

SENATE BILL 399

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B4

2004 Regular Session  
4r2730  
CF HB 436

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By: **Senator Jimeno (Chairman, Anne Arundel County Delegation)**  
Introduced and read first time: February 5, 2004  
Assigned to: Budget and Taxation

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A BILL ENTITLED

1 AN ACT concerning

2 **Anne Arundel County - Wiley H. Bates High School Loan of 1997**

3 FOR the purpose of providing that the grantee of the Anne Arundel County - Wiley H.  
4 Bates High School Loan of 1997 has until June 1, 2005, to expend or encumber  
5 the loan proceeds; and generally relating to the Anne Arundel County - Wiley H.  
6 Bates High School Loan of 1997.

7 BY repealing and reenacting, without amendments,  
8 Chapter 221 of the Acts of the General Assembly of 1997  
9 Section 1(1) through (6)

10 BY adding to  
11 Chapter 221 of the Acts of the General Assembly of 1997  
12 Section 1(7)

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

15 **Chapter 221 of the Acts of 1997**

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
17 MARYLAND, That:

18 (1) The Board of Public Works may borrow money and incur indebtedness on  
19 behalf of the State of Maryland through a State loan to be known as the Anne Arundel  
20 County - Wiley H. Bates High School Loan of 1997 in a total principal amount equal  
21 to the lesser of (i) \$1,000,000 or (ii) the amount of the matching fund provided in  
22 accordance with Section 1(5) below. This loan shall be evidenced by the issuance, sale,  
23 and delivery of State general obligation bonds authorized by a resolution of the Board  
24 of Public Works and issued, sold, and delivered in accordance with §§ 8-117 through  
25 8-124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

26 (2) The bonds to evidence this loan or installments of this loan may be sold as  
27 a single issue or may be consolidated and sold as part of a single issue of bonds under  
28 § 8-122 of the State Finance and Procurement Article.

1 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer  
2 and first shall be applied to the payment of the expenses of issuing, selling, and  
3 delivering the bonds, unless funds for this purpose are otherwise provided, and then  
4 shall be credited on the books of the Comptroller and expended, on approval by the  
5 Board of Public Works, for the following public purposes, including any applicable  
6 architects' and engineers' fees: as a grant to the County Executive and County Council  
7 of Anne Arundel County (referred to hereafter in this Act as "the grantee") for the  
8 repair, renovation, rehabilitation, reconstruction, and capital equipping, including  
9 asbestos removal and other improvements to the infrastructure, of the historic Wiley  
10 H. Bates High School, located in Annapolis, for use as a senior center, adult day care  
11 center, gymnasium, community center, and site for specific newly formed small  
12 businesses from within the community.

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

17 (5) Prior to the payment of any funds under the provisions of this Act for the  
18 purposes set forth in Section 1(3) above, the grantee shall provide and expend a  
19 matching fund. No part of the grantee's matching fund may be provided, either  
20 directly or indirectly, from funds of the State, whether appropriated or  
21 unappropriated. No part of the fund may consist of real property, in kind  
22 contributions, or funds expended prior to the effective date of this Act. In case of any  
23 dispute as to the amount of the matching fund or what money or assets may qualify  
24 as matching funds, the Board of Public Works shall determine the matter and the  
25 Board's decision is final. The grantee has until June 1, 1999, to present evidence  
26 satisfactory to the Board of Public Works that a matching fund will be provided. If  
27 satisfactory evidence is presented, the Board shall certify this fact and the amount of  
28 the matching fund to the State Treasurer, and the proceeds of the loan equal to the  
29 amount of the matching fund shall be expended for the purposes provided in this Act.  
30 Any amount of the loan in excess of the amount of the matching fund certified by the  
31 Board of Public Works shall be canceled and be of no further effect.

32 (6) (a) Prior to the issuance of the bonds, the grantee shall grant and convey  
33 to the Maryland Historical Trust a perpetual preservation easement to the extent of  
34 its interest:

35 (i) On the land or such portion of the land acceptable to the Trust;  
36 and

37 (ii) On the exterior and interior, where appropriate, of the historic  
38 structures.

39 (b) The easement must be in form and substance acceptable to the Trust  
40 and the extent of the interest to be encumbered must be acceptable to the Trust.

41 (7) THE GRANTEE HAS UNTIL JUNE 1, 2005, TO EXPEND OR ENCUMBER THE  
42 PROCEEDS OF THE LOAN.

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