
By: Allegany County Delegation

Introduced and read first time: February 7, 1996

Assigned to: Appropriations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 26, 1996

CHAPTER _____

1 AN ACT concerning

2 **Creation of a State Debt - Circuit Court for Allegany County - Courthouse**

3 [TAG ftpo]FOR the purpose of authorizing the creation of a State Debt ~~in the amount of \$260,000~~

4 not to exceed \$200,000, the proceeds to be used as a grant to the County

5 Commissioners of Allegany County for certain acquisition, development, or

6 improvement purposes; providing for disbursement of the loan proceeds, subject to

7 a requirement that the grantee provide and expend a matching fund; requiring the

8 grantee to grant and convey a certain easement to the Maryland Historical Trust;

9 and providing generally for the issuance and sale of bonds evidencing the loan.

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

11 MARYLAND, That:

12 (1) The Board of Public Works may borrow money and incur indebtedness on

13 behalf of the State of Maryland through a State loan to be known as the Circuit Court for

14 Allegany County - Courthouse Loan of 1996 ~~in the total principal amount of \$260,000 a~~

15 total principal amount equal to the lesser of (i) \$200,000 or (ii) the amount of the

16 matching fund provided in accordance with Section 1(5) below. This loan shall be

17 evidenced by the issuance, sale, and delivery of State general obligation bonds authorized

18 by a resolution of the Board of Public Works and issued, sold, and delivered in

19 accordance with §§ 8-117 through 8-124 of the State Finance and Procurement Article

20 and Article 31, § 22 of the Code.

21 (2) The bonds to evidence this loan or installments of this loan maybe sold as a

22 single issue or may be consolidated and sold as part of a single issue of bonds under §

23 8-122 of the State Finance and Procurement Article.

24 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and

25 first shall be applied to the payment of the expenses of issuing, selling, and delivering the

26 bonds, unless funds for this purpose are otherwise provided, and then shall be credited on

2

1 the books of the Comptroller and expended, on approval by the Board of Public Works,
2 for the following public purposes, including any applicable architects'and engineers' fees:
3 as a grant to the County Commissioners of Allegany County (referred to hereafter in this
4 Act as "the grantee") for the planning, design, repair, renovation, reconstruction, and
5 equipping of the circuit courthouse in Cumberland in Allegany County, including the
6 installation of a security elevator, new holding cells, and other security measures, these
7 capital improvements being necessitated by the increased case load for the Circuit Court
8 for Allegany County, resulting from the construction of the new correctional facility in
9 Allegany County.

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

14 (5) Prior to the payment of any funds under the provisions of this Act for the
15 purposes set forth in Section 1(3)above, the grantee shall provide and expend a matching
16 fund. No part of the grantee's matching fund may be provided, either directly or
17 indirectly, from funds of the State, whether appropriated or unappropriated. No part of
18 the fund may consist of real property, in kind contributions, or funds expended prior to
19 the effective date of this Act. In case of any dispute as to the amount of the matching
20 fund or what money or assets may qualify as matching funds, the Board of Public Works
21 shall determine the matter and the Board's decision is final. The grantee has until June 1,
22 1998, to present evidence satisfactory to the Board of Public Works that a matching fund
23 will be provided. If satisfactory evidence is presented, the Board shall certify this fact and
24 the amount of the matching fund to the State Treasurer, and the proceeds of the loan
25 equal to the amount of the matching fund shall be expended for the purposes provided in
26 this Act. Any amount of the loan in excess of the amount of the matching fund certified
27 by the Board of Public Works shall be canceled and be of no further effect.

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

31 (i) On the land or such portion of the land acceptable to the Trust;
32 and

33 (ii) On the exterior and interior, where appropriate, of the historic
34 structures.

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

37 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
38 June 1, 1996.

