

**By: Senators Brinkley and Mooney**  
Introduced and read first time: February 3, 2005  
Assigned to: Budget and Taxation

A BILL ENTITLED

## 1 AN ACT concerning

## **Creation of a State Debt - Frederick County - Agriculture and Education Complex**

4 FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000,  
5 the proceeds to be used as a grant to the Board of Supervisors of the Frederick  
6 Soil Conservation District and the Board of Supervisors of the Catoctin Soil  
7 Conservation District for certain development or improvement purposes;  
8 providing for disbursement of the loan proceeds, subject to a requirement that  
9 the grantees provide and expend a matching fund; establishing a deadline for  
10 the encumbrance or expenditure of the loan proceeds; and providing generally  
11 for 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 Frederick  
16 County - Agriculture and Education Complex Loan of 2005 in a total principal  
17 amount equal to the lesser of (i) \$300,000 or (ii) the amount of the matching fund  
18 provided in accordance with Section 1(5) below. This loan shall be evidenced by the  
19 issuance, sale, and delivery of State general obligation bonds authorized by a  
20 resolution of the Board of Public Works and issued, sold, and delivered in accordance  
21 with §§ 8-117 through 8-124 of the State Finance and Procurement Article and  
22 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 joint grant to the Board of Supervisors of the  
32 Frederick Soil Conservation District and the Board of Supervisors of the Catoctin Soil

1 Conservation District (referred to hereafter in this Act as "the grantees") for the  
2 acquisition of the land to serve as the location for an agriculture and education  
3 complex, located in Frederick.

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 grantees jointly shall provide and expend  
10 a matching fund. No part of the grantees' 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 real property, in kind  
13 contributions, or funds expended prior to the effective date of this Act. In case of any  
14 dispute as to the amount of the matching fund or what money or assets may qualify  
15 as matching funds, the Board of Public Works shall determine the matter and the  
16 Board's decision is final. The grantees have until June 1, 2007, to present evidence  
17 satisfactory to the Board of Public Works that a matching fund will be provided. If  
18 satisfactory evidence is presented, the Board shall certify this fact and the amount of  
19 the matching fund to the State Treasurer, and the proceeds of the loan equal to the  
20 amount of the matching fund shall be expended for the purposes provided in this Act.  
21 Any amount of the loan in excess of the amount of the matching fund certified by the  
22 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, 2012. If any  
25 funds authorized by this Act remain unexpended or unencumbered after June 1,  
26 2012, the amount of the unencumbered or unexpended authorization shall be  
27 canceled and be of no further effect. If bonds have been issued for the loan, the  
28 amount of unexpended or unencumbered bond proceeds shall be disposed of as  
29 provided in § 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, 2005.