

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL NO. 429

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "facilities" insert "for the use and benefit of the Tourism Council of Frederick County, Inc.".

AMENDMENT NO. 2

On page 1, in line 25, strike "to" and substitute "of"; and in line 28, after "facilities" insert "for the use and benefit".

AMENDMENT NO. 3

On page 2, in line 3, strike the second "to" and substitute "of"; in line 10, after "authorized" insert ", but is in no way obligated,"; in line 19, strike "buildings" and substitute "additions to"; in the same line, strike "for" and substitute "of"; and in line 22, after "discretion" insert "to determine whether or not to issue the bonds hereby authorized and".

AMENDMENT NO. 4

On page 3, strike beginning with "unless" in line 30 down through "facilities" in line 31 and substitute "as the county may determine to be in its best interest"; and after line 31, insert:

"The authority granted under this Act shall not be exercised nor shall any of the proceeds of the sale of bonds be used or applied, in any manner which would cause any bonds, refunding bonds, or temporary bonds issued hereunder to be deemed "arbitrage bonds" within the meaning of Section 103 of the Internal Revenue Code of 1986, as amended.

This Act authorizes and empowers, but in no way obligates, the County to issue the bonds described herein. The County has full and complete authority and discretion to determine whether or not to issue the bonds. It is the intent of this Act that the County be vested with full discretion and authority to determine what portion, if any, of the cost of any construction of buildings and

(Over)

improvements of the Tourism Council of Frederick County, Inc., shall be paid from the proceeds of general obligation bonds authorized pursuant to this Act and that the County may provide or require such conditions for the loan of the proceeds of such bonds to the Tourism Council of Frederick County, Inc., as the County deems necessary or appropriate. The County is further expressly authorized to agree that construction of buildings and improvements for the Tourism Council of Frederick County, Inc. may be financed in whole or in part from the proceeds of: (i) general obligation bonds issued pursuant to this Act or any other Act authorizing the issuance of general obligation bonds of the County for such purpose, or (ii) revenue bonds issued pursuant to any authority authorizing the issuance of revenue bonds to finance the improvements, or (iii) any combination of (i) and (ii); in connection with such agreement (without in any way creating any limitation on the discretion of the County) the County may further agree, in its discretion, that any interest (actual or implied) of the County in the Tourism Council or in any receipts or assets of the Tourism Council may be subordinated to the interests of the holders of any revenue bonds issued to finance the Tourism Council improvements, all as may be determined in the absolute discretion of the County.

The County may choose to take title to such buildings in its own name and to lease the same to the Tourism Council of Frederick County, Inc. The County is further authorized to issue bonds hereunder to pay its share of the costs of buildings and improvements for the use and benefit of the Tourism Council of Frederick County, Inc. which may be owned by another governmental or nonprofit entity, including but not limited to, the State of Maryland or the City of Frederick.”.

AMENDMENT NO. 5

On page 3, in line 32, after “That” insert “the County may enter into an agreement or agreements with the Tourism Council of Frederick County, Inc., pursuant to which that corporation shall be required to make periodic payments from the Tourism Council’s revenues or other assets to the County at such times and in such amounts to assure the timely payment of the maturing principal of and interest on said bonds and any expenses of the County in connection therewith. However,”.

AMENDMENT NO. 6

On page 3, in line 45, after “thereof,” insert “or the Tourism Council of Frederick County, Inc.”.

AMENDMENT NO. 7

On page 4, in line 2, strike “, improvement, development, or renovation of the public facilities” and substitute “of buildings and improvements of the Tourism Council of Frederick County, Inc.”.