
By: Howard County Delegation

Introduced and read first time: January 15, 1997

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Creation of a State Debt - Howard County - Department of Recreation and Parks Project**
3 **Ho. Co. 8-97**

4 FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the
5 proceeds to be used as a grant to the Department of Recreation and Parks of
6 Howard County for certain development or improvement purposes; providing for
7 disbursement of the loan proceeds, subject to a requirement that the County
8 Executive and County Council of Howard County and certain community
9 organizations provide and expend a matching fund; and providing generally for the
10 issuance and sale of bonds evidencing the loan.

11 Preamble

12 WHEREAS, There is a diminishing amount of land in this State that is available for
13 outdoor educational and scientific, camping, and nature conservation activities; and

14 WHEREAS, Outdoor activities of the kind described are known to help the whole
15 person to develop fully; and

16 WHEREAS, Not only the people of Howard County, but the people of the entire
17 State, would benefit from the development of land as an outdoor educational and
18 scientific, camping, and nature conservation facility; and

19 WHEREAS, In this increasingly populous region, land will be less and less available
20 for these activities in the future; and

21 WHEREAS, In Howard County, this situation will soon become more acute
22 because of the sale of this type of land by community organizations; and

23 WHEREAS, The State Department of Natural Resources has land in Howard
24 County that is suitable for these purposes; and

25 WHEREAS, The State Department of Natural Resources does not have funds in its
26 budget to develop and improve this land; and

27 WHEREAS, The State Department of Natural Resources and the government,
28 nonprofit community organizations, and citizens of Howard County are willing to enter
29 into a partnership to develop and improve this land; now, therefore,

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

3 (1) The Board of Public Works may borrow money and incur indebtedness on
4 behalf of the State of Maryland through a State loan to be known as the Howard County
5 - Department of Recreation and Parks Project Loan of 1997 in a total principal amount
6 equal to the lesser of (i) \$200,000 or (ii) the amount of the matching fund provided in
7 accordance with Section 1(5) below. This loan shall be evidenced by the issuance, sale,
8 and delivery of State general obligation bonds authorized by a resolution of the Board of
9 Public Works and issued, sold, and delivered in accordance with §§ 8-117 through 8-124
10 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

11 (2) The bonds to evidence this loan or installments of this loan may be sold as a
12 single issue or may be consolidated and sold as part of a single issue of bonds under §
13 8-122 of the State Finance and Procurement Article.

14 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and
15 first shall be applied to the payment of the expenses of issuing, selling, and delivering the
16 bonds, unless funds for this purpose are otherwise provided, and then shall be credited on
17 the books of the Comptroller and expended, on approval by the Board of Public Works,
18 for the following public purposes, including any applicable architects' and engineers' fees:
19 as a grant to the Department of Recreation and Parks of Howard County for the
20 development and improvement of land to be used for community purposes, including the
21 construction of roads, hiking and nature trails, shelters, campsites, picnic areas, water and
22 sanitary facilities, electricity, and other improvements necessary to convert the land into
23 an outdoor educational and scientific, camping, and nature conservation site for
24 community organizations and for the public.

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

29 (5) Prior to the payment of any funds under the provisions of this Act for the
30 purposes set forth in Section 1(3) above, the County Executive and County Council of
31 Howard County and a representation of community organizations in the area that use this
32 type of facility shall provide and expend a matching fund. The County Executive and
33 County Council shall provide 95% of the matching fund (47.5% of the total amount of the
34 State and local funds), and the community organizations shall provide 5% of the matching
35 fund (2.5% of the total amount of the State and local funds). No part of the matching
36 fund may be provided, either directly or indirectly, from funds of the State, whether
37 appropriated or unappropriated. No part of the fund may consist of real property, in kind
38 contributions, or funds expended prior to the effective date of this Act. In case of any
39 dispute as to the amount of the matching fund or what money or assets may qualify as
40 matching funds, the Board of Public Works shall determine the matter and the Board's
41 decision is final. The County Executive and County Council of Howard County and the
42 community organizations have until June 1, 1999, to present evidence satisfactory to the
43 Board of Public Works that a matching fund will be provided. If satisfactory evidence is
44 presented, the Board shall certify this fact and the amount of the matching fund to the
45 State Treasurer, and the proceeds of the loan equal to the amount of the matching fund

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1 shall be expended for the purposes provided in this Act. Any amount of the loan in excess
2 of the amount of the matching fund certified by the Board of Public Works shall be
3 canceled and be of no further effect.

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