

Article - Natural Resources

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§3-912.

(a) The rates, rentals, fees, and charges of the Authority in connection with each project shall be so fixed, revised, and collected as to provide funds, with other funds available for such purposes, sufficient at all times:

(1) To pay the cost of maintaining, repairing, and operating the project on account of which the Authority shall have issued bonds, including such reserves as the Authority may deem necessary or desirable for such purposes and for replacement and depreciation and necessary extensions;

(2) To pay the principal of and redemption premium (if any) and interest on the bonds as the same shall become due and payable and to create and maintain such reserves as the Authority may deem necessary or desirable for such purposes; and

(3) To fulfill the terms and provisions of any agreements made with the purchasers or holders of any of its bonds or with any person or subdivision.

(b) In cases where the character of the waste from any source is such that it imposes an unreasonable burden upon any project, an additional charge may be made therefor, or the Authority may, if it deems advisable, require that such waste be treated or processed in such manner as shall be specified by the Authority prior to the deposit of such waste at the project. Such rentals and other rates, fees, and charges shall not be subject to supervision or regulation by any department, division, commission, board, bureau, or agency of the State or any political subdivision thereof.

(c) The revenues, or any part thereof (whether derived from the project or projects in connection with which the bonds of any issue shall have been issued or from other projects or sources), designated as security for such bonds by the authorizing resolution or in the trust agreement securing the bonds shall be set aside at such regular intervals as may be provided in such resolution or trust agreement in a special fund which is hereby pledged to, and charged with, the payment of:

(1) The interest upon such bonds as such interest falls due;

(2) The principal of such bonds as it falls due;

(3) The necessary charges of paying agents for paying principal and interest; and

(4) The redemption price or purchase price of bonds retired by call or purchase as provided in such resolution or trust agreement.

Any amounts set aside in such special fund which are not needed to provide for the payment of such items (1), (2), (3), and (4) may be used for any other lawful

purpose, to the extent provided in such resolution or trust agreement. Such pledge shall be valid and binding from the time when the pledge is made. Such revenues or other moneys so pledged and thereafter received by the Authority shall immediately be subject to the lien of such pledge without any physical delivery thereof or further act, and the lien of any such pledge shall be valid and binding as against all parties having any claims of any kind in tort, contract or otherwise against the Authority, irrespective of whether such parties have notice thereof.

Neither the resolution nor any trust agreement by which a pledge is created need be filed or recorded except in the records of the Authority, any public general or public local law to the contrary notwithstanding. The use and disposition of moneys to the credit of such special fund shall be subject to the provisions of the resolution authorizing the issuance of such bonds or of such trust agreement.

(d) Without in any way limiting or restricting the effect or application thereof, the provisions of this subtitle are intended and shall be construed to authorize the Authority to finance any project or projects or any combination of projects by any combination of issues or series of bonds which shall be secured by the pledge of the net or gross (or combination thereof) revenues from any project or projects or combination of projects, designated by a resolution authorizing the issuance of such bonds or by any trust agreement securing such bonds.

(e) Any net earnings of the Authority (beyond that necessary for the retirement of bonds or to implement the public purposes or programs of the Authority) shall not inure to the benefit of any person, other than the State of Maryland for use to accomplish the purposes of this subtitle.

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