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

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I N S E N A T E

May 25, 2010

Introduced by Sen. O. JOHNSON -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the public lands law, in relation to authorizing the commissioner of general services to convey unappropriated state land to a school district or board of cooperative educational services for public education purposes

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

Section 1. The section heading and subdivision 1 of section 34 of the public lands law, as amended by chapter 703 of the laws of 1994, are amended to read as follows:

Transfer of unappropriated state lands for mental health, mental retardation, park, recreation, playground, reforestation, PUBLIC EDUCATION, street or highway purposes. 1. Such commissioner of general services may, from time to time, transfer and convey to a city, incorporated village, town [or], county, SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES, in consideration of one dollar to be paid to the state of New York, and on such terms and conditions as such commissioner may impose, a part or all of any parcel or parcels of unappropriated state lands upon certification that such parcel or parcels are useful for local mental health facilities, mental retardation facilities, park, recreation, playground, reforestation, PUBLIC EDUCATION, street or highway purposes, and that they will be properly improved and maintained for one or more of such purposes and provided that this disposition of such parcel or parcels is not otherwise prohibited. Certification shall be evidenced by a formal request from the board of estimate, common council, village board OF TRUSTEES, town board [or], county board of supervisors, BOARD OF EDUCATION, SCHOOL DISTRICT BOARD OF TRUSTEES OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES, setting forth in detail the parcel or parcels to be released, transferred and conveyed and the availability and usefulness of such parcel or parcels for one or more of such purposes. In the city of New York however, certification shall be evidenced by a formal request from the mayor. In the event that

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

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lands transferred under the provisions of this section are not properly improved and maintained for one or more of the purposes contemplated by this section by the city, village, town [or], county, SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES to which they were transferred, the title thereto shall revert to the people of the state of New York, and the attorney-general may institute an action in the supreme court for a judgment declaring a revesting of such title in the state. Such commissioner may also transfer any unappropriated state lands to the office of parks, recreation and historic preservation or the department of environmental conservation, upon the application of the commissioner thereof indicating that such unappropriated state lands are required for state park purposes within the area of jurisdiction of such office or department.

S 2. This act shall take effect immediately.