

(2) ANY PROJECT OR PROGRAM UNDER PROGRAM OPEN SPACE IS NOT SUBJECT TO THE PROVISIONS OF §§ 7-305(D)(3) AND 8-128(C) OF THE STATE FINANCE AND PROCUREMENT ARTICLE. IN ANY FISCAL YEAR IN WHICH FUNDING FOR PROGRAM OPEN SPACE IS PROVIDED THROUGH THE STATE CONSOLIDATED CAPITAL BOND FUNDING PROGRAM OR OTHER BOND ENABLING ACT, THE DEBT ALLOCATIONS SHALL BE PROVIDED TO THE DEPARTMENT OF NATURAL RESOURCES AND THE DEPARTMENT SHALL ALLOCATE FUNDS AMONG LOCAL GOVERNING BODIES ACCORDING TO THE APPORTIONMENT FORMULA DESCRIBED IN § 5-903 OF THIS SUBTITLE.

5-905.

(a) (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.

(2) (i) By the first of July each year, a participating local governing body shall submit an annual program of proposed acquisition and development projects, together with a list of projects submitted by any municipal corporation to the local governing body and not included in the local governing body's annual program, to the Department of Planning for review and to the Department for approval.

(ii) A municipal corporation may submit an annual program through its local governing body.

(3) (i) Upon review by the Department of Planning and approval by the Department and the Board of Public Works, THE ALLOCATED FUNDS SHALL BE ENCUMBERED FOR THE PURPOSES OF §§ 7-305(D)(3) AND 8-128(C) OF THE STATE FINANCE AND PROCUREMENT ARTICLE, AND the annual program shall become the basis for a grant agreement for the total allocation to each of the local governing bodies.

(ii) Prior to approval of a local annual program, or any revision thereof, the Department shall provide the legislators from the district within which any part of the local jurisdiction is located the opportunity to review and comment on the annual program or its revisions.

(4) Any program may be revised by the local governing body and the revised program, after the Department of Planning reviews and the Department approves it, shall be substituted for the original program in the grant agreement.

(5) (i) In accordance with the Department's regulations, upon receipt of evidence from the local governing body of a county or municipal corporation that funds have been spent on a project that is approved in the grant agreement, the Department shall cause the requested amount of funds from the local governing body's allocation to be reimbursed to the local governing body.

(ii) Any municipal corporation may submit evidence of expenditures for approved projects through its local governing body to the Department.