

CF 7r2036

By: Senator Lawlah

Introduced and read first time: January 10, 1997

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: April 2, 1997

CHAPTER _____

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 and
 5 renovation purposes; providing for disbursement of the loan proceeds, subject to a
 6 requirement that Bowie State University and the Maryland-National Capital Park
 7 and Planning Commission provide and expend a matching fund; requiring the
 8 granting of an easement to the Maryland Historical Trust; and providing generally
 9 for 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 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,

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1 for the following public purposes, including any applicable architects' and engineers' fees:
2 for use by Bowie State University in the acquisition and renovation of the home of the
3 first president of the University, the Don Speed Goodloe property, located across from
4 the University, the property to be used as a visitor's center for the University.

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

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

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

29 (i) On the land or such portion of the land acceptable to the Trust;
30 and

31 (ii) On the exterior and interior, where appropriate, of the historic
32 structures.

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

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

