

HOUSE BILL 1116

Unofficial Copy
B4

2004 Regular Session
4lr2691
CF 4lr2692

By: **Delegate V. Clagett**

Introduced and read first time: February 13, 2004

Assigned to: Appropriations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 16, 2004

CHAPTER 218

1 AN ACT concerning

2 **Anne Arundel County - Charles Carroll House of Annapolis, Inc. Loan of**
3 **1997**

4 FOR the purpose of amending Chapter 205 of the Acts of the General Assembly of
5 1997 to ~~provide that Charles Carroll House of Annapolis, Inc. must encumber or~~
6 ~~expend the loan proceeds~~ require that the loan proceeds be encumbered by the
7 Board of Public Works or expended for certain purposes by a certain date.

8 BY repealing and reenacting, with amendments,
9 Chapter 205 of the Acts of the General Assembly of 1997
10 Section 1

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

13 **Chapter 205 of the Acts of 1997**

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That:

16 (1) The Board of Public Works may borrow money and incur indebtedness on
17 behalf of the State of Maryland through a State loan to be known as the Anne Arundel
18 County - Charles Carroll House of Annapolis, Inc. Loan of 1997 in a total principal
19 amount equal to the lesser of (i) \$200,000 or (ii) the amount of the matching fund
20 provided in accordance with Section 1(5) below. This loan shall be evidenced by the
21 issuance, sale, and delivery of State general obligation bonds authorized by a
22 resolution of the Board of Public Works and issued, sold, and delivered in accordance

1 with §§ 8-117 through 8-124 of the State Finance and Procurement Article and
2 Article 31, § 22 of the Code.

3 (2) The bonds to evidence this loan or installments of this loan may be sold as
4 a single issue or may be consolidated and sold as part of a single issue of bonds under
5 § 8-122 of the State Finance and Procurement Article.

6 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer
7 and first shall be applied to the payment of the expenses of issuing, selling, and
8 delivering the bonds, unless funds for this purpose are otherwise provided, and then
9 shall be credited on the books of the Comptroller and expended, on approval by the
10 Board of Public Works, for the following public purposes, including any applicable
11 architects' and engineers' fees: as a grant to the Charles Carroll House of Annapolis,
12 Inc. (referred to hereafter in this Act as "the grantee") for the continuing planning,
13 design, repair, restoration, and renovation of, and the provision and installation of
14 capital equipment for, the Charles Carroll House, including interior and exterior
15 historic preservation, reconstruction of any missing parts of the house, archaeological
16 excavation, work on the infrastructure, and work on the surrounding land and garden
17 areas.

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

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

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

40 (i) On the land or such portion of the land acceptable to the Trust;
41 and

1 (ii) On the exterior and interior, where appropriate, of the historic
2 structures.

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

5 (7) No portion of the proceeds of the loan or any of the matching funds may be
6 used for the furtherance of sectarian religious instruction, or in connection with the
7 design, acquisition, or construction of any building used or to be used as a place of
8 sectarian religious worship or instruction, or in connection with any program or
9 department of divinity for any religious denomination. Upon the request of the Board
10 of Public Works, the grantee shall submit evidence satisfactory to the Board that none
11 of the proceeds of the loan or any matching funds have been or are being used for a
12 purpose prohibited by this Act.

13 (8) ~~THE LOAN PROCEEDS MUST BE EXPENDED OR ENCUMBERED BY JUNE 1,~~
14 ~~2005 THE PROCEEDS OF THE LOAN MUST BE ENCUMBERED BY THE BOARD OF PUBLIC~~
15 ~~WORKS OR EXPENDED FOR THE PURPOSES PROVIDED IN THIS ACT NO LATER THAN~~
16 ~~JUNE 1, 2005.~~

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