

10721

I N A S S E M B L Y

June 13, 2016

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.

LBD89132-02-6

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.