STATE OF NEW YORK

7566--B

2023-2024 Regular Sessions

IN SENATE

June 6, 2023

Introduced by Sens. KENNEDY, STEC -- (at request of the Governor) -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT relating to settlement of certain land claims

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

Section 1. Land claims settlement. The legislature hereby finds that long-standing disputes between the Saint Regis Mohawk Tribe, the Mohawk Council of Akwesasne, and the Mohawk Nation Council of Chiefs, and the state of New York, Franklin county and St. Lawrence county, have generated litigation in state and federal courts regarding property and other taxation, and that the status of Mohawk lands has caused decades of unrest and uncertainty for the citizens and residents of the Northern New York region of this state. The legislature further finds that it is in the best interests of all citizens, residents and political subdivisions of this state to remove any uncertainty that such litigation or disputes have created regarding the title to and jurisdictional status of land within the state. The legislature recognizes that negotiated settlement of these disputes will facilitate a cooperative relationship between the state, the counties and the Mohawk. Therefore, the legislature declares that:

(a) Notwithstanding any other law, the state, through the governor, may execute a land claims settlement agreement including, but not limited to, terms considerably consistent with memoranda of understanding between the governor, the Saint Regis Mohawk Tribe and Saint Lawrence county executed on May 28, 2014 and Resolution 188, as adopted by the Franklin County Board of Legislature on June 5, 2023.

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

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(b) Such land claims settlement shall be deemed ratified by the legislature upon the governor's certification to the temporary president of the senate, the speaker of the assembly, and the secretary of state, that such agreement has received requisite federal approvals and the underlying litigation has been dismissed with prejudice.

(c) Except as otherwise specifically provided in the agreement, the state specifically reserves all its rights, as attributes of its inherent sovereignty, recognized by the tenth and eleventh amendments to the United States Constitution. Nothing in this section shall be construed to affect the existing authority of the governor under the constitution and laws of this state to execute land claims settlements.

§ 2. This act shall take effect immediately.