§ 9-0107. Acceptance by department of lands for parks and for silvicultural research.

Notwithstanding any other provisions of this article, the department is hereby authorized to accept, for the state, grants or deeds of gift of any lands, upon approval of the title thereto by the Attorney General, as follows:

1. a. Lands, located in any county named in subdivision 2 of section 9-0105, or in subdivision 6 of section 9-0101 of this article, which the department may deem suitable for park or reservation purposes. The grant or deed must recite that it is given for acceptance under the provisions of this subdivision of this section.

b. Property so accepted shall forever be under the jurisdiction of the commissioner and his successors in office and, by virtue of the acceptance thereof, shall be irrevocably dedicated to be used for the purposes of a public park or reservation under the care, custody, control and management of the department and shall not become a part of the forest preserve. Such property shall forever remain open to the public for the enjoyment of the scenic and natural beauties of the premises, and receive such improvement or development, by the erection of buildings, roads, highways, railroads and other structures, including the improvement, alteration and maintenance of the structures now on such premises as the legislature may from time to time determine. The department may, in its discretion, lease a part or all of such premises upon such terms and conditions as it may determine not inconsistent with the reasonable use of such premises by the public, provided that any such lease shall first have been approved by the Attorney General as to form.

2. a. Lands, located in any county named in subdivision 6 of section 9-0101 of this article, which the department may deem suitable for use for the purposes of silvicultural research and experimentation in the science of forestry to the end that forest practices most beneficial to the economy of the state and the health, welfare and comfort of the people of the state may be ascertained and demonstrated. The grant or

deed to the state of any such lands must recite that it is given for acceptance under the provisions of this subdivision of this section.

b. Property so accepted shall be under the jurisdiction of the commissioner and his successors in office and, until otherwise provided by law, shall be dedicated for use only for the purposes of silvicultural research and experimentation in the science of forestry, including purposes incidental thereto, under the care, custody, control and management of the department and its successors in office and shall not become a part of the forest preserve. Under such conditions as it may deem consistent with the purposes aforesaid, and upon such terms as it may deem to be for the best interests of the state, the department may sell trees, timber and other products on any such lands. All trees, timber or other products to be sold shall be plainly marked or otherwise designated prior to cutting and no such material shall be removed from such land until paid for. No such material shall be sold at less than the fair market value in the county or counties in which it is located, which value shall be the value fixed by a department forester or other competent appraiser in a report made after an examination of the materials to be sold, provided such appraisal is approved by the department. The department may sell any such materials at not less than the fair market value so fixed and under such conditions as it may prescribe, provided, however, that no sale of such materials appraised at five hundred dollars or more shall be made without public notice of sale, and after receipt of sealed bids. The award shall be made only to the highest bidder. Such notice of sale and bids, the awarding of the contract and the execution and filing of the contract shall otherwise be in accordance with the procedure specified in sections 9-0501 through 9-0505 of this article for the sale after public notice, of trees, timber, and other forest products on reforestation areas. All moneys received from any such sale shall be paid over to the State Comptroller and shall be deposited by him in the forest preserve expansion fund established by section 97-e of the State Finance Law.