

(3) Prior to submitting the list to the Department of Budget and Fiscal Planning for inclusion in the budget, the legislators from the district within which the Department is proposing a State acquisition project shall be given an opportunity to review AND COMMENT ON the project.

(4) The list shall be submitted to the General Assembly in a manner similar to other capital projects as provided in Subtitle 6, Title 3 of the State Finance and Procurement Article.

(b) (1) There is an Advance Option and Purchase Fund.

(2) [The General Assembly may designate a] A portion of funds available UNDER THIS PROGRAM for State projects [for use to] MAY BE APPROPRIATED IN THE STATE BUDGET FOR THE ADVANCE OPTION AND PURCHASE FUND.

(3) THE DEPARTMENT MAY USE FUNDS AVAILABLE IN THE ADVANCE OPTION AND PURCHASE FUND TO OBTAIN OPTIONS TO PURCHASE LANDS IN TARGETED AREAS OR TO OTHERWISE PURCHASE LAND.

(4) FUNDS AVAILABLE IN THE ADVANCE OPTION AND PURCHASE FUND SHALL BE ALLOCATED IN THE FOLLOWING ORDER OF PRIORITY:

(I) FIRST TO obtain an option on any [critical] parcel of land IN A TARGETED AREA in advance of purchase, or TO purchase a specific tract of land IN A TARGETED AREA. [When the appropriation is made, the Department and the St. Mary's City Commission, with approval of the Board of Public Works, may obtain options to purchase certain lands. The State may purchase property optioned or any other parcel provided funds are available in the Advance Option and Purchase Fund.]; AND

(II) THEN TO PURCHASE PROPERTY ON WHICH AN OPTION HAS BEEN OBTAINED OR ANY OTHER PARCEL OF LAND.

(5) (I) THE DEPARTMENT MAY NOT MAKE EXPENDITURES FROM THE ADVANCE OPTION AND PURCHASE FUND UNTIL THE BUDGET COMMITTEES OF THE GENERAL ASSEMBLY HAVE APPROVED THE RELEASE OF THE FUNDS.

(II) THE BUDGET COMMITTEES OF THE GENERAL ASSEMBLY SHALL BE DEEMED TO HAVE APPROVED THE RELEASE OF FUNDS FOR A PROJECT IF THEY FAIL TO RESPOND WITHIN 45 DAYS AFTER WRITTEN NOTICE BY THE DEPARTMENT OF A PROPOSED PROJECT.

(6) ANY EXPENDITURE OF FUNDS FROM THE ADVANCE OPTION AND PURCHASE FUND IS SUBJECT TO THE APPROVAL OF THE BOARD OF PUBLIC WORKS.