

LEASE ANY AREA OF WATER OR LAND, EXCLUDING THE OWNERSHIP OF AND THE RIGHT TO DRILL ANY MINERAL, OIL, OR GAS.

REVISOR'S NOTE: This section is new language derived from Article 66C, section 186 of the Code, as amended by Chapter 470, S.B. 1055, Acts of 1973. Its provisions are adapted for the subject matter of this title. As to the Garrett County exception, reference is made to the approval of "the county" to avoid future amendment should the county change its form of government. Receipt of any gift is subject to the provisions of article 15A, section 5. Reference is made in this section and throughout this subtitle to area of water or land. The department advises that it is necessary in some instances to acquire land as well when hatcheries and refuges are established.

4-402. TITLE AND CONTROL OF WATERS OR LAND; EXPENDITURES FOR ACQUISITION.

THE TITLE TO ANY AREA OF WATER OR LAND ACQUIRED BY PURCHASE, GIFT, OR CONDEMNATION SHALL BE TAKEN IN THE NAME OF THE STATE FOR THE DEPARTMENT'S USE. THE ENTIRE CONTROL OF THE AREA OF WATER OR LAND SHALL BE UNDER THE STATE'S DIRECTION. THE SECRETARY MAY EXPEND FROM THE STATE [[GAME]] FISHERIES MANAGEMENT AND PROTECTION FUND ANY AMOUNT NECESSARY TO PURCHASE OR CONDEMN AS AREA OF WATER OR LAND.

REVISOR'S NOTE: This section is new language derived from Article 66C, section 188 of the Code.

4-403. SALE AND EXCHANGE OF AREA OF WATER OR LAND.

(A) EXCHANGE FOR PRIVATELY OWNED AREA OF WATER OR LAND OR SALE FOR HIGHEST PRICE. - IF THE DEPARTMENT CONSIDERS IT IN THE STATE'S BEST INTEREST AND THE GOVERNOR CONSENTS, IT MAY EXCHANGE ANY AREA OF WATER OR LAND OR PART IT OWNS, TOGETHER WITH ANY IMPROVEMENT ON IT, FOR ANY PRIVATELY OWNED AREA OF WATER OR LAND EQUAL TO OR GREATER IN VALUE THAN THE AREA OF WATER OR LAND THE DEPARTMENT EXCHANGES AND ADAPTS FOR FISH REFUGE AND MANAGEMENT. ALSO, THE DEPARTMENT MAY SELL ANY AREA OF WATER OR LAND OR PART IT OWNS TO THE PERSON WHO OFFERS THE HIGHEST PRICE.