

1. A LESSEE OR PARTY IN INTEREST; AND
2. ANY SUCCESSOR OR ASSIGN.

(2) SUBJECT TO REVIEW, PERMIT, AND APPROVAL ACTIONS REQUIRED BY LAW, AN OWNER OF MINERAL RIGHTS LOCATED IN A WILDLAND AREA SHALL HAVE THE RIGHT TO ACCESS THE MINERALS.

(3) IF THE FAILURE OF THE DEPARTMENT TO ISSUE, EXTEND, OR RENEW A PERMIT INVOLVES TAKING A PROPERTY RIGHT WITHOUT JUST COMPENSATION IN VIOLATION OF THE CONSTITUTION OF THE UNITED STATES OR CONSTITUTION OF MARYLAND AND IF THE GENERAL ASSEMBLY HAS NOT APPROPRIATED SUFFICIENT FUNDS TO PAY THE COMPENSATION, THE STATE MAY USE AVAILABLE FUNDS TO PURCHASE OR OTHERWISE PAY FOR THE PROPERTY RIGHTS.

5-1212.1.

ANY AREA WHICH WAS OPEN TO HUNTING, FISHING, OR TRAPPING PRIOR TO WILDLANDS DESIGNATION SHALL CONTINUE TO BE AVAILABLE FOR THOSE ACTIVITIES SUBJECT TO THE LAWS, REGULATIONS, AND ADMINISTRATIVE POLICIES OF THE DEPARTMENT.

5-1213.1.

IN ADDITION TO ANY MEASURES TAKEN UNDER § 5-1213 OF THIS SUBTITLE, IN ORDER TO PROTECT PRIVATELY OWNED LAND ADJOINING OR LOCATED IN CLOSE PROXIMITY TO A STATE WILDLAND, EACH UNIT ADMINISTERING THE DESIGNATED WILDLAND AREA SHALL:

(1) MAINTAIN FIRE ACCESS ROADS LOCATED WITHIN THE WILDLAND AREA IN A PASSABLE CONDITION AS DETERMINED BY THE DEPARTMENT; AND

(2) TAKE OR ALLOW IMMEDIATE ACTION, AS APPROVED BY THE DEPARTMENT, TO RESPOND TO ANY THREAT RESULTING FROM INSECTS, DISEASE, NOXIOUS WEEDS, OR FIRE.

SECTION 2. AND BE IT FURTHER ENACTED, That, if a parcel of land or property is incorrectly surveyed or described under the provisions of this Act, the State may not take by adverse possession, for purposes of this Act, the parcel of land or property incorrectly surveyed or described.

SECTION 3. AND BE IT FURTHER ENACTED, That, subject to Section 4 of this Act, § 5-1203(aa) of the Natural Resources Article, as enacted by Section 1 of this Act, shall take effect July 1, 1998.

SECTION 4. AND BE IT FURTHER ENACTED, That, if the General Assembly enacts legislation effective on or before July 1, 1998 or the Governor fails to submit legislation to the General Assembly on or before January 1, 1998 to codify at least an additional 1800 acres of wildland areas in the State, excluding Garrett and Allegany Counties, § 5-1203(aa) of the Natural Resources Article, as enacted by Section 1 of this Act, may not take effect.