
By: **St. Mary's County Delegation**

Introduced and read first time: January 15, 2001

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **St. Mary's County - Capital Revolving Financial Fund for Fire Fighting**
3 **Equipment and Facilities**

4 FOR the purpose of providing for investment earnings on the St. Mary's County
5 Capital Revolving Financial Fund for Fire Fighting Equipment and Facilities to
6 be credited to the Fund instead of being paid into the St. Mary's County general
7 fund; increasing the amount of general obligation bonding authority of the
8 County Commissioners of St. Mary's County for the purpose of providing
9 appropriations to the Fund; altering the loan application process to require the
10 St. Mary's County Fire Board and the Ambulance and Rescue Association to
11 prepare a certain recommendation of a certain loan applicant; requiring the St.
12 Mary's County Emergency Services Committee to evaluate certain
13 recommendations of certain loan applications in a certain manner; providing the
14 criteria for review of certain recommendations of certain loan applications; and
15 generally relating to the St. Mary's County Capital Revolving Financial Fund
16 for Fire Fighting Equipment and Facilities.

17 BY repealing and reenacting, with amendments,
18 The Public Local Laws of St. Mary's County
19 Section 46-2 A., B., C., D.(1), E., F., G., J., and K.
20 Article 19 - Public Local Laws of Maryland
21 (1978 Edition and December 1999 Supplement, as amended)

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

24 **Article 19 - St. Mary's County**

25 46-2.

26 A. In this section, the following words have the meanings indicated.

27 "County" means the body politic and corporate of the State of Maryland known
28 as the County Commissioners of St. Mary's County.

1 "Fire fighting equipment" means:

- 2 (1) Necessary furnishings;
- 3 (2) Fire fighting, rescue and emergency medical equipment; and
- 4 (3) Fixed, permanent equipment used and operated by volunteer fire,
5 ambulance, and rescue departments.

6 "Fund" means the St. Mary's County Capital Revolving Financial Fund for Fire
7 Fighting Equipment and Facilities.

8 "Land acquisition" means the acquisition of real and personal property for the
9 construction of buildings to house fire fighting, rescue and emergency medical service
10 equipment and services.

11 "Construction" means construction, reconstruction, improvement, enlargement,
12 expansion, alteration, rehabilitation, and repair of buildings and facilities necessary
13 for the operation of volunteer fire, ambulance, and rescue departments.

14 "Construction costs" includes, BUT IS NOT LIMITED TO, architects' and engineers'
15 fees, costs of building means of access, and costs of extending utility systems.

16 B. There is a continuing, nonlapsing, revolving [fund] FUND for fire fighting
17 equipment and facilities in St. Mary's County that consists of:

- 18 (1) Money appropriated by the county to the [fund] FUND;
- 19 (2) Any repayment of principal of or interest on a loan made from the
20 [fund] FUND;
- 21 (3) Proceeds from the sale, lease, rental or other disposal of property or
22 other collateral held or acquired by the county to secure the repayment of a loan made
23 from the [fund] FUND;
- 24 (4) Moneys from any source to effect the purposes of this section,
25 including, without limitation, any federal, state, or private grant; and
- 26 (5) Investment earnings on the [fund] FUND.

27 C. The [fund] FUND shall be managed and supervised as prescribed by the
28 Board of County Commissioners of the county. The [fund] FUND shall be invested
29 and reinvested in the same manner as other county funds. Any investment earnings
30 on the [fund] FUND (including interest on loans made from the [fund] FUND) to the
31 extent not expended or obligated within any fiscal year shall be [paid into the county
32 general fund] CREDITED TO THE FUND FOR ITS GROWTH TO PROVIDE ADDITIONAL
33 REVENUES TO THE FIRE, AMBULANCE, AND RESCUE DEPARTMENTS EVEN IF THESE
34 DEPARTMENTS ARE MERGED INTO ONE ENTITY.

35 D. (1) In order to provide moneys for appropriation to the [fund] FUND, the
36 county is hereby authorized and empowered to borrow money and incur indebtedness.

1 To evidence such borrowing, the county is hereby authorized and empowered to issue
2 and sell upon its full faith and credit general obligation bonds at any time and from
3 time to time for such purposes, provided that the aggregate principal amount of bonds
4 issued and outstanding under this section, together with the principal amount of any
5 alternative financing pursuant to Subsection K hereof, shall not exceed [\$2,000,000]
6 \$3,000,000. The authority to issue general obligation bonds conferred hereby shall be
7 deemed to provide an additional and alternative authority for borrowing money and
8 shall be regarded as supplemental and additional to any authority to issue general
9 obligation bonds conferred by other laws.

10 E. (1) The purpose of the [fund] FUND is to provide low interest loans to
11 volunteer fire, ambulance, and rescue departments that are members in good
12 standing of the St. Mary's County Fire Board or the St. Mary's County Ambulance and
13 Rescue Association for the following purposes:

14 (a) To finance the purchase of fire fighting equipment; and

15 (b) To finance land acquisition and construction costs.

16 F. (1) The [fund] FUND shall be charged with all expenses of administering
17 the provisions of this section.

18 (2) The [fund] FUND may not be used for operational expenses of the
19 volunteer fire, ambulance, and rescue departments.

20 G. (1) A volunteer fire, ambulance, or rescue department shall apply for
21 loans FROM THE FUND ESTABLISHED under this section on forms as prescribed by the
22 Board of County Commissioners.

23 (2) The application shall contain information necessary to evaluate the
24 requested loan for need, financial ability of borrower, sources of repayment, proposed
25 costs and expenditures, fair value of complete projects, normal or useful life of
26 equipment security for the loan, and other information as may be appropriate or
27 useful in evaluating the loan application.

28 (3) The St. Mary's County Fire Board shall:

29 (a) Review and evaluate loan applications from the volunteer fire
30 departments for need, practicality, and financial ability of the borrower; and

31 (b) [Assign an order of priority to the application from the
32 volunteer fire departments prior to submission to the county] PREPARE A WRITTEN
33 RECOMMENDATION FOR THE NEED, PRACTICALITY, AND FINANCIAL ABILITY OF A
34 LOAN APPLICANT AND FORWARD THE RECOMMENDATION TO THE ST. MARY'S
35 COUNTY EMERGENCY SERVICES COMMITTEE.

36 (4) The St. Mary's County Ambulance and Rescue Association shall:

1 (a) Review and evaluate loan applications from the volunteer
2 ambulance and rescue departments for need, practicality, and financial ability of the
3 borrower; and

4 (b) [Assign an order of priority to the application from the
5 volunteer ambulance and rescue departments prior to submission to the county]
6 PREPARE A WRITTEN RECOMMENDATION FOR THE NEED, PRACTICALITY, AND
7 FINANCIAL ABILITY OF A LOAN APPLICANT AND FORWARD THE RECOMMENDATION
8 TO THE ST. MARY'S COUNTY EMERGENCY SERVICES COMMITTEE.

9 (5) THE ST. MARY'S COUNTY EMERGENCY SERVICES COMMITTEE SHALL:

10 (A) EVALUATE THE RECOMMENDATIONS OF THE ST. MARY'S
11 COUNTY FIRE BOARD AND THE ST. MARY'S COUNTY AMBULANCE AND RESCUE
12 ASSOCIATION FOR CONTENT AND ASSIGN A PRIORITY BASED ON THE AVAILABILITY
13 OF LOAN FUNDS IN THE FUND, PAST REQUESTS, NEED OF THE RESPECTIVE
14 ORGANIZATIONS, AND ANY OTHER RELEVANT FACTORS APPLICABLE DURING ITS
15 DELIBERATIONS; AND

16 (B) FORWARD ALL LOAN APPLICATIONS AND SUBMIT ITS PRIORITY
17 RECOMMENDATIONS TO THE COUNTY COMMISSIONERS.

18 [(5)] (6) An officer of the county designated by the Board of County
19 Commissioners shall review loan applications in accordance with the priority
20 assigned by the [St. Mary's County Fire Board and the St. Mary's County Ambulance
21 and Rescue Association] ST. MARY'S COUNTY EMERGENCY SERVICES COMMITTEE.

22 [(6)] (7) Subject to the provisions of Subsections E and F of this section,
23 a loan may be approved by the County Commissioners up to the amount requested BY
24 A LOAN APPLICANT if sufficient moneys exist in the [fund] FUND.

25 J. Any and all interest income derived from loans from the [fund] FUND are
26 exempt from state, county, or other taxation of every kind and nature in the state.

27 K. Notwithstanding any other provision of this section, the county may
28 finance the purchase of fire fighting equipment and land acquisition and construction
29 costs for the benefit of volunteer fire, ambulance and rescue departments that are
30 members in good standing of the St. Mary's County Fire Board or the St. Mary's
31 County ambulance and Rescue Association by any means which the Board of County
32 Commissioners determines to be reasonable and appropriate to accomplish the
33 purposes of this section, including, without limitation, lease purchase agreements or
34 other alternative financing arrangements. Applications for financing under this
35 subsection shall be made and processed in the same manner and upon the same
36 conditions prescribed by this section for loans from the [fund] FUND. The acquisition
37 of equipment or other property pursuant to this subsection shall not be subject to any
38 procurement or similar procedures that would otherwise be applicable.

39 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
40 October 1, 2001.