

74-6610. Retention of custody of dedicated area by owner; failure to maintain area; undertaking functions or assignment to successor; assignment of custody to public or charitable agency, when.

An owner of an area which is dedicated as a natural and scientific preserve may retain custody thereof, or designate a custodian, subject to the approval of, and the rules and regulations of, the state biological survey. If the owner declines, is unable, or fails to administer and manage the natural and scientific preserve in accordance with the articles of dedication and any amendments thereto, the state biological survey shall undertake or assign such custodial functions as it may deem necessary for the protection, maintenance and use of the natural and scientific preserve until the disability of the owner is removed or a successor custodian is designated.

Whenever feasible, the state biological survey may vest custody of a natural and scientific preserve in the owner or a person or agency other than the state biological survey. The state biological survey may transfer or assign custody or other interest or right in a natural and scientific preserve, when held by it, to another public or charitable agency provided that such transfer shall be for and consistent with the purposes of this act and shall not affect the dedication of a natural and scientific preserve or the powers and duties of the state biological survey.

History: L. 1974, ch. 322, § 10; L. 1985, ch. 259, § 7; July 1.