

1 HJR51  
2 115140-1  
3 By Representative McClammy  
4 RFD: Rules  
5 First Read: 14-JAN-10

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8           URGING CONGRESS TO ANNUALLY INDEMNIFY, FROM OFFSHORE  
9 ROYALTY REVENUES, THE STATE OF ALABAMA 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 respectfully  
18 requested to annually indemnify, from funds received from  
19 offshore royalty revenues, the State of Alabama in an amount  
20 representative of the total value of the approximately 930,027  
21 acres of lost sixteenth section land in the state for  
22 equitable distribution by this state to the various counties  
23 located in the state and that Alabama's Congressional  
24 Delegation is respectfully requested to actively pursue such  
25 annual indemnification and to take appropriate action,  
26 including the enactment of necessary legislation and the

1 implementation of administrative action, to ensure that  
2 Alabama is properly paid for lost sixteenth section land.

3 BE IT FURTHER RESOLVED, That it is the intent of  
4 this body that appropriate legislation be passed in this state  
5 to equitably distribute any offshore royalty revenue funds  
6 received from Congress to each county based upon the number of  
7 lost sixteenth section acres in each county as calculated by  
8 the Department of Conservation and Natural Resources.

9 BE IT FURTHER RESOLVED, That copies of this  
10 resolution shall be provided to each member of Alabama's  
11 Congressional Delegation, the President of the United States  
12 Senate, and the Speaker of the United States House of  
13 Representatives so that our deep interest in this matter is  
14 fully known.