

1943, shall be made only in accordance with the provisions hereof; provided that this subtitle shall not refer to Allegany County nor affect the provisions of Article 1 of the Code of Public Local Laws of Maryland.

SEC. 2. *And be it further enacted*, That this Act shall take effect June 1, 1967.

Approved April 21, 1967.

CHAPTER 508

(Senate Bill 455)

AN ACT to repeal and re-enact, with amendments, Section 357A of Article 66C of the Annotated Code of Maryland (1966 Cumulative Supplement), title "Natural Resources", subtitle "Forests and Parks", to provide that no farm owner who has granted a scenic easement, as defined in this section, shall be subject to condemnation proceedings under this section.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Section 357A of Article 66C of the Annotated Code of Maryland (1966 Cumulative Supplement), be and it is hereby repealed and re-enacted, with amendments, to read as follows:

357A.

(a) IN GENERAL.—The acquisition of interest or rights in real property for the preservation of open spaces and areas constitutes a public purpose for which public funds may be expended or advanced. Any county or city, the Maryland National Capital Park and Planning Commission and the State Department of Forests and Parks, may acquire, by purchase, gift, grant, bequest, devise, or lease, the fee or any lesser interest, development right, necessary to achieve this end. Any county or city, the Maryland National Capital Park and Planning Commission and the State Department of Forests and Parks, may also purchase or acquire by contract or gift the fee to any property for the purpose of conveying or leasing said property back to its original owner or other person under such covenants or other contractual arrangements as will limit the future use of the property in accordance with the purposes of this section. The county or city shall not acquire any such fee or any such lesser interest in real property for the purposes aforesaid, by purchase or contract requiring a monetary consideration in excess of \$500.00, until and unless the governing body of such county or city shall adopt a resolution or formal order declaring the public purpose or use therefor and after holding a public hearing respecting the same. *Providing, however, that no property owner whose property is being used for farming shall be subject to any condemnation or other land acquisition proceeding*, FOR THE PURPOSES OF THIS SECTION, *by the county, city, Maryland National Capital Park and Planning Commission or the State Department of Forests and Parks, if he has granted a scenic easement to any of the aforementioned Departments, Commissions or other political subdivisions.*