

HOUSE BILL 274

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B2

2001 Regular Session  
11r1871  
CF 11r1870

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By: **Delegate Edwards**  
Introduced and read first time: January 25, 2001  
Assigned to: Appropriations

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 24, 2001

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CHAPTER 210

1 AN ACT concerning

2 **Creation of a State Debt - Garrett County - Courthouse**

3 FOR the purpose of authorizing the creation of a State Debt not to exceed ~~\$375,000~~  
4 \$300,000, the proceeds to be used as a grant to the Board of County  
5 Commissioners of Garrett County 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; ~~requiring~~  
8 ~~the grantee to grant and convey a certain easement to the Maryland Historical~~  
9 ~~Trust~~; and providing generally for the issuance and sale of bonds evidencing the  
10 loan.

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

13 (1) The Board of Public Works may borrow money and incur indebtedness on  
14 behalf of the State of Maryland through a State loan to be known as the Garrett  
15 County - Courthouse Loan of 2001 in a total principal amount equal to the lesser of (i)  
16 ~~\$375,000~~ \$300,000 or (ii) the amount of the matching fund provided in accordance  
17 with Section 1(5) below. This loan shall be evidenced by the issuance, sale, and  
18 delivery of State general obligation bonds authorized by a resolution of the Board of  
19 Public Works and issued, sold, and delivered in accordance with §§ 8-117 through  
20 8-124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

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

24 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer  
25 and first shall be applied to the payment of the expenses of issuing, selling, and

1 delivering the bonds, unless funds for this purpose are otherwise provided, and then  
 2 shall be credited on the books of the Comptroller and expended, on approval by the  
 3 Board of Public Works, for the following public purposes, including any applicable  
 4 architects' and engineers' fees: as a grant to the Board of County Commissioners of  
 5 Garrett County (referred to hereafter in this Act as "the grantee") for the planning,  
 6 design, repair, renovation, reconstruction, and capital equipping of the Garrett  
 7 County Courthouse located in Oakland, Maryland.

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

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

27 ~~(6) (a) Prior to the issuance of the bonds, the grantee shall grant and convey~~  
 28 ~~to the Maryland Historical Trust a perpetual preservation easement to the extent of~~  
 29 ~~its interest:~~

30 ~~(i) On the land or such portion of the land acceptable to the Trust;~~  
 31 ~~and~~

32 ~~(ii) On the exterior and interior, where appropriate, of the historic~~  
 33 ~~structures:~~

34 ~~(b) If the grantee or beneficiary of the grant holds a lease on the land~~  
 35 ~~and structures, the Trust may accept an easement on the leasehold interest.~~

36 ~~(c) The easement must be in form and substance acceptable to the Trust~~  
 37 ~~and any liens or encumbrances against the land or the structures must be acceptable~~  
 38 ~~to the Trust.~~

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

