S T A T E  O F  N E W  Y O R K

2487

2011-2012 Regular Sessions

I N  S E N A T E

January 24, 2011

Introduced by Sen. LITTLE -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend the state finance law and the environmental conservation law, in relation to enacting the "Adirondack sportsmen's club preservation act"

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Short title. This act shall be known and may be cited as the "Adirondack sportsmen's club preservation act".

S 2. Legislative findings. The legislature hereby finds that hunting and fishing camps are an important fabric of the Adirondacks. Generations of families have been traveling to the Adirondacks to participate in these important American pastimes. The economy of this area of the state is dependent on tourism and recreational activities. It is estimated that tens of millions of dollars annually is injected into the local economy from members of sportsmen's clubs through the purchase of goods and services. Not only is there an economic benefit from these clubs, their members are true stewards of the land, and provide important environmental and habitat preservation.

The provisions of this act, in the case of the conveyance of privately owned land to the state of New York when a sportsmen's club is located upon such land, is intended to grant any such club the right of first refusal to purchase or attain a long term lease of the land utilized by the club and additional land including, but not limited to, a deeded right of way at fair market value. Sportsmen's clubs shall be deemed to retain exclusive access to and usage rights for hunting and fishing, while allowing public access to the land for other recreational activities.

S 3. Paragraph (d) of subdivision 6 of section 92-s of the state finance law, as amended by section 13 of part E of chapter 61 of the laws of 2000, is amended to read as follows:

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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(d) Moneys from the open space account shall be available, pursuant to appropriation, for any open space land conservation project UNDERTAKEN WITH A WILLING SELLER, bio-diversity stewardship and research pursuant to chapter five hundred fifty-four of the laws of nineteen hundred ninety-three, for the purposes of agricultural and farmland protection activities as authorized by article twenty-five-AAA of the agriculture and markets law, non-point source abatement and control projects pursuant to section 17-1409 of the environmental conservation law and section eleven-b of the soil and water conservation districts law, for Long Island Central Pine Barrens area planning or Long Island south shore estuary reserve planning pursuant to title thirteen of article fifty-four of the environmental conservation law, and for operation and management of the Albany Pine Bush preserve commission pursuant to subdivision two of section 54-0303 of the environmental conservation law. PROVIDED, THAT SUCH MONEYS SHALL NOT BE USED TO ACQUIRE LANDS ON WHICH HUNTING AND FISHING CAMPS ARE LOCATED IF THE LEASE AGREEMENTS ARE TO BE DISCONTINUED.

S 4. Section 54-0301 of the environmental conservation law, as added by chapter 610 of the laws of 1993, is amended to read as follows:

S 54-0301. [Definitions] DEFINITION.

For purposes of this title, "open space land conservation projects" shall mean acquisition projects UNDERTAKEN WITH WILLING SELLERS, including the purchase of conservation easements undertaken by the commissioner and/or the commissioner of the office of parks, recreation and historic preservation listed in the state open space land acquisition plan prepared pursuant to title 2 of article 49 of this chapter.

S 5. Subdivision 6 of section 54-0303 of the environmental conservation law, as added by chapter 610 of the laws of 1993, is amended to read as follows:

6. [No monies shall be expended for acquisition by] THE USE OF eminent domain [of] IN CONNECTION WITH any open space land conservation project [except in accordance with the state land acquisition policy set forth in section 49-0203 of this chapter] SHALL BE LIMITED TO LANDS WITH RESPECT TO WHICH THE OWNER OR LEASEHOLDER HAS CONSENTED TO THE USE OF EMINENT DOMAIN OR WHERE THE USE OF EMINENT DOMAIN IS REQUIRED TO QUIET TITLE.

S 6. This act shall take effect immediately.