

7-105.

(a) This section is applicable within the area of any municipal corporation subject to Article XI-E of the Constitution of Maryland lying in whole or in part within the area added to the regional district by Chapter 596 of the Acts of the General Assembly of 1957.

(b) Except as ~~hereinafter~~ provided BY AGREEMENT UNDER THIS SECTION, neither the Commission nor the Montgomery County planning board nor the district council may exercise any planning or zoning power or jurisdiction within [the area hereinabove described, the authority for which is derived from this title] ANY MUNICIPAL CORPORATION THAT EXISTED AS OF JUNE 1, 1957, AS PROVIDED UNDER SUBSECTION (A) OF THIS SECTION. A MUNICIPALITY THAT INCORPORATES AFTER JUNE 1, 1957 MAY NOT EXERCISE PLANNING, ZONING, OR SUBDIVISION POWER UNLESS EXPRESSLY PROVIDED FOR IN THIS ARTICLE.

7-106.

(a) (1) The Commission may include in its annual budget provision for the acquisition of lands needed for any State highways, streets, roads, or mass transit facilities, including busways and light rail facilities, and for [school] sites FOR SCHOOLS, LIBRARIES, PARKS, RECREATION CENTERS, GOVERNMENT BUILDINGS, and other public uses in Montgomery County.

(2) The highway, street, road, mass transit facility, school site, LIBRARY SITE, PARK SITE, RECREATION CENTER SITE, GOVERNMENT BUILDING SITE, or other public use TO BE ACQUIRED UNDER THIS SECTION shall be shown upon the Commission's general plan for the physical development of the regional district or an adopted plan and each such acquisition shall have received the approval by formal resolution of the district council of Montgomery County.

(3) A school site, LIBRARY SITE, PARK SITE, RECREATION CENTER SITE, GOVERNMENT BUILDING SITE, or other public use, other than a State highway, street, road, or mass transit facility, may not be within a public construction program current at the time of acquisition.

(4) A school site may not be acquired under the terms of this section without the prior approval of the Montgomery County Board of Education.

(b) For the purposes of this section the Commission may establish in its annual budget a continuing land acquisition revolving fund from which disbursements for the purposes of this section shall be made. None of the provisions in this article relating to unexpended balances applies to the land acquisition revolving fund.

(c) At any time after the acquisition, the Commission may transfer the land acquired in any case to any construction agency of the State, or to either county or to any incorporated municipality, AS DEFINED IN § 8-104(C) OF THIS ARTICLE, within either county, upon repayment to the Commission of the funds disbursed by the Commission for the land, plus interest. The amount of any repayment shall be placed in