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By: **Senator Currie**

Introduced and read first time: February 23, 2005

Assigned to: Rules

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A BILL ENTITLED

1 AN ACT concerning

2 **Creation of a State Debt - Prince George's County - Walker Mill Regional**  
3 **Park**

4 FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,000,000,  
5 the proceeds to be used as a grant to the Maryland-National Capital Park and  
6 Planning Commission for certain development or improvement purposes;  
7 providing for disbursement of the loan proceeds, subject to a requirement that  
8 the grantee provide and expend a matching fund; requiring the grantee to grant  
9 and convey a certain easement to the Maryland Historical Trust; establishing a  
10 deadline for the encumbrance or expenditure of the loan proceeds; and providing  
11 generally 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 Prince  
16 George's County - Walker Mill Regional Park Loan of 2005 in a total principal  
17 amount equal to the lesser of (i) \$1,000,000 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 grant to the Maryland-National Capital Park and  
32 Planning Commission (referred to hereafter in this Act as "the grantee") for the

1 planning, design, demolition, construction, renovation, and capital equipping of  
2 Walker Mill Regional Park, including renovation of the ball field complex, play area,  
3 and rest room facility, construction of additional parking and a water and sewer line  
4 realignment of the entry road, and other related site improvements, located in Capitol  
5 Heights.

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

10 (5) Prior to the payment of any funds under the provisions of this Act for the  
11 purposes set forth in Section 1(3) above, the grantee shall provide and expend a  
12 matching fund. No part of the grantee's matching fund may be provided, either  
13 directly or indirectly, from funds of the State, whether appropriated or  
14 unappropriated. No part of the fund may consist of real property, in kind  
15 contributions, or funds expended prior to the effective date of this Act. In case of any  
16 dispute as to the amount of the matching fund or what money or assets may qualify  
17 as matching funds, the Board of Public Works shall determine the matter and the  
18 Board's decision is final. The grantee has until June 1, 2007, to present evidence  
19 satisfactory to the Board of Public Works that a matching fund will be provided. If  
20 satisfactory evidence is presented, the Board shall certify this fact and the amount of  
21 the matching fund to the State Treasurer, and the proceeds of the loan equal to the  
22 amount of the matching fund shall be expended for the purposes provided in this Act.  
23 Any amount of the loan in excess of the amount of the matching fund certified by the  
24 Board of Public Works shall be canceled and be of no further effect.

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

28 (i) On the land or such portion of the land acceptable to the Trust;  
29 and

30 (ii) On the exterior and interior, where appropriate, of the historic  
31 structures.

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

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

37 (7) The proceeds of the loan must be expended or encumbered by the Board of  
38 Public Works for the purposes provided in this Act no later than June 1, 2012. If any  
39 funds authorized by this Act remain unexpended or unencumbered after June 1,  
40 2012, the amount of the unencumbered or unexpended authorization shall be  
41 canceled and be of no further effect. If bonds have been issued for the loan, the

1 amount of unexpended or unencumbered bond proceeds shall be disposed of as  
2 provided in § 8-129 of the State Finance and Procurement Article.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
4 June 1, 2005.