

# STATE OF NEW YORK

10945

## IN ASSEMBLY

August 17, 2020

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Giglio) --  
read once and referred to the Committee on Governmental Operations

AN ACT to amend chapter 264 of the laws of 1981, relating to authorizing the sale of certain lands in the towns of Cuba, Allegany county and Ischua, Cattaraugus county, and the state finance law, in relation to the sale of certain lands in the towns of Cuba, Allegany county and Ischua, Cattaraugus county, and the disbursement of monies from the Cuba lake management fund

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Sections 1 and 3 of chapter 264 of the laws of 1981, relating to authorizing the sale of certain lands in the towns of Cuba, Allegany county and Ischua, Cattaraugus county, as amended by chapter 644 of the laws of 1983, are amended to read as follows:

2 § 1. The commissioner of general services in the executive department is hereby authorized to sell and convey or lease to the towns of Cuba, Allegany county and Ischua, Cattaraugus county or Allegany and Cattaraugus counties, or a special district wherein situated or to the lessees in such special district, in such parcels as the commissioner may determine, the lands generally described in section two of this act.

3 § 3. The commissioner of general services may fix and determine the terms and conditions of sale or lease including the consideration to be paid by the town, county, or special district or lessees which shall not be less than the fair ~~market~~ and reasonable value thereof.

4 § 2. Subdivisions 2, 3 and 6 of section 97-www of the state finance law, as added by chapter 342 of the laws of 2000, are amended to read as follows:

5 2. The Cuba lake management fund shall consist of all revenues collected from the rental, sale or lease of state lands within the Cuba Lake district, as established by chapter two hundred sixty-three of the laws of nineteen hundred eighty-one, and paid pursuant to a lease, sale, or other agreement or application entered into or made after the effective date of this section.

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

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1     3. The monies of the Cuba lake management fund, following appropri-  
2 ation by the legislature and the issuance of a certificate of approval  
3 by the director of the budget, shall be made available for the following  
4 purposes:

5     (a) payment of fees, pursuant to a contract approved in accordance  
6 with all applicable statutes, to a contractor or contractors for capital  
7 improvements to the lands and appurtenant structures necessary for the  
8 continued protection and preservation of the impoundment area known as  
9 the Oil Creek reservoir, including without limitation the spillway and  
10 the dam;

11     (b) payment of fees, pursuant to a contract approved in accordance  
12 with all applicable statutes, to the Cuba Lake district or other entity  
13 identified by the commissioner of general services, for the purpose of  
14 management of the Cuba Lake district, including, without limitation, for  
15 the services of collection of rentals or other fees related to the use  
16 or occupation of state owned lands within such district or fees and  
17 costs related to the sale of state or Cuba Lake district owned lands or  
18 for other such purpose as the commissioner of general services shall  
19 determine; and

20     (c) payment of fees, pursuant to a contract approved in accordance  
21 with all applicable statutes, to a contractor or contractors, which may  
22 include the Cuba Lake district, for the establishment and maintenance of  
23 public access to the waters of Cuba lake for the purposes of fishing,  
24 boating and other recreational uses.

25     6. Any monies deposited into the Cuba lake management fund, except for  
26 monies obtained from the sale of state or Cuba Lake district owned lands  
27 within the Cuba Lake district, in excess of the amounts necessary to  
28 accomplish the purposes thereof shall, at the end of each state fiscal  
29 year, be transferred to and deposited into the general fund of the  
30 state.

31     § 3. This act shall take effect immediately.