

8284

2009-2010 Regular Sessions

I N A S S E M B L Y

May 13, 2009

Introduced by M. of A. SWEENEY, DUPREY, SAYWARD, JAFFEE, SCOZZAFAVA --  
Multi-Sponsored by -- M. of A. BOYLAND, WEISENBERG -- read once and  
referred to the Committee on Environmental Conservation

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to section 1 of article 14 of the constitution,  
in relation to the use of certain forest preserve lands by National  
Grid to construct a 46kV power line along State Route 56 in St.  
Lawrence county

1 Section 1. RESOLVED (if the Senate concur), That section 1 of article  
2 14 of the constitution be amended to read as follows:  
3 Section 1. The lands of the state, now owned or hereafter acquired,  
4 constituting the forest preserve as now fixed by law, shall be forever  
5 kept as wild forest lands. They shall not be leased, sold or exchanged,  
6 or be taken by any corporation, public or private, nor shall the timber  
7 thereon be sold, removed or destroyed. Nothing herein contained shall  
8 prevent the state from constructing, completing and maintaining any  
9 highway heretofore specifically authorized by constitutional amendment,  
10 nor from constructing and maintaining to federal standards federal aid  
11 interstate highway route five hundred two from a point in the vicinity  
12 of the city of Glens Falls, thence northerly to the vicinity of the  
13 villages of Lake George and Warrensburg, the hamlets of South Horicon  
14 and Pottersville and thence northerly in a generally straight line on  
15 the west side of Schroon Lake to the vicinity of the hamlet of Schroon,  
16 then continuing northerly to the vicinity of Schroon Falls, Schroon  
17 River and North Hudson, and to the east of Makomis Mountain, east of the  
18 hamlet of New Russia, east of the village of Elizabethtown and continu-  
19 ing northerly in the vicinity of the hamlet of Towers Forge, and east of  
20 Poke-O-Moonshine Mountain and continuing northerly to the vicinity of  
21 the village of Keeseville and the city of Plattsburgh, all of the afore-  
22 said taking not to exceed a total of three hundred acres of state forest  
23 preserve land, nor from constructing and maintaining not more than twen-  
24 ty-five miles of ski trails thirty to two hundred feet wide, together

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

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1 with appurtenances thereto, provided that no more than five miles of  
2 such trails shall be in excess of one hundred twenty feet wide, on the  
3 north, east and northwest slopes of Whiteface Mountain in Essex county,  
4 nor from constructing and maintaining not more than twenty-five miles of  
5 ski trails thirty to two hundred feet wide, together with appurtenances  
6 thereto, provided that no more than two miles of such trails shall be in  
7 excess of one hundred twenty feet wide, on the slopes of Belleayre Moun-  
8 tain in Ulster and Delaware counties and not more than forty miles of  
9 ski trails thirty to two hundred feet wide, together with appurtenances  
10 thereto, provided that no more than eight miles of such trails shall be  
11 in excess of one hundred twenty feet wide, on the slopes of Gore and  
12 Pete Gay mountains in Warren county, nor from relocating, reconstructing  
13 and maintaining a total of not more than fifty miles of existing state  
14 highways for the purpose of eliminating the hazards of dangerous curves  
15 and grades, provided a total of no more than four hundred acres of  
16 forest preserve land shall be used for such purpose and that no single  
17 relocated portion of any highway shall exceed one mile in length.  
18 Notwithstanding the foregoing provisions, the state may convey to the  
19 village of Saranac Lake ten acres of forest preserve land adjacent to  
20 the boundaries of such village for public use in providing for refuse  
21 disposal and in exchange therefore the village of Saranac Lake shall  
22 convey to the state thirty acres of certain true forest land owned by  
23 such village on Roaring Brook in the northern half of Lot 113, Township  
24 11, Richards Survey. Notwithstanding the foregoing provisions, the state  
25 may convey to the town of Arietta twenty-eight acres of forest preserve  
26 land within such town for public use in providing for the extension of  
27 the runway and landing strip of the Piseco airport and in exchange  
28 therefor the town of Arietta shall convey to the state thirty acres of  
29 certain land owned by such town in the town of Arietta. Notwithstanding  
30 the foregoing provisions and subject to legislative approval of the  
31 tracts to be exchanged prior to the actual transfer of title, the state,  
32 in order to consolidate its land holdings for better management, may  
33 convey to International Paper Company approximately eight thousand five  
34 hundred acres of forest preserve land located in townships two and three  
35 of Totten and Crossfield's Purchase and township nine of the Moose River  
36 Tract, Hamilton county, and in exchange therefore International Paper  
37 Company shall convey to the state for incorporation into the forest  
38 preserve approximately the same number of acres of land located within  
39 such townships and such County on condition that the legislature shall  
40 determine that the lands to be received by the state are at least equal  
41 in value to the lands to be conveyed by the state. Notwithstanding the  
42 foregoing provisions and subject to legislative approval of the tracts  
43 to be exchanged prior to the actual transfer of title and the conditions  
44 herein set forth, the state, in order to facilitate the preservation of  
45 historic buildings listed on the national register of historic places by  
46 rejoining an historic grouping of buildings under unitary ownership and  
47 stewardship, may convey to Sagamore Institute Inc., a not-for-profit  
48 educational organization, approximately ten acres of land and buildings  
49 thereon adjoining the real property of the Sagamore Institute, Inc. and  
50 located on Sagamore Road, near Racquette Lake Village, in the Town of  
51 Long Lake, county of Hamilton, and in exchange therefor; Sagamore Insti-  
52 tute, Inc. shall convey to the state for incorporation into the forest  
53 preserve approximately two hundred acres of wild forest land located  
54 within the Adirondack Park on condition that the legislature shall  
55 determine that the lands to be received by the state are at least equal  
56 in value to the lands and buildings to be conveyed by the state and that

1 the natural and historic character of the lands and buildings conveyed  
2 by the state will be secured by appropriate covenants and restrictions  
3 and that the lands and buildings conveyed by the state will reasonably  
4 be available for public visits according to agreement between Sagamore  
5 Institute, Inc. and the state. Notwithstanding the foregoing provisions  
6 the state may convey to the town of Arietta fifty acres of forest  
7 preserve land within such town for public use in providing for the  
8 extension of the runway and landing strip of the Piseco airport and  
9 providing for the maintenance of a clear zone around such runway, and in  
10 exchange therefor, the town of Arietta shall convey to the state fifty-  
11 three acres of true forest land located in lot 2 township 2 Totten and  
12 Crossfield's Purchase in the town of Lake Pleasant.

13 Notwithstanding the foregoing provisions and subject to legislative  
14 approval prior to actual transfer of title, the state may convey to the  
15 town of Keene, Essex county, for public use as a cemetery owned by such  
16 town, approximately twelve acres of forest preserve land within such  
17 town and, in exchange therefor, the town of Keene shall convey to the  
18 state for incorporation into the forest preserve approximately one  
19 hundred forty-four acres of land, together with an easement over land  
20 owned by such town including the riverbed adjacent to the land to be  
21 conveyed to the state that will restrict further development of such  
22 land, on condition that the legislature shall determine that the proper-  
23 ty to be received by the state is at least equal in value to the land to  
24 be conveyed by the state.

25 NOTWITHSTANDING THE FOREGOING PROVISIONS AND SUBJECT TO LEGISLATIVE  
26 APPROVAL PRIOR TO ACTUAL TRANSFER OF TITLE, THE STATE MAY CONVEY TO  
27 NATIONAL GRID UP TO SIX ACRES ADJOINING STATE ROUTE 56 IN ST. LAWRENCE  
28 COUNTY WHERE IT PASSES THROUGH FOREST PRESERVE IN TOWNSHIP 5, LOTS 1, 2,  
29 5 AND 6 THAT IS NECESSARY AND APPROPRIATE FOR NATIONAL GRID TO CONSTRUCT  
30 A NEW 46KV POWER LINE AND IN EXCHANGE THEREFORE NATIONAL GRID SHALL  
31 CONVEY TO THE STATE FOR INCORPORATION INTO THE FOREST PRESERVE AT LEAST  
32 10 ACRES OF FOREST LAND OWNED BY NATIONAL GRID IN ST. LAWRENCE COUNTY,  
33 ON CONDITION THAT THE LEGISLATURE SHALL DETERMINE THAT THE PROPERTY TO  
34 BE RECEIVED BY THE STATE IS AT LEAST EQUAL IN VALUE TO THE LAND CONVEYED  
35 BY THE STATE.

36 S 2. RESOLVED (if the Senate concur), That the foregoing amendment be  
37 submitted to the people for approval at the general election to be held  
38 in the year 2009 in accordance with the provisions of the election law.