

HOUSE BILL 791

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B2

1998 Regular Session  
8r0404  
CF 8r0396

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By: **Delegates Kagan, Barve, and Gordon**  
Introduced and read first time: February 12, 1998  
Assigned to: Appropriations

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 31, 1998

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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 \$400,000, 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  
7 to a requirement that the grantee provide and expend a matching fund; and  
8 providing 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 1998 in a total principal amount equal to the  
14 lesser of (i) ~~\$495,000~~ \$400,000 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  
17 of Public Works and issued, sold, and delivered in accordance with §§ 8-117 through  
18 8-124 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  
20 a 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  
23 and first shall be applied to the payment of the expenses of issuing, selling, and  
24 delivering the bonds, unless funds for this purpose are otherwise provided, and then  
25 shall be credited on the books of the Comptroller and expended, on approval by the

1 Board of Public Works, for the following public purposes, including any applicable  
2 architects' and engineers' fees: as a grant to the Board of Directors of the Montgomery  
3 County Agricultural Center, Inc. (referred to hereafter in this Act as "the grantee") for  
4 the repair, renovation, and capital equipping for an existing building, ~~including~~  
5 ~~infrastructure upgrades, and for the planning, design, and construction of the~~  
6 ~~Montgomery County Agricultural, Business, and Education Center for infrastructure~~  
7 ~~upgrades, including those that are necessary for ADA compliance, and for the~~  
8 ~~planning, design, and construction of the Montgomery County Agribusiness and~~  
9 ~~Agricultural Education Center~~ on the grounds of the Agricultural Center in  
10 Gaithersburg.

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

15 (5) Prior to the payment of any funds under the provisions of this Act for the  
16 purposes set forth in Section 1(3) above, the grantee shall provide and expend a  
17 matching fund. Of the total matching fund, the County Executive and County Council  
18 of Montgomery County pledge \$247,500 and the grantee pledges \$247,500. The  
19 grantee, however, is responsible for the provision of the matching fund. No part of the  
20 grantee's matching fund may be provided, either directly or indirectly, from funds of  
21 the State, whether appropriated or unappropriated. No part of the fund may consist of  
22 real property, in kind contributions, or funds expended prior to the effective date of  
23 this Act. In case of any dispute as to the amount of the matching fund or what money  
24 or assets may qualify as matching funds, the Board of Public Works shall determine  
25 the matter and the Board's decision is final. The grantee has until June 1, 2000, to  
26 present evidence satisfactory to the Board of Public Works that a matching fund will  
27 be provided. If satisfactory evidence is presented, the Board shall certify this fact and  
28 the amount of the matching fund to the State Treasurer, and the proceeds of the loan  
29 equal to the amount of the matching fund shall be expended for the purposes provided  
30 in this Act. Any amount of the loan in excess of the amount of the matching fund  
31 certified by the Board of Public Works shall be canceled and be of no further effect.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
33 June 1, 1998.