

WHEREAS, It is the intent of the General Assembly to remove some of those legal restrictions placed on the Department of Natural Resources to acquire land in Garrett County; and

WHEREAS, However, it is not the intent of the General Assembly to remove from the law the following legal restrictions:

(1) The requirement that, since 1947, has required the prior approval of the County Commissioners of Garrett County before the Department of Natural Resources and its predecessors may purchase an individual tract of land in excess of 100 acres; and

(2) The provision that prohibits the Department of Natural Resources from using condemnation procedures to acquire, for certain purposes, land in Garrett County, and that requires the Department to meet its needs for land in Garrett County by acquiring land only from willing sellers; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Natural Resources

4-401-

~~The Department may acquire, by purchase, lease, condemnation, or gift, title or control of any area of water or land in the State suitable to protect, propagate, or manage fish. The area of water or land shall be known as a State fish refuge. Any area of water or land in Garrett or Allegany County greater than 100 acres may be acquired only with the approval of that county. This requirement does not apply to any areas which have previously been authorized for acquisition by the General Assembly. The Department may purchase or erect any structure necessary for fish management, and may purchase or lease any area of water or land, excluding the ownership of and the right to drill any mineral, oil, or gas.~~

5-207.

(a) ~~-(1)-~~ The Department may purchase and manage lands in the name of the State, suitable for forest culture, reserves, watershed protection, State parks, scenic preserves, historic monuments, parkways, and State recreational reserves, using for these purposes any special appropriation or surplus money not otherwise appropriated, which is standing to the credit of the Forest Reserve or Park Reserve Fund. ~~-(However, an individual tract of land or easement IN EXCESS OF 100 ACRES may not be purchased in Garrett County, except with the approval of the county commissioners of that county.-)~~ The Department may accept any gift of land in the name of the State to be held, protected,