

(2) THE DEPARTMENT FIRST SHALL OFFER THE INTEREST IN LAND TO THE PRIOR OWNER WHO SHALL HAVE THE RIGHT TO PURCHASE THE LAND FROM THE DEPARTMENT BY PAYING THE SAME AMOUNT PAID BY THE DEPARTMENT TO THAT OWNER AT THE TIME OF CONDEMNATION.

(3) IF THE PRIOR OWNER DOES NOT EXERCISE THE RIGHTS CONFERRED BY THIS SUBSECTION, THE DEPARTMENT SHALL DISPOSE OF THE INTEREST IN LAND THROUGH PUBLIC SALE, TAKING INTO ACCOUNT THE FOLLOWING FACTORS:

(I) THE FULL RECOVERY OF ANY EXPENDITURES FROM THE STATE HAZARDOUS SUBSTANCE CONTROL FUND;

(II) TO THE EXTENT PRACTICABLE, THE SALE OF THE INTEREST IN LAND SHALL BE AT THE FAIR MARKET VALUE;

(III) THE EFFECT OF THE SALE ON SURROUNDING LAND VALUES OR USES; AND

(IV) THE POTENTIAL FOR PUBLIC USE OF THE INTEREST IN LAND BY ANOTHER PUBLIC AGENCY.

(4) IF THE STATE RECOVERS THE COST OF ACQUISITION FROM ANY PERSON UNDER SUBSECTION (B) OF THIS SECTION, THE STATE SHALL REIMBURSE THAT PERSON OUT OF THE PROCEEDS OF THE SALE OF THE INTEREST IN LAND.

7-261.

(b) (1) Within 10 days after being served with an order under § 7-259(a)(1) of this subtitle, the person served may request, in writing, a hearing before the Department.

(2) (I) If a request for a hearing is made under this subsection, the Department shall[:

(i) Hold the hearing within 10 days after receiving the request; and

(ii) Render a decision within 10 days after the hearing.] HOLD THE HEARING PROMPTLY AFTER RECEIVING THE REQUEST AND RENDER A DECISION PROMPTLY AFTER THE HEARING.

(II) IF A REQUEST FOR A HEARING IS MADE UNDER THIS SUBSECTION AND THE DEPARTMENT ALLEGES IN THE ORDER THAT THERE IS AN IMMINENT THREAT OR DANGER TO THE PUBLIC HEALTH OR SAFETY OR TO THE ENVIRONMENT, THE DEPARTMENT SHALL HOLD THE HEARING WITHIN 10 DAYS AFTER RECEIVING THE REQUEST AND RENDER A DECISION WITHIN 10 DAYS AFTER THE HEARING.

7-265.

(a) A person who commits any of the following offenses is guilty of a felony and on conviction is subject to a fine not