
By: **Washington County Delegation and Frederick County Delegation**

Introduced and read first time: February 11, 2000

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **South Mountain Battlefield**

3 FOR the purpose of establishing a Civil War State Battlefield at South Mountain;
4 requiring the Department of Natural Resources to manage the Battlefield;
5 authorizing the Department to adopt regulations concerning the Battlefield;
6 requiring the Governor to appropriate certain funds for the purposes of this Act;
7 and generally relating to establishing a Civil War State Battlefield at South
8 Mountain.

9 BY adding to

10 Article - Natural Resources

11 Section 5-1801 to be under the new subtitle "Subtitle 18. South Mountain

12 Battlefield"

13 Annotated Code of Maryland

14 (1997 Replacement Volume and 1999 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - Natural Resources**

18 **SUBTITLE 18. SOUTH MOUNTAIN BATTLEFIELD.**

19 5-1801.

20 (A) THE GENERAL ASSEMBLY FINDS THAT:

21 (1) ON SEPTEMBER 14, 1862, THE UNION AND CONFEDERATE ARMIES
22 FOUGHT A MAJOR BATTLE ALONG A SEVEN MILE STRETCH OF SOUTH MOUNTAIN,
23 WHICH WAS THE FIRST BATTLE OF THE CIVIL WAR FOUGHT ON MARYLAND SOIL.

24 (2) THE SOUTH MOUNTAIN BATTLEFIELD HAS BEEN RECOGNIZED AS
25 ONE OF THE 11 MOST ENDANGERED HISTORIC PLACES IN AMERICA FOR 2000.

1 (3) IN ORDER TO PRESERVE THE LAND WHERE THE BATTLE WAS
2 FOUGHT AND TO PROVIDE THE PUBLIC WITH ACCESS TO APPRECIATE THE LAND
3 WHERE THE BATTLE WAS FOUGHT, IT IS DECLARED TO BE THE PUBLIC POLICY OF
4 THIS STATE TO ESTABLISH THE FIRST CIVIL WAR STATE BATTLEFIELD AT SOUTH
5 MOUNTAIN AND TO PROVIDE THE AUTHORITY AND RESOURCES TO DEVELOP AND
6 OPERATE THE BATTLEFIELD.

7 (B) (1) THE DEPARTMENT SHALL MANAGE THE DEVELOPMENT AND
8 OPERATION OF THE SOUTH MOUNTAIN BATTLEFIELD.

9 (2) THE DEPARTMENT SHALL EXERCISE THE SAME POWERS OF
10 ADOPTING REGULATIONS AND MANAGING THE BATTLEFIELD AS ARE EXERCISED BY
11 THE DEPARTMENT FOR A STATE PARK.

12 (C) THE SOUTH MOUNTAIN BATTLEFIELD SHALL ENCOMPASS THE PROPERTY
13 OWNED BY THE STATE ALONG SOUTH MOUNTAIN BETWEEN THE NORTHERN
14 PORTION OF WASHINGTON MONUMENT STATE PARK IN WASHINGTON AND
15 FREDERICK COUNTIES AND THE PROPERTY NEAR THE TOWN OF BROWNSVILLE,
16 SOUTH OF GATHLAND STATE PARK IN WASHINGTON COUNTY.

17 (D) THE GOVERNOR SHALL APPROPRIATE THE NECESSARY FUNDS IN THE
18 STATE BUDGET EACH YEAR TO THE DEPARTMENT FOR THE CONSTRUCTION,
19 OPERATION, MAINTENANCE, AND ADMINISTRATION OF THE SOUTH MOUNTAIN
20 BATTLEFIELD.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2000.