

SENATE BILL 362

Unofficial Copy
B2

1999 Regular Session
(9r1210)

ENROLLED BILL
-- Budget and Taxation/Appropriations --

Introduced by **Senator Hafer**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Creation of a State Debt - Allegany County Agricultural Expo and**
3 **Fairgrounds**

4 FOR the purpose of authorizing the creation of a State Debt not to exceed \$450,000,
5 the proceeds to be used as a grant to the Board of County Commissioners of
6 Allegany County for certain development or improvement purposes; providing
7 for disbursement of the loan proceeds, subject to a requirement that the grantee
8 provide and expend a matching fund; requiring the grantee to grant and convey
9 a certain easement to the Maryland Historical Trust; and providing generally for
10 the issuance and sale of bonds evidencing the loan.

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
12 MARYLAND, That:

13 (1) The Board of Public Works may borrow money and incur indebtedness on
14 behalf of the State of Maryland through a State loan to be known as the Allegany
15 County Agricultural Expo and Fairgrounds Loan of 1999 in a total principal amount
16 equal to the lesser of (i) \$450,000 or (ii) the amount of the matching fund provided in

1 accordance with Section 1(5) below. This loan shall be evidenced by the issuance, sale,
2 and delivery of State general obligation bonds authorized by a resolution of the Board
3 of Public Works and issued, sold, and delivered in accordance with §§ 8-117 through
4 8-124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

5 (2) The bonds to evidence this loan or installments of this loan may be sold as
6 a single issue or may be consolidated and sold as part of a single issue of bonds under
7 § 8-122 of the State Finance and Procurement Article.

8 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer
9 and first shall be applied to the payment of the expenses of issuing, selling, and
10 delivering the bonds, unless funds for this purpose are otherwise provided, and then
11 shall be credited on the books of the Comptroller and expended, on approval by the
12 Board of Public Works, for the following public purposes, including any applicable
13 architects' and engineers' fees: as a grant to the Board of County Commissioners of
14 Allegany County (referred to hereafter in this Act as "the grantee") for the planning,
15 design, construction, and capital equipping of the Allegany County fairgrounds of
16 three connected pavilion buildings that would contain the Allegany County
17 Agricultural Expo offices, exhibition areas, rest rooms, and showers and a separate
18 expo building that would contain a year-round activity area with a catering kitchen
19 and rest rooms that could be used for meetings, conventions, banquets, trade shows,
20 and similar events.

21 (4) An annual State tax is imposed on all assessable property in the State in
22 rate and amount sufficient to pay the principal of and interest on the bonds, as and
23 when due and until paid in full. The principal shall be discharged within 15 years
24 after the date of issuance of the bonds.

25 (5) (a) The grantee shall provide and expend a matching fund.

26 (b) No part of the grantee's matching fund may be provided, either
27 directly or indirectly, from funds of the State, whether appropriated or
28 unappropriated. ~~The No part of the~~ *The* fund may consist of real property, in kind
29 contributions, or funds expended prior to the effective date of this Act. In case of any
30 dispute as to the amount of the matching fund or what money or assets may qualify
31 as matching funds, the Board of Public Works shall determine the matter and the
32 Board's decision is final.

33 (c) The grantee shall present evidence to the satisfaction of the Board of
34 Public Works of the provision and expenditure of the matching fund, and the Board of
35 Public Works shall disburse the proceeds of the grant under the provisions of this Act
36 for the purposes set forth in Section 1(3) above, both to be done in installments.

37 (d) As the grantee provides and expends an installment of the matching
38 fund, which shall be equal to at least 25% of the grant amount authorized in Section
39 1(1) above, the Board of Public Works shall disburse an installment of the proceeds of
40 the grant equal to the portion of the matching fund presented at that time by the
41 grantee.

1 (e) This method of presentation of the matching fund in installments and
2 of the disbursement of the proceeds of the loan in installments that are equal to each
3 presentation of the matching fund shall continue until the first to occur of the
4 disbursement of the total amount of the grant or June 1, 2001.

5 (f) The grantee has until June 1, 2001, to present the final evidence
6 satisfactory to the Board of Public Works that the total matching fund will be
7 provided. If satisfactory evidence is presented, the Board shall certify this fact, the
8 amount of the final installment of the matching fund, and the amount of the total
9 matching fund to the State Treasurer, and the final proceeds of the loan equal to the
10 final installment of the matching fund shall be expended for the purposes provided in
11 this Act. After June 1, 2001, any amount of the loan in excess of the amount of the
12 matching fund certified by the Board of Public Works shall be canceled and be of no
13 further effect.

14 (6) (a) Prior to the issuance of the bonds, the grantee shall grant and convey
15 to the Maryland Historical Trust a perpetual preservation easement to the extent of
16 its interest:

17 (i) On the land or such portion of the land acceptable to the Trust;
18 and

19 (ii) On the exterior and interior, where appropriate, of the historic
20 structures.

21 (b) The easement must be in form and substance acceptable to the Trust and
22 the extent of the interest to be encumbered must be acceptable to the Trust.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 June 1, 1999.