

(E) (1) REGARDING ANY PROPOSED ACQUISITION OF REAL PROPERTY FOR THE USE OF THE DEPARTMENT AFTER JUNE 30, 1995, THE DEPARTMENT MAY SUBMIT TO THE BOARD OF PUBLIC WORKS FOR APPROVAL AT THE SAME TIME AS THE ACQUISITION, A PLAN FOR SUBSEQUENT DISPOSITION OF ANY PORTION OF THE REAL PROPERTY.

(2) WHEN DISPOSING OF PROPERTY PURSUANT TO A PLAN APPROVED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE DEPARTMENT SHALL IMPOSE ANY RESTRICTIVE COVENANTS OR CONSERVATION EASEMENTS ON THE PROPERTY THAT THE DEPARTMENT DEEMS NECESSARY TO PROTECT NATURAL FEATURES OR TO ASSURE THAT USES OF THE PROPERTY WILL BE COMPATIBLE WITH ANY ADJACENT PROPERTY HELD BY THE DEPARTMENT. PRIOR TO DISPOSING OF THE PROPERTY, THE DEPARTMENT SHALL NOTIFY AND CONSIDER ANY COMMENTS FROM THE LOCAL JURISDICTION IN WHICH THE PROPERTY IS LOCATED. RIGHT OF FIRST REFUSAL TO PURCHASE THE PROPERTY FROM THE DEPARTMENT BELONGS FIRST TO THE MUNICIPAL CORPORATION IN WHICH THE PROPERTY IS LOCATED, IF ANY, AND SECOND TO THE COUNTY IN WHICH THE PROPERTY IS LOCATED.

(3) PROPERTY CONVEYED PURSUANT TO A PLAN FOR DISPOSITION APPROVED UNDER PARAGRAPH (1) OF THIS SUBSECTION IS NOT EXCESS REAL PROPERTY UNDER § 3-610 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

5-905.

(a) [The local governing body shall submit every project request for acquisition or development under this program to the Department for report and evaluation of the benefits to be achieved by the grant. Any municipal corporation may apply by submitting local project applications through its local governing body to the Department. For any municipal corporation that is located in more than one county within the Maryland-Washington Regional District, the local governing body referred to in this section means only the Maryland-National Capital Park and Planning Commission. Notwithstanding this requirement, § 5-911 of this subtitle controls in the case of a local project that is located in a municipal corporation that is located in more than one county within the Maryland-Washington Regional District. The Department shall review the proposed project and shall request the Maryland Office of Planning to review and comment on it. Prior to approving a local project, the Department shall provide the legislators from the district within which any part of the proposed project is located the opportunity to review and comment on the proposed project. If the Department approves the project and it falls within the limits imposed by the formula developed by the apportionment committee for the allocation of the annual appropriation, the project will be presented, along with reviews from appropriate agencies to the Board of Public Works for commitment of funds.

(b) (1) ON OR BEFORE MAY 1 OF EACH YEAR, THE DEPARTMENT SHALL NOTIFY EACH LOCAL GOVERNING BODY OF ITS ALLOCATION OF LOCAL ACQUISITION AND DEVELOPMENT FUNDS FOR THE NEXT FISCAL YEAR WITHIN THE LIMITS IMPOSED BY THE FORMULA DEVELOPED FOR THE APPORTIONMENT OF THE ANNUAL APPROPRIATIONS FOR PROGRAM OPEN SPACE.