

HOUSE BILL 206

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B4

1999 Regular Session  
9r1207  
CF 9r1208

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By: **Allegany County Delegation**

Introduced and read first time: February 1, 1999

Assigned to: Appropriations

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A BILL ENTITLED

1 AN ACT concerning

2 **Allegany County Agricultural Expo and Fairgrounds**

3 FOR the purpose of amending Chapter 231 of the Acts of the General Assembly of  
4 1998, the Allegany County Agricultural Expo and Fairgrounds Loan of 1998, to  
5 permit the Board of County Commissioners of Allegany County to receive the  
6 proceeds of the loan incrementally as matching funds are raised by the grantee;  
7 and extending the time by which the Board of County Commissioners of  
8 Allegany County shall provide a matching fund.

9 BY repealing and reenacting, with amendments,  
10 Chapter 231 of the Acts of the General Assembly of 1998  
11 Section 1

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Chapter 231 of the Acts of 1998**

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
16 MARYLAND, That:

17 (1) The Board of Public Works may borrow money and incur indebtedness on  
18 behalf of the State of Maryland through a State loan to be known as the Allegany  
19 County Agricultural Expo and Fairgrounds Loan of 1998 in a total principal amount  
20 equal to the lesser of (i) \$400,000 or (ii) the amount of the matching fund provided in  
21 accordance with Section 1(5) below. This loan shall be evidenced by the issuance, sale,  
22 and delivery of State general obligation bonds authorized by a resolution of the Board  
23 of Public Works and issued, sold, and delivered in accordance with §§ 8-117 through  
24 8-124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

25 (2) The bonds to evidence this loan or installments of this loan may be sold as  
26 a single issue or may be consolidated and sold as part of a single issue of bonds under  
27 § 8-122 of the State Finance and Procurement Article.

28 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer  
29 and first shall be applied to the payment of the expenses of issuing, selling, and

1 delivering the bonds, unless funds for this purpose are otherwise provided, and then  
2 shall be credited on the books of the Comptroller and expended, on approval by the  
3 Board of Public Works, for the following public purposes, including any applicable  
4 architects' and engineers' fees: as a grant to the Board of County Commissioners of  
5 Allegany County (referred to hereafter in this Act as "the grantee") for the planning,  
6 design, construction, and capital equipping on the County fairgrounds of three  
7 connected pavilion buildings that would contain the Allegany County Agricultural  
8 Expo offices, exhibition areas, rest rooms, and showers and a separate expo building  
9 that would contain a year round activity area with a catering kitchen and rest rooms  
10 that could be used for meetings, conventions, banquets, trade shows, and similar  
11 events.

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

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

31 (5) (A) THE GRANTEE SHALL PROVIDE AND EXPEND A MATCHING FUND.

32 (B) NO PART OF THE GRANTEE'S MATCHING FUND MAY BE PROVIDED,  
33 EITHER DIRECTLY OR INDIRECTLY, FROM FUNDS OF THE STATE, WHETHER  
34 APPROPRIATED OR UNAPPROPRIATED. NO PART OF THE FUND MAY CONSIST OF REAL  
35 PROPERTY, IN KIND CONTRIBUTIONS, OR FUNDS EXPENDED PRIOR TO THE  
36 EFFECTIVE DATE OF THIS ACT. IN CASE OF ANY DISPUTE AS TO THE AMOUNT OF THE  
37 MATCHING FUND OR WHAT MONEY OR ASSETS MAY QUALIFY AS MATCHING FUNDS,  
38 THE BOARD OF PUBLIC WORKS SHALL DETERMINE THE MATTER AND THE BOARD'S  
39 DECISION IS FINAL.

40 (C) THE GRANTEE SHALL PRESENT EVIDENCE TO THE SATISFACTION OF  
41 THE BOARD OF PUBLIC WORKS OF THE PROVISION AND EXPENDITURE OF THE  
42 MATCHING FUND, AND THE BOARD OF PUBLIC WORKS SHALL DISBURSE THE  
43 PROCEEDS OF THE GRANT UNDER THE PROVISIONS OF THIS ACT FOR THE PURPOSES  
44 SET FORTH IN SECTION 1(3) ABOVE, BOTH TO BE DONE IN INSTALLMENTS.

1 (D) AS THE GRANTEE PROVIDES AND EXPENDS AN INSTALLMENT OF  
2 THE MATCHING FUND, THE BOARD OF PUBLIC WORKS SHALL DISBURSE AN  
3 INSTALLMENT OF THE PROCEEDS OF THE GRANT EQUAL TO THE PORTION OF THE  
4 MATCHING FUND PRESENTED AT THAT TIME BY THE GRANTEE.

5 (E) THIS METHOD OF PRESENTATION OF THE MATCHING FUND IN  
6 INSTALLMENTS AND OF THE DISBURSEMENT OF THE PROCEEDS OF THE LOAN IN  
7 INSTALLMENTS THAT ARE EQUAL TO EACH PRESENTATION OF THE MATCHING FUND  
8 SHALL CONTINUE UNTIL THE FIRST TO OCCUR OF THE DISBURSEMENT OF THE  
9 TOTAL AMOUNT OF THE GRANT OR JUNE 1, 2001.

10 (F) THE GRANTEE HAS UNTIL JUNE 1, 2001, TO PRESENT THE FINAL  
11 EVIDENCE SATISFACTORY TO THE BOARD OF PUBLIC WORKS THAT THE TOTAL  
12 MATCHING FUND WILL BE PROVIDED. IF SATISFACTORY EVIDENCE IS PRESENTED,  
13 THE BOARD SHALL CERTIFY THIS FACT, THE AMOUNT OF THE FINAL INSTALLMENT  
14 OF THE MATCHING FUND, AND THE AMOUNT OF THE TOTAL MATCHING FUND TO  
15 THE STATE TREASURER, AND THE FINAL PROCEEDS OF THE LOAN EQUAL TO THE  
16 FINAL INSTALLMENT OF THE MATCHING FUND SHALL BE EXPENDED FOR THE  
17 PURPOSES PROVIDED IN THIS ACT. AFTER JUNE 1, 2001, ANY AMOUNT OF THE LOAN  
18 IN EXCESS OF THE AMOUNT OF THE MATCHING FUND CERTIFIED BY THE BOARD OF  
19 PUBLIC WORKS SHALL BE CANCELED AND BE OF NO FURTHER EFFECT.

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