
By: **Harford County Delegation**

Introduced and read first time: February 13, 2004

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Creation of a State Debt - Harford County - Maryland Thoroughbred Racing**
3 **Museum and Equine Retirement Center**

4 FOR the purpose of authorizing the creation of a State Debt not to exceed \$400,000,
5 the proceeds to be used as a grant to the City Council of the City of Havre de
6 Grace and the Board of Directors of the Maryland Thoroughbred Racing
7 Foundation, Inc. for certain development or improvement purposes; providing
8 for disbursement of the loan proceeds, subject to a requirement that the grantee
9 provide and expend a matching fund; establishing a deadline for the
10 encumbrance or expenditure of the loan proceeds; and providing generally for
11 the issuance and sale of bonds evidencing the loan.

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That:

14 (1) The Board of Public Works may borrow money and incur indebtedness on
15 behalf of the State of Maryland through a State loan to be known as the Harford
16 County - Maryland Thoroughbred Racing Museum and Equine Retirement Center
17 Loan of 2004 in a total principal amount equal to the lesser of (i) \$400,000 or (ii) the
18 amount of the matching fund provided in accordance with Section 1(5) below. This
19 loan shall be evidenced by the issuance, sale, and delivery of State general obligation
20 bonds authorized by a resolution of the Board of Public Works and issued, sold, and
21 delivered in accordance with §§ 8-117 through 8-124 of the State Finance and
22 Procurement Article and Article 31, § 22 of the Code.

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

26 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer
27 and first shall be applied to the payment of the expenses of issuing, selling, and
28 delivering the bonds, unless funds for this purpose are otherwise provided, and then
29 shall be credited on the books of the Comptroller and expended, on approval by the
30 Board of Public Works, for the following public purposes, including any applicable
31 architects' and engineers' fees: as a grant to the City Council of the City of Havre de
32 Grace and the Board of Directors of the Maryland Thoroughbred Racing Foundation,

1 Inc. (referred to hereafter in this Act as "the grantee") for the planning, design, and
2 construction of the Maryland Thoroughbred Racing Museum and Equine Retirement
3 Center, located in Havre de Grace.

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

8 (5) Prior to the payment of any funds under the provisions of this Act for the
9 purposes set forth in Section 1(3) above, the grantee shall provide and expend a
10 matching fund. No part of the grantee's matching fund may be provided, either
11 directly or indirectly, from funds of the State, whether appropriated or
12 unappropriated. No part of the fund may consist of in kind contributions or funds
13 expended prior to the effective date of this Act. The fund may consist of real property.
14 In case of any dispute as to the amount of the matching fund or what money or assets
15 may qualify as matching funds, the Board of Public Works shall determine the matter
16 and the Board's decision is final. The grantee has until June 1, 2006, to present
17 evidence satisfactory to the Board of Public Works that a matching fund will be
18 provided. If satisfactory evidence is presented, the Board shall certify this fact and
19 the amount of the matching fund to the State Treasurer, and the proceeds of the loan
20 equal to the amount of the matching fund shall be expended for the purposes provided
21 in this Act. Any amount of the loan in excess of the amount of the matching fund
22 certified by the Board of Public Works shall be canceled and be of no further effect.

23 (6) The proceeds of the loan must be expended or encumbered by the Board of
24 Public Works for the purposes provided in this Act no later than June 1, 2011. If any
25 funds authorized by this Act remain unexpended or unencumbered after June 1, 2011,
26 the amount of the unencumbered or unexpended authorization shall be canceled and
27 be of no further effect. If bonds have been issued for the loan, the amount of
28 unexpended or unencumbered bond proceeds shall be disposed of as provided in §
29 8-129 of the State Finance and Procurement Article.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 June 1, 2004.