

4789

2009-2010 Regular Sessions

I N S E N A T E

April 27, 2009

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:

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

3 S 2. Legislative findings. The legislature hereby finds that hunting
4 and fishing camps are an important fabric of the Adirondacks. Gener-
5 ations of families have been traveling to the Adirondacks to participate
6 in these important American pastimes. The economy of this area of the
7 state is dependent on tourism and recreational activities. It is esti-
8 mated that tens of millions of dollars annually is injected into the
9 local economy from members of sportsmen's clubs through the purchase of
10 goods and services. Not only is there an economic benefit from these
11 clubs, their members are true stewards of the land, and provide impor-
12 tant environmental and habitat preservation.

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

22 S 3. Paragraph (d) of subdivision 6 of section 92-s of the state
23 finance law, as amended by section 13 of part E of chapter 61 of the
24 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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1 (d) Moneys from the open space account shall be available, pursuant to
2 appropriation, for any open space land conservation project UNDERTAKEN
3 WITH A WILLING SELLER, bio-diversity stewardship and research pursuant
4 to chapter five hundred fifty-four of the laws of nineteen hundred nine-
5 ty-three, for the purposes of agricultural and farmland protection
6 activities as authorized by article twenty-five-AAA of the agriculture
7 and markets law, non-point source abatement and control projects pursu-
8 ant to section 17-1409 of the environmental conservation law and section
9 eleven-b of the soil and water conservation districts law, for Long
10 Island Central Pine Barrens area planning or Long Island south shore
11 estuary reserve planning pursuant to title thirteen of article fifty-
12 four of the environmental conservation law, and for operation and
13 management of the Albany Pine Bush preserve commission pursuant to
14 subdivision two of section 54-0303 of the environmental conservation
15 law. PROVIDED, THAT SUCH MONEYS SHALL NOT BE USED TO ACQUIRE LANDS ON
16 WHICH HUNTING AND FISHING CAMPS ARE LOCATED IF THE LEASE AGREEMENTS ARE
17 TO BE DISCONTINUED.

18 S 4. Section 54-0301 of the environmental conservation law, as added
19 by chapter 610 of the laws of 1993, is amended to read as follows:
20 S 54-0301. [Definitions] DEFINITION.

21 For purposes of this title, "open space land conservation projects"
22 shall mean acquisition projects UNDERTAKEN WITH WILLING SELLERS, includ-
23 ing the purchase of conservation easements undertaken by the commission-
24 er and/or the commissioner of the office of parks, recreation and
25 historic preservation listed in the state open space land acquisition
26 plan prepared pursuant to title 2 of article 49 of this chapter.

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

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

37 S 6. This act shall take effect immediately.