

(PRE-FILED)

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SB 799/96 - B&T

7lr0578

By: Delegate Owings

Requested: October 9, 1996

Introduced and read first time: January 8, 1997

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 Creation of a State Debt - Anne Arundel County - Rose Haven Water System

3 FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,700,000,
4 the proceeds to be used as a grant to the County Executive and County Council of
5 Anne Arundel County for certain development or improvement purposes; providing
6 for disbursement of the loan proceeds, subject to a requirement that the grantee
7 provide and expend a matching fund; establishing authority over and responsibility
8 for the established project; and providing generally for the issuance and sale of
9 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 the Anne Arundel
14 County - Rose Haven Water System Loan of 1997 in a total principal amount equal to the
15 lesser of (i) \$1,700,000 or (ii) the amount of the matching fund provided in accordance
16 with Section 1(5) below. This loan shall be evidenced by the issuance, sale, and delivery of
17 State general obligation bonds authorized by a resolution of the Board of Public Works
18 and issued, sold, and delivered in accordance with §§ 8-117 through 8-124 of the State
19 Finance and Procurement Article and Article 31, § 22 of the Code.

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

23 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and
24 first shall be applied to the payment of the expenses of issuing, selling, and delivering the
25 bonds, unless funds for this purpose are otherwise provided, and then shall be credited on
26 the books of the Comptroller and expended, on approval by the Board of Public Works,
27 for the following public purposes, including any applicable architects' and engineers' fees:
28 as a grant to the County Executive and County Council of Anne Arundel County
29 (referred to hereafter in this Act as "the grantee") for the costs associated with the laying
30 of water lines, together with all necessary equipment and associated facilities, that will
31 serve the community of Rose Haven, this project to be done at the same time that the
32 sewer lines are laid for this community, thus saving public funds and assisting in
33 maintaining and enhancing the environmental quality of the area.

2

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

5 (5) Prior to the payment of any funds under the provisions of this Act for the
6 purposes set forth in Section 1(3) above, the grantee shall provide and expend a matching
7 fund. No part of the grantee's matching fund may be provided, either directly or
8 indirectly, from funds of the State, whether appropriated or unappropriated. No part of
9 the fund may consist of real property, in kind contributions, or funds expended prior to
10 the effective date of this Act. In case of any dispute as to the amount of the matching
11 fund or what money or assets may qualify as matching funds, the Board of Public Works
12 shall determine the matter and the Board's decision is final. The grantee has until June 1,
13 1999, to present evidence satisfactory to the Board of Public Works that a matching fund
14 will be provided. If satisfactory evidence is presented, the Board shall certify this fact and
15 the amount of the matching fund to the State Treasurer, and the proceeds of the loan
16 equal to the amount of the matching fund shall be expended for the purposes provided in
17 this Act. Any amount of the loan in excess of the amount of the matching fund certified
18 by the Board of Public Works shall be canceled and be of no further effect.

19 (6) The County Executive and County Council of Anne Arundel County shall
20 have authority over and take responsibility for the water system in the community of Rose
21 Haven.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 June 1, 1997.