

CF 7lr1523

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**By: Delegates Barve and Kopp**

Introduced and read first time: January 31, 1997

Assigned to: Appropriations

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 30, 1997

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## CHAPTER \_\_\_\_

1 AN ACT concerning

**2 Creation of a State Debt - Montgomery County Agricultural Center**

3 FOR the purpose of authorizing the creation of a State Debt not to exceed ~~\$495,000~~  
4 \$100,000, the proceeds to be used as a grant to the Board of Directors of the  
5 Montgomery County Agricultural Center, Inc. for certain 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; and providing  
8 generally for the issuance and sale of bonds evidencing the loan.

9 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
10 MARYLAND, That:

11 (1) The Board of Public Works may borrow money and incur indebtedness on  
12 behalf of the State of Maryland through a State loan to be known as the Montgomery  
13 County Agricultural Center Loan of 1997 in a total principal amount equal to the lesser  
14 of (i) ~~\$495,000~~ \$100,000 or (ii) the amount of the matching fund provided in accordance  
15 with Section 1(5) below. This loan shall be evidenced by the issuance, sale, and delivery of  
16 State general obligation bonds authorized by a resolution of the Board of Public Works  
17 and issued, sold, and delivered in accordance with §§ 8-117 through 8-124 of the State  
18 Finance and Procurement Article and Article 31, § 22 of the Code.

19 (2) The bonds to evidence this loan or installments of this loan may be sold as a  
20 single issue or may be consolidated and sold as part of a single issue of bonds under §  
21 8-122 of the State Finance and Procurement Article.

22 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and  
23 first shall be applied to the payment of the expenses of issuing, selling, and delivering the  
24 bonds, unless funds for this purpose are otherwise provided, and then shall be credited on  
25 the books of the Comptroller and expended, on approval by the Board of Public Works,  
26 for the following public purposes, including any applicable architects' and engineers' fees:

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1 as a grant to Board of Directors of the Montgomery County Agricultural Center, Inc.  
2 (referred to hereafter in this Act as "the grantee") for the repair and renovation of, and  
3 for the provision of capital equipment for, an existing building, including infrastructure  
4 upgrades, and for the planning, design, and construction of the Montgomery County  
5 Agricultural, Business, and Education Center on the grounds of the Agricultural Center  
6 in Gaithersburg.

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

11 (5) Prior to the payment of any funds under the provisions of this Act for the  
12 purposes set forth in Section 1(3) above, the grantee shall provide and expend a matching  
13 fund. Of the total matching fund, the County Executive and County Council of  
14 Montgomery County pledge ~~\$247,500~~ \$50,000 and the grantee pledges ~~\$247,500~~ \$50,000.  
15 The grantee, however, is responsible for the provision of the matching fund. No part of  
16 the grantee's matching fund may be provided, either directly or indirectly, from funds of  
17 the State, whether appropriated or unappropriated. No part of the fund may consist of  
18 real property, in kind contributions, or funds expended prior to the effective date of this  
19 Act. In case of any dispute as to the amount of the matching fund or what money or assets  
20 may qualify as matching funds, the Board of Public Works shall determine the matter and  
21 the Board's decision is final. The grantee has until June 1, 1999, to present evidence  
22 satisfactory to the Board of Public Works that a matching fund will be provided. If  
23 satisfactory evidence is presented, the Board shall certify this fact and the amount of the  
24 matching fund to the State Treasurer, and the proceeds of the loan equal to the amount  
25 of the matching fund shall be expended for the purposes provided in this Act. Any  
26 amount of the loan in excess of the amount of the matching fund certified by the Board  
27 of Public Works shall be canceled and be of no further effect.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
29 June 1, 1997.