
By: **Delegates McMillan and V. Clagett**

Rules suspended

Introduced and read first time: March 12, 2004

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Anne Arundel County - Bayhead Park Loan of 2001**

3 FOR the purpose of changing the name of the loan, changing the project description,
4 and altering the date by which the grantee is required to provide a matching
5 fund, from June 1, 2003, to June 1, 2005, pursuant to Chapter 268 of the Acts of
6 the General Assembly of 2001, Anne Arundel County - Broadneck Recreational
7 Complex Loan of 2001; and generally relating to the Anne Arundel County -
8 Bayhead Park Loan of 2001.

9 BY repealing and reenacting, with amendments,
10 Chapter 268 of the Acts of the General Assembly of 2001
11 Section 1(1), (3), and (5)

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

14 **Chapter 268 of the Acts of 2001**

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 Anne Arundel
19 County - [Broadneck Recreational Complex] BAYHEAD PARK Loan of 2001 in a total
20 principal amount equal to the lesser of (i) \$250,000 or (ii) the amount of the matching
21 fund provided in accordance with Section 1(5) below. This loan shall be evidenced by
22 the issuance, sale, and delivery of State general obligation bonds authorized by a
23 resolution of the Board of Public Works and issued, sold, and delivered in accordance
24 with §§ 8-117 through 8-124 of the State Finance and Procurement Article and
25 Article 31, § 22 of the Code.

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

1 Board of Public Works, for the following public purposes, including any applicable
2 architects' and engineers' fees: as a grant to the County Executive and County Council
3 of Anne Arundel County (referred to hereafter in this Act as "the grantee") for the
4 planning, design, construction, and capital equipping of [the Broadneck Recreational
5 Complex] BAYHEAD PARK and related facilities and parking, to be located in
6 [Broadneck Park in] Anne Arundel County.

7 (5) Prior to the payment of any funds under the provisions of this Act for the
8 purposes set forth in Section 1(3) above, the grantee shall provide and expend a
9 matching fund. No part of the grantee's matching fund may be provided, either
10 directly or indirectly, from funds of the State, whether appropriated or
11 unappropriated. No part of the fund may consist of real property, in kind
12 contributions, or funds expended prior to the effective date of this Act. In case of any
13 dispute as to the amount of the matching fund or what money or assets may qualify
14 as matching funds, the Board of Public Works shall determine the matter and the
15 Board's decision is final. The grantee has until June 1, [2003] 2005, to present
16 evidence satisfactory to the Board of Public Works that a matching fund will be
17 provided. If satisfactory evidence is presented, the Board shall certify this fact and
18 the amount of the matching fund to the State Treasurer, and the proceeds of the loan
19 equal to the amount of the matching fund shall be expended for the purposes provided
20 in this Act. Any amount of the loan in excess of the amount of the matching fund
21 certified by the Board of Public Works shall be canceled and be of no further effect.

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