

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall be known as and may be cited as the "Alabama Underwater Cultural Resources Act."

Section 2. As used in this act, the following terms shall have the following meanings:

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

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

(3) CULTURAL RESOURCES. Underwater archaeological resources, whether or not associated with the State of Alabama and unclaimed for more than 100 years, including but not limited to wrecks, shipwrecks, or the Alabama Reefs.

*This is the Act that was passed.*

of those ships and all cultural articles and materials, on submerged lands belonging to the State and that have remained on the National Register of Historic Places.

(4) EXCAVATION. The removal of cultural resources by accepted scientific methods.

*See Sect. 5, part c (1) permits shall*

be issued without limitation

(5) EXPLORATION. The search for cultural resources belonging to the state for the purpose of determining their location, nature, and extent.

*be issued without limitation*

in an area of submerged lands and other resources.

(6) TREASURE TROVE. Precious metals or stones.

including but not limited to gold, silver bars, and other precious metals.

Section 3. (a) All cultural resources as defined herein are declared to be state cultural resources subject to the exclusive dominion and control of the State of Alabama.

(b) Cultural resources shall not be taken, damaged, destroyed, salvaged, excavated, or otherwise altered without a prior contract or permit obtained through the commission, which is designated as the official custodian of state cultural resources within the jurisdiction of the State of Alabama.

Section 4. (a) The commission shall develop and implement a management plan for cultural resources. The commission may appoint an advisory committee to assist the commission in the development and implementation of a management plan for cultural resources, and to advise the commission with respect to needed rules or regulations. The commission may promulgate, in accordance with the state Administrative Procedure Act and in the best interest of the state, any rule or regulation necessary to implement this act. The rules and regulations shall have the force and effect of law.

(b) These regulations shall include, but not be limited to, any of the following:

(1) The classification of historic maritime and submerged resources.