

(B) BEFORE AUTHORIZING THE SALE OF ANY REAL PROPERTY UNDER THIS SECTION, THE BOARD OF PUBLIC WORKS SHALL DETERMINE THAT:

(1) THE REAL PROPERTY IS NOT IN USE OR PLANNED FOR USE AS A RESIDENTIAL INSTITUTION FOR MENTALLY RETARDED INDIVIDUALS, AND

(2) IT IS NOT IN THE BEST INTERESTS OF THE STATE TO DISPOSE OF THE REAL PROPERTY UNDER THE PROVISIONS OF § 5-311 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(C) (1) NOTWITHSTANDING THE PROVISIONS OF § 10-306 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, THE PROCEEDS RECEIVED FROM THE SALE OF REAL PROPERTY UNDER THIS SECTION SHALL FIRST BE APPLIED TO THE STATE ANNUITY BOND FUND ACCOUNT IN AN AMOUNT CALCULATED BY THE DEPARTMENT OF STATE PLANNING TO EQUAL THE OUTSTANDING INDEBTEDNESS APPLICABLE TO THAT PORTION OF REAL PROPERTY, ALL REMAINING AMOUNTS SHALL BE TRANSFERRED TO THE TREASURER AND INVESTED IN A TRUST FUND.

(2) AS DETERMINED ANNUALLY BY THE GOVERNOR AND THE GENERAL ASSEMBLY, THROUGH THE STATE BUDGET, THE PROCEEDS OF THE TRUST FUND SHALL BE USED TO SUPPORT, OPERATE, OR ACQUIRE BY PURCHASE, CONSTRUCTION, LEASE, OR OTHERWISE ANY COMMUNITY RESIDENTIAL FACILITIES AND PROVIDE APPROPRIATE HABILITATIVE SERVICES FOR MENTALLY RETARDED INDIVIDUALS.

(3) ANY PORTION OF THE PROCEEDS OF THE TRUST FUND MAY BE USED FOR CAPITAL PURPOSES TO BENEFIT MENTALLY RETARDED INDIVIDUALS, AS PROVIDED IN THE BUDGET.

(D) FUNDS ACQUIRED UNDER THIS SECTION MAY NOT BE USED TO REPLACE FUNDS APPROPRIATED FROM GENERAL REVENUE AND BUDGETED FOR THE MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES ADMINISTRATION TO IMPLEMENT THE PROGRAMS AND POLICIES OF THE STATE.

SECTION 3, AND BE IT FURTHER ENACTED, That this Act shall take effect July 17, 1986.

#### Community Services Advisory Commission

FOR the purpose of creating the Community Services Advisory Commission within the Mental Retardation and Developmental Disabilities Administration of the Department of Health and Mental Hygiene; specifying the membership of the Commission; requiring the Commission to develop a certain 5-year plan for certain purposes; requiring the Commission annually to update the plan by a certain date and to report certain findings and recommendations to certain entities; specifying certain State policy; and generally relating to the creation, composition and duties of the Community Services Advisory Commission within the Mental Retardation and