

2802

2009-2010 Regular Sessions

I N S E N A T E

March 3, 2009

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

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 Assembly concur), That section 1 of arti-
2 cle 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
25 with appurtenances thereto, provided that no more than five miles of

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

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

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

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

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

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