

CF SB 135

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**By: Delegates Patterson, Muse, and Valderrama**

Introduced and read first time: January 24, 1997

Assigned to: Appropriations

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## A BILL ENTITLED

1 AN ACT concerning

**2 Creation of a State Debt - Bowie State University - Goodloe Property**

3 FOR the purpose of authorizing the creation of a State Debt not to exceed \$175,000, the  
4 proceeds to be used by Bowie State University for certain acquisition purposes;  
5 providing for disbursement of the loan proceeds, subject to a requirement that  
6 Bowie State University and the Maryland-National Capital Park and Planning  
7 Commission provide and expend a matching fund; requiring the granting of an  
8 easement to the Maryland Historical Trust; and providing generally for the issuance  
9 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 the Bowie State  
14 University - Goodloe Property Loan of 1997 in a total principal amount equal to the  
15 lesser of (i) \$175,000 or (ii) the amount of the matching fund provided in accordance with  
16 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 for use by Bowie State University in the acquisition of the home of the first president of  
29 the University, the Don Speed Goodloe property, located across from the University, the  
30 property to be used as a visitor's center for the University.

31 (4) An annual State tax is imposed on all assessable property in the State in rate  
32 and amount sufficient to pay the principal of and interest on the bonds, as and when due

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1 and until paid in full. The principal shall be discharged within 15 years after the date of  
2 issuance of the bonds.

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

20 (6) (a) Prior to the issuance of the bonds, Bowie State University shall grant  
21 and convey to the Maryland Historical Trust a perpetual preservation easement to the  
22 extent of its interest:

23 (i) On the land or such portion of the land acceptable to the Trust;  
24 and

25 (ii) On the exterior and interior, where appropriate, of the historic  
26 structures.

27 (b) The easement must be in form and substance acceptable to the Trust  
28 and the extent of the interest to be encumbered must be acceptable to the Trust.

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