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**By: Senator Collins (Baltimore County Administration) and Senator Stone**

Introduced and read first time: January 27, 1997

Assigned to: Budget and Taxation

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: April 2, 1997

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CHAPTER \_\_\_\_

1 AN ACT concerning

**2 Creation of a State Debt - Baltimore County - Fleming Community Center**

3 FOR the purpose of authorizing the creation of a State Debt not to exceed ~~\$1,700,000~~  
4 \$900,000, the proceeds to be used as a grant to the County Executive and County  
5 Council of Baltimore County for certain acquisition, development, or improvement  
6 purposes; providing for disbursement of the loan proceeds, subject to a requirement  
7 that the grantee provide and expend a matching fund; and providing generally for  
8 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 Baltimore  
13 County - Fleming Community Center Loan of 1997 in a total principal amount equal to  
14 the lesser of (i) ~~\$1,700,000~~ \$900,000 or (ii) the amount of the matching fund provided in  
15 accordance with Section 1(5) below. This loan shall be evidenced by the issuance, sale,  
16 and delivery of State general obligation bonds authorized by a resolution of the Board of  
17 Public Works and issued, sold, and delivered in accordance with §§ 8-117 through 8-124  
18 of the State 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 the County Executive and County Council of Baltimore County (referred to  
2 hereafter in this Act as "the grantee") for the planning, design, and construction of a new  
3 community center, known as the Fleming Community Center, to replace the existing  
4 facility, to be located at Main and Pittsburgh Streets in Dundalk.

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

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

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