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I N   A S S E M B L Y

June 13, 2016

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Introduced by COMMITTEE ON RULES -- (at request of M. of A. Englebright)  
-- read once and referred to the Committee on Environmental Conservation

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to article 14 of the constitution, in relation to allowing public utility lines and bicycle paths on certain state lands in the forest preserve and establishing a forest preserve health and safety land account

1     Section 1. Resolved (if the Senate concur), That section one of arti-  
2     cle 14 of the constitution be amended by adding a new undesignated para-  
3     graph to read as follows:  
4     NOTWITHSTANDING THE FOREGOING PROVISIONS AND SUBJECT TO LEGISLATIVE  
5     APPROVAL PRIOR TO ACTUAL TRANSFER OF TITLE, A TOTAL OF NO MORE THAN ONE  
6     HUNDRED FIFTY ACRES OF FOREST PRESERVE LAND SHALL BE USED FOR THE ESTAB-  
7     LISHMENT OF A HEALTH AND SAFETY LAND ACCOUNT. WHERE NO VIABLE ALTERNA-  
8     TIVE EXISTS AND OTHER CRITERIA DEVELOPED BY THE LEGISLATURE ARE SATIS-  
9     FIED, A CITY, TOWN, VILLAGE OR COUNTY MAY APPLY, PURSUANT TO A PROCESS  
10    DETERMINED BY THE LEGISLATURE, TO THE HEALTH AND SAFETY LAND ACCOUNT FOR  
11    PROJECTS LIMITED TO: ELIMINATION OF BRIDGE HAZARDS ON COUNTY HIGHWAYS,  
12    AND TOWN HIGHWAYS LISTED ON THE LOCAL HIGHWAY INVENTORY MAINTAINED BY  
13    THE DEPARTMENT OF TRANSPORTATION, DEDICATED, AND IN EXISTENCE ON JANUARY  
14    FIRST, TWO THOUSAND FIFTEEN, AND ANNUALLY PLOWED AND REGULARLY MAIN-  
15    TAINED; ELIMINATION OF THE HAZARDS OF DANGEROUS CURVES AND GRADES ON  
16    COUNTY HIGHWAYS, AND TOWN HIGHWAYS LISTED ON THE LOCAL HIGHWAY INVENTORY  
17    MAINTAINED BY THE DEPARTMENT OF TRANSPORTATION, DEDICATED, AND IN EXIST-  
18    ENCE ON JANUARY FIRST, TWO THOUSAND FIFTEEN, AND ANNUALLY PLOWED AND  
19    REGULARLY MAINTAINED; RELOCATION AND RECONSTRUCTION AND MAINTENANCE OF  
20    COUNTY HIGHWAYS, AND TOWN HIGHWAYS LISTED ON THE LOCAL HIGHWAY INVENTORY  
21    MAINTAINED BY THE DEPARTMENT OF TRANSPORTATION, DEDICATED, AND IN EXIST-  
22    ENCE ON JANUARY FIRST, TWO THOUSAND FIFTEEN AND ANNUALLY PLOWED AND  
23    REGULARLY MAINTAINED, PROVIDED FURTHER THAT NO SINGLE RELOCATED PORTION  
24    OF ANY SUCH HIGHWAY SHALL EXCEED ONE MILE IN LENGTH; AND WATER WELLS AND  
25    NECESSARY APPURTENANCES WHEN SUCH WELLS ARE NECESSARY TO MEET DRINKING  
26    WATER QUALITY STANDARDS AND ARE LOCATED WITHIN FIVE HUNDRED FEET OF  
27    COUNTY HIGHWAYS, AND TOWN HIGHWAYS LISTED ON THE LOCAL HIGHWAY INVENTORY

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

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1 MAINTAINED BY THE DEPARTMENT OF TRANSPORTATION, DEDICATED, AND IN EXIST-  
2 ENCE ON JANUARY FIRST, TWO THOUSAND FIFTEEN, AND ANNUALLY PLOWED AND  
3 REGULARLY MAINTAINED. AS A CONDITION OF THE CREATION OF SUCH HEALTH AND  
4 SAFETY LAND ACCOUNT THE STATE SHALL ACQUIRE ONE HUNDRED FIFTY ACRES OF  
5 LAND FOR INCORPORATION INTO THE FOREST PRESERVE, ON CONDITION THAT THE  
6 LEGISLATURE SHALL DETERMINE THAT SUCH LANDS TO BE ADDED TO THE FOREST  
7 PRESERVE ARE AT LEAST EQUAL IN VALUE.

8 S 2. Resolved (if the Senate concur), That article 14 of the constitu-  
9 tion be amended by adding a new section 6 to read as follows:

10 S 6. WHERE STATE, COUNTY, OR TOWN HIGHWAYS LISTED ON THE LOCAL HIGHWAY  
11 INVENTORY MAINTAINED BY THE DEPARTMENT OF TRANSPORTATION, DEDICATED AND  
12 IN EXISTENCE ON JANUARY FIRST, TWO THOUSAND FIFTEEN, AND ANNUALLY PLOWED  
13 AND REGULARLY MAINTAINED, TRAVERSE STATE FOREST PRESERVE LAND IN FOREST  
14 PRESERVE COUNTIES, PUBLIC UTILITY LINES, LIMITED TO ELECTRIC, TELEPHONE,  
15 BROADBAND, WATER OR SEWER LINES AS DEFINED IN LAW, MAY, CONSISTENT WITH  
16 STANDARDS AND REQUIREMENTS SET FORTH IN LAW, AND FOLLOWING RECEIPT OF  
17 ALL PERMITS OR AUTHORIZATIONS REQUIRED BY LAW, BE BURIED OR CO-LOCATED  
18 WITHIN THE WIDTHS OF SUCH HIGHWAYS AS DEFINED IN LAW, AND BICYCLE PATHS  
19 MAY, CONSISTENT WITH STANDARDS AND REQUIREMENTS SET FORTH IN LAW, AND  
20 FOLLOWING RECEIPT OF ALL PERMITS OR AUTHORIZATIONS REQUIRED BY LAW, BE  
21 CONSTRUCTED AND MAINTAINED WITHIN THE WIDTHS OF SUCH HIGHWAYS, AS  
22 DEFINED IN LAW; PROVIDED, HOWEVER, THAT CO-LOCATION, BURIAL, MAINTENANCE  
23 OR CONSTRUCTION SHALL MINIMIZE THE REMOVAL OF TREES OR VEGETATION AND  
24 SHALL NOT INCLUDE THE CONSTRUCTION OR OPERATION OF INTRASTATE NATURAL  
25 GAS OR OIL PIPELINES.

26 S 3. Resolved (if the Senate concur), That the foregoing amendments be  
27 referred to the first regular legislative session convening after the  
28 next succeeding general election of members to the assembly, and, in  
29 conformity with section 1 of article 19 of the constitution, be  
30 published for 3 months previous to the time of such election.