

SENATE BILL 735

L2

(71r2226)

ENROLLED BILL

— *Education, Health, and Environmental Affairs/Environment and Transportation* —

Introduced by **Senator Waugh**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **St. Mary's County – Metropolitan Commission – Authority to Borrow Money**

3 FOR the purpose of requiring the Board of County Commissioners of St. Mary's County,
4 when the St. Mary's County Metropolitan Commission plans to borrow any money,
5 to review and approve any loan application before the Commission submits the loan
6 application to a lender; ~~authorizing the Board to direct certain repayment of loans~~
7 ~~under certain circumstances;~~ and generally relating to the authority to borrow
8 money of the St. Mary's County Metropolitan Commission.

9 BY repealing and reenacting, with amendments,

10 The Public Local Laws of St. Mary's County

11 Section 113–2

12 Article 19 – Public Local Laws of Maryland

13 (2007 Edition and October 2014 Supplement, as amended)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



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

3 **Article 19 – St. Mary’s County**

4 113–2.

5 A. The members of the Commission are a body politic and corporate, by the name
6 of the “St. Mary’s County Metropolitan Commission” (referred to elsewhere in this chapter
7 as the “Commission”), with the right to use a common seal, to sue and be sued and to do
8 any and all other corporate acts for the purpose of carrying out the provisions of this
9 chapter, including, without limiting the generality of the foregoing, the right and power to
10 make and enter into all contracts or agreements as the Commission determines with the
11 Federal government, the State of Maryland or any agency or instrumentality of either
12 thereof or with any municipal corporation, county, private corporation, copartnership,
13 association or individual, on terms and conditions which the Commission approves, relating
14 to the performance of the Commission’s duties, the execution of its rights and powers, the
15 use by the Federal government, the State government or any Federal or State agency,
16 municipal corporation, county or private entity or individual of any water supply or
17 sewerage system constructed or acquired by the Commission under this chapter or the
18 services therefrom or the facilities thereof or the use by the Commission of any water supply
19 or sewerage systems owned or operated other than by the Commission.

20 B. Whenever it is deemed necessary by the Commission to take or acquire any
21 land, structure or buildings, or any streambed, waterway, water rights or watershed, either
22 in fee or as an easement, within or outside of St. Mary’s County, for the construction,
23 extension or maintenance of any water main, sewer or appurtenance thereof, or any sewage
24 treatment plant, reservoir, water treatment plant, storage tank or pumping station, or for
25 the execution by the Commission of any other power or function vested in it by this chapter,
26 the Commission may purchase it from the owners or, failing to agree with the owner or
27 owners thereof, may condemn it by proceedings in the Circuit Court for the county in which
28 the land, structures or buildings, streambed, waterway, water rights or watershed is
29 located, as are provided for condemnation of land by public service corporations in the
30 Public General Laws of Maryland. The Commission may likewise condemn the interest of
31 any tenant, lessee or other person having any right or interest in the land, structures or
32 buildings, streambed, waterway, water rights or watershed. At any time after ten (10) days
33 after the return and recordation of the verdict or award in the proceedings, the Commission
34 may enter and take possession of the property so condemned, upon first paying to the Clerk
35 of the Court the amount of the award and all costs taxed to that date, notwithstanding any
36 appeal or further proceedings upon the part of the defendant. At the time of payment,
37 however, the Commission shall give its corporate undertaking to abide by and fulfill any
38 judgment in such appeal or further proceedings.

39 C. ~~(1)~~ **WHEN THE COMMISSION PLANS TO BORROW ANY MONEY, THE**
40 **BOARD OF COUNTY COMMISSIONERS OF ST. MARY’S COUNTY SHALL REVIEW AND**

1 APPROVE ANY LOAN APPLICATION BEFORE THE COMMISSION SUBMITS THE LOAN
2 APPLICATION TO A LENDER.

3 ~~(2) IF THE COMMISSION HAS NOT EFFECTIVELY OBLIGATED THE~~
4 ~~MONEY IN A TIMELY MANNER, THE BOARD OF COUNTY COMMISSIONERS OF ST.~~
5 ~~MARY'S COUNTY MAY DIRECT PARTIAL OR COMPLETE REPAYMENT OF LOANS.~~

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2017.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.