lease,
23 and control those lands; and to provide for the distribution
24 of any proceeds and interest from the sale, lease, or other
25 disposition of the land or the sale of timber, minerals, or
26 other natural resources generated by the land.

1 "Proposed by Act _____"

2 This description shall be followed by the following

3 language:

4 "Yes () No ()."