

1 SB8
2 187817-1
3 By Senator McClendon
4 RFD: Governmental Affairs
5 First Read: 09-JAN-18
6 PFD: 08/10/2017

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8 SYNOPSIS: Under existing law, all abandoned shipwrecks
9 or remains of those ships and all underwater
10 treasures and artifacts that are contained in or on
11 submerged lands belonging to the State of Alabama,
12 and have remained unclaimed for 50 years, are
13 cultural resources that are eligible for, or listed
14 in, the National Register of Historic Places or the
15 Alabama Register of Landmarks and Heritage.

16 This bill would remove the language that
17 includes the Alabama Register of Landmarks and
18 Heritage.

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20 A BILL
21 TO BE ENTITLED
22 AN ACT

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24 To amend Section 41-9-291, Code of Alabama 1975, to
25 remove the language that includes the Alabama Register of
26 Landmarks and Heritage.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. Section 41-9-291, Code of Alabama 1975,
2 is amended to read as follows:

3 "§41-9-291.

4 "As used in this division, the following terms shall
5 have the following meanings:

6 (1) COMMISSION. The Alabama Historical Commission,
7 acting as the custodian of cultural resources for the State of
8 Alabama.

9 "(2) CONTRACTOR. Any individual, company,
10 corporation, or private or public institution determined by
11 the commission to be appropriately qualified, that has applied
12 for and received a permit or contract from the commission to
13 begin exploration or excavation activities in state-owned
14 waters.

15 "(3) CULTURAL RESOURCES. All abandoned shipwrecks or
16 remains of those ships and all underwater archaeological
17 treasures, artifacts, treasure troves, or other cultural
18 articles and materials, whether or not associated with any
19 shipwreck, that are contained in or on submerged lands
20 belonging to the State of Alabama and the sea within the
21 jurisdiction of the state, and that have remained unclaimed
22 for more than 50 years, excluding therefrom sunken logs,
23 cants, and timber resources of any other type not associated
24 as part of a shipping vessel, and are eligible for, or listed
25 in, the National Register of Historic Places ~~or the Alabama~~
26 ~~Register of Landmarks and Heritage.~~

1 "(4) EXCAVATION. The study and intentional removal
2 from submerged land belonging to the state, by accepted
3 scientific methods, of any objects recognized as cultural
4 resources.

5 "(5) EXPLORATION. The systematic examination by
6 actual survey of an area of submerged land belonging to the
7 state for the purpose of locating and recognizing cultural
8 resources.

9 "(6) SUBMERGED LANDS. Lands under navigable
10 waterways owned or controlled by the State of Alabama.

11 "(7) TREASURE TROVE. Any gold bullion, gold ingots,
12 gold dust, silver bars, and other precious metals or stones."

13 Section 2. This act shall become effective on the
14 first day of the third month following its passage and
15 approval by the Governor, or its otherwise becoming law.