

WILLIAM DONALD SCHAEFER, Governor

WHEREAS, The Department of Natural Resources intends to meet its needs for land in Garrett County by acquiring the land only from willing sellers; and

WHEREAS, Certain owners of land in the scenic corridor of the Youghiogheny River and elsewhere in Garrett County are presently willing and desirous of selling their land to the Department of Natural Resources; and

WHEREAS, The General Assembly intends this Act to establish a workable framework within which the Department of Natural Resources and the residents and elected officials of Garrett County can work cooperatively to implement the strict limitation on the number of acres of land in Garrett County owned by the Department on June 30, 1986; now, therefore,

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

Article - Natural Resources

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 [in excess of 100 acres] OR EASEMENT 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, and administered by the Department as State parks, forests, or other reserves, and used to demonstrate the practical utility of the land for recreational areas, State parks, scenic preserves, parkways, historic monuments, timber culture, water conservation, and as a breeding place for wildlife. Any gift shall be absolute except for the reservation of mineral and mining rights over and under the land, and a stipulation that it shall be administered for State forest, park, or recreation purposes.

(2) Notwithstanding any other provision of this Code, EXCEPT PARAGRAPH (4) OF THIS SUBSECTION after June 30, 1986, the Department may not use any funds, whether under Program Open Space or otherwise, to acquire ANY land in Garrett County in excess of the total amount of land owned by the Department in that county on June 30, 1986. This paragraph (2) of this subsection does not prohibit the Department from [using any funds to exchange] EXCHANGING land in Garrett County, as long as the total acreage does not exceed that amount owned by the Department on June 30, 1986.