

SENATE BILL 258

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B2

2004 Regular Session
4r1858
CF 4r1857

By: **Senator Stoltzfus**

Introduced and read first time: January 30, 2004

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Creation of a State Debt - Somerset County - Agricultural and Civic Center**

3 FOR the purpose of authorizing the creation of a State Debt not to exceed \$18,000, the
4 proceeds to be used as a grant to the Board of Directors of the Somerset County
5 Agricultural and Civic Center, Inc. for certain development or improvement
6 purposes; providing for disbursement of the loan proceeds, subject to a
7 requirement that the grantee provide and expend a matching fund; establishing
8 a deadline for the encumbrance or expenditure of the loan proceeds; and
9 providing generally for the issuance and sale of bonds evidencing the loan.

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
11 MARYLAND, That:

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

20 (2) The bonds to evidence this loan or installments of this loan may be sold as
21 a single issue or may be consolidated and sold as part of a single issue of bonds under
22 § 8-122 of the State Finance and Procurement Article.

23 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer
24 and first shall be applied to the payment of the expenses of issuing, selling, and
25 delivering the bonds, unless funds for this purpose are otherwise provided, and then
26 shall be credited on the books of the Comptroller and expended, on approval by the
27 Board of Public Works, for the following public purposes, including any applicable
28 architects' and engineers' fees: as a grant to the Board of Directors of the Somerset
29 County Agricultural and Civic Center, Inc. (referred to hereafter in this Act as "the
30 grantee") for the repair, renovation, and reconstruction of the Somerset County
31 Agricultural and Civic Center, including installing insulation and painting the
32 interior and exterior of the building, located in Princess Anne.

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

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

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

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