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**By: Senator Collins (Baltimore County Administration)**

Introduced and read first time: January 25, 1996

Assigned to: Budget and Taxation

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 27, 1996

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CHAPTER \_\_\_\_

1 AN ACT concerning

2 **Creation of a State Debt - Eastern Baltimore County Community Conservation Initiative**

3 [TAG ftpo]FOR the purpose of authorizing the creation of a State Debt not to exceed ~~\$2,000,000~~  
4 \$375,000, the proceeds to be used as a grant to the County Executive and County  
5 Council of Baltimore County for certain acquisition, development, or improvement  
6 purposes; providing for disbursement of the loan proceeds, subject to arequirement  
7 that the grantee provide and expend a matching fund; requiring the grantee to grant  
8 an historic easement to the Maryland Historical Trust; and providing generally for  
9 the issuance and sale of bonds evidencing the loan.

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
11 MARYLAND, That:

12 (1) The Board of Public Works may borrow money and incur indebtedness on  
13 behalf of the State of Maryland through a State loan to be known as theEastern  
14 Baltimore County Community Conservation Initiative Loan of 1996 in a total principal  
15 amount equal to the lesser of (i) ~~\$2,000,000~~ \$375,000 or (ii) the amount of the matching  
16 fund provided in accordance with Section 1(5) below. This loan shall be evidenced by the  
17 issuance, sale, and delivery of State general obligation bonds authorized by a resolution of  
18 the Board of Public Works and issued, sold, and delivered in accordancewith §§ 8-117  
19 through 8-124 of the State Finance and Procurement Article and Article 31, § 22 of the  
20 Code.

21 (2) The bonds to evidence this loan or installments of this loan maybe sold as a  
22 single issue or may be consolidated and sold as part of a single issue of bonds under §  
23 8-122 of the State Finance and Procurement Article.

24 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and  
25 first shall be applied to the payment of the expenses of issuing, selling, and delivering the  
26 bonds, unless funds for this purpose are otherwise provided, and then shall be credited on

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1 the books of the Comptroller and expended, on approval by the Board of Public Works,  
 2 for the following public purposes, including any applicable architects'and engineers' fees:  
 3 as a grant to the County Executive and County Council of Baltimore County (referred to  
 4 hereafter in this Act as "the grantee") for the revitalization and conservation of ~~areas~~ the  
 5 Essex-Middle River area of eastern Baltimore County, including ~~the preservation of sites~~  
 6 ~~that are of historical significance to the County and to the State~~ the repair and renovation  
 7 of multifamily dwellings and public buildings, such as the library and community center,  
 8 street repairs, sign improvements, lighting installation, landscaping, curb and gutter  
 9 improvements, sidewalk construction, relocation of certain nonconforming businesses,  
 10 construction of defensible space structures in multifamily dwelling developments, and  
 11 other improvements to the existing buildings and land for the purpose of economic  
 12 development and community enhancement, including the preservation of sites that are of  
 13 historical significance to the County and State.

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

18 (5) Prior to the payment of any funds under the provisions of this Act for the  
 19 purposes set forth in Section 1(3) above, the grantee shall provide and expend a matching  
 20 fund. No part of the grantee's matching fund may be provided, either directly or  
 21 indirectly, from funds of the State, whether appropriated or unappropriated. No part of  
 22 the fund may consist of real property, in kind contributions, or funds expended prior to  
 23 the effective date of this Act. In case of any dispute as to the amount of the matching  
 24 fund or what money or assets may qualify as matching funds, the Board of Public Works  
 25 shall determine the matter and the Board's decision is final. The grantee has until June 1,  
 26 1998, to present evidence satisfactory to the Board of Public Works that a matching fund  
 27 will be provided. If satisfactory evidence is presented, the Board shall certify this fact and  
 28 the amount of the matching fund to the State Treasurer, and the proceeds of the loan  
 29 equal to the amount of the matching fund shall be expended for the purposes provided in  
 30 this Act. Any amount of the loan in excess of the amount of the matching fund certified  
 31 by the 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 to  
 33 the Maryland Historical Trust a perpetual preservation easement to the extent of its  
 34 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 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
 42 June 1, 1996.

