

74-6611. Natural and scientific preserves held in trust for benefit of state; rules and regulations; other public uses; when; notice and hearing. Natural and scientific preserves are hereby declared to be held in trust, for the uses and purposes expressed in this act which are not prohibited by their articles of dedication, for the benefit of the people of the state. They are hereby declared to be put to their highest, best and most important use for the public benefit. They shall be protected, managed, and used in a manner approved by, and subject to the rules and regulations of the state biological survey. They shall not be taken for any other use except another public use and except after a finding by the state biological survey of the existence of an imperative and unavoidable public necessity for such other public use, with the approval of the legislature, and any owner of a dedicated interest therein, and upon such terms and conditions as the state biological survey may determine, except as may otherwise be provided in the articles of dedication.

Before the state biological survey shall make a finding of the existence of an imperative and unavoidable public necessity for such other public use or shall grant or dispose of a natural and scientific preserve or grant a license, easement or other interest or right therein or shall amend any articles of dedication as provided in K.S.A. 74-6609, and amendments thereto, it shall give notice of such proposed action and an opportunity for any person to be heard. Such notice shall be published at least once in a newspaper with a general circulation in the county or counties wherein the natural and scientific preserve is located, and mailed to all persons who have requested notice of such proposed actions. The notice shall set forth the substance of the proposed action and describe, with or without legal description, the natural and scientific preserve affected and shall specify a place and time not less than 60 days after such publication and mailing for a public hearing before the state biological survey on such proposed action. All persons so desiring shall have reasonable opportunity to be heard prior to action by the state biological survey on such proposal.

History: L. 1974, ch. 322, § 11; L. 1985, ch. 259, § 8; July 1.