

Article 66C, section 191 of the Code. The words "pursued and trapped" are proposed for deletion in the first sentence because they are included in the definition of "hunt". A similar section appears in Title 4 pertaining to fish. The only other changes made are in style.

10-806. LEASED LAND OR WATER.

(A) APPLICATION OF OWNER FOR REFUGE.—IF A PERSON WHO OWNS OR CCNTROLS ANY SUITABLE AREA OF LAND OF WATER DESIRES TO HAVE IT SET ASIDE FOR A REFUGE HE MAY APPLY TO THE DEPARTMENT, GIVING A DESCRIPTION OF THE AREA OF LAND OR WATER INCLUDING A SPECIFIC LOCATION, MAP, OR SKETCH SHOWING AN OUTLINE OF THE AREA OF LAND OR WATER, THE LOCATION OF ANY STRUCTURE OR IMPROVEMENT AND THE NATURE OF THE AREA OF LAND OR WATER, SUCH AS, WOODLAND, ABANDONED FARM LAND, OR CULTIVATED LAND, OR LAKE, POND, MARSH, OR IMPOUNDED STREAM.

(B) EXECUTION AND CONTENTS OF LEASE.—THE DEPARTMENT MAY EXAMINE THE AREA OF LAND OR WATER TO DETERMINE IF IT IS SUITABLE FOR WILDLIFE PROTECTION AND MANAGEMENT. IF THE AREA OF LAND OR WATER IS ACCEPTABLE AS A WILDLIFE REFUGE, THE DEPARTMENT SHALL NOTIFY THE PERSON OF THIS FACT. THE PERSON SHALL SIGN A LEASE, VESTING THE STATE WITH EVERY HUNTING RIGHT IN THE AREA OF LAND OR WATER WITHOUT CHARGE. THE LEASE ALSO SHALL PROVIDE THAT NEITHER THE OWNER, HIS FAMILY, AGENTS, TENANTS, NOR ANY OTHER PERSON MAY HUNT ON THE AREA OF LAND OR WATER, AND THAT HE WILL MAKE EVERY EFFORT TO PROTECT THE REFUGE FROM FOREST FIRES, HUNTING, OR ANY VIOLATION OF ANY STATE CONSERVATION LAW. THE LEASE OR AGREEMENT SHALL CONTINUE IN FORCE FOR AN UNINTERRUPTED PERIOD OF AT LEAST FIVE YEARS.

(C) EFFECT OF SALE OR PROPERTY UPON WHICH NO CHARGE IS MADE; TERMINATION OF LEASE.—IF THE PERSON WHO OWNS OR CONTROLS THE AREA OF LAND OR WATER NAMED IN ANY LEASE ON WHICH THERE IS NO CHARGE SELLS THE AREA OF LAND OR WATER, THE AREA IS RELEASED FROM THE OPERATION OF THE LEASE UNLESS THE PURCHASER AGREES TO ALLOW IT TO REMAIN UNDER LEASE. EITHER THE DEPARTMENT OR THE OWNER OF THE AREA OF LAND OR WATER MAY RESCIND ANY LEASE FOR WHICH THERE IS NO CHARGE MADE PURSUANT TO THIS SECTION AFTER GIVING 90 DAYS WRITTEN NOTICE TO THE OTHER PARTY OF INTENT TO TERMINATE THE LEASE.

REVISOR'S NOTE: This section presently appears as