
By: **Allegany County Delegation**
Introduced and read first time: February 1, 1999
Assigned to: Appropriations

Committee Report: Favorable
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CHAPTER _____

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

1 of Public Works and issued, sold, and delivered in accordance with §§ 8-117 through
2 8-124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

3 (2) The bonds to evidence this loan or installments of this loan may be sold as
4 a single issue or may be consolidated and sold as part of a single issue of bonds under
5 § 8-122 of the State Finance and Procurement Article.

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

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

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

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

39 (B) NO PART OF THE GRANTEE'S MATCHING FUND MAY BE PROVIDED,
40 EITHER DIRECTLY OR INDIRECTLY, FROM FUNDS OF THE STATE, WHETHER
41 APPROPRIATED OR UNAPPROPRIATED. NO PART OF THE FUND MAY CONSIST OF REAL
42 PROPERTY, IN KIND CONTRIBUTIONS, OR FUNDS EXPENDED PRIOR TO THE
43 EFFECTIVE DATE OF THIS ACT. IN CASE OF ANY DISPUTE AS TO THE AMOUNT OF THE

1 MATCHING FUND OR WHAT MONEY OR ASSETS MAY QUALIFY AS MATCHING FUNDS,
2 THE BOARD OF PUBLIC WORKS SHALL DETERMINE THE MATTER AND THE BOARD'S
3 DECISION IS FINAL.

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

9 (D) AS THE GRANTEE PROVIDES AND EXPENDS AN INSTALLMENT OF
10 THE MATCHING FUND, THE BOARD OF PUBLIC WORKS SHALL DISBURSE AN
11 INSTALLMENT OF THE PROCEEDS OF THE GRANT EQUAL TO THE PORTION OF THE
12 MATCHING FUND PRESENTED AT THAT TIME BY THE GRANTEE.

13 (E) THIS METHOD OF PRESENTATION OF THE MATCHING FUND IN
14 INSTALLMENTS AND OF THE DISBURSEMENT OF THE PROCEEDS OF THE LOAN IN
15 INSTALLMENTS THAT ARE EQUAL TO EACH PRESENTATION OF THE MATCHING FUND
16 SHALL CONTINUE UNTIL THE FIRST TO OCCUR OF THE DISBURSEMENT OF THE
17 TOTAL AMOUNT OF THE GRANT OR JUNE 1, 2001.

18 (F) THE GRANTEE HAS UNTIL JUNE 1, 2001, TO PRESENT THE FINAL
19 EVIDENCE SATISFACTORY TO THE BOARD OF PUBLIC WORKS THAT THE TOTAL
20 MATCHING FUND WILL BE PROVIDED. IF SATISFACTORY EVIDENCE IS PRESENTED,
21 THE BOARD SHALL CERTIFY THIS FACT, THE AMOUNT OF THE FINAL INSTALLMENT
22 OF THE MATCHING FUND, AND THE AMOUNT OF THE TOTAL MATCHING FUND TO
23 THE STATE TREASURER, AND THE FINAL PROCEEDS OF THE LOAN EQUAL TO THE
24 FINAL INSTALLMENT OF THE MATCHING FUND SHALL BE EXPENDED FOR THE
25 PURPOSES PROVIDED IN THIS ACT. AFTER JUNE 1, 2001, ANY AMOUNT OF THE LOAN
26 IN EXCESS OF THE AMOUNT OF THE MATCHING FUND CERTIFIED BY THE BOARD OF
27 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, 1999.