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By: **Delegates McClenahan, Conway, and Bozman**

Introduced and read first time: February 2, 1998

Assigned to: Appropriations

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Committee Report: Favorable

House action: Adopted

Read second time: February 17, 1998

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Ward Brothers Homeplace Loan of 1994**

3 FOR the purpose of amending Chapter 185 of the Acts of the General Assembly of  
4 1994, the Ward Brothers Homeplace Loan of 1994, as amended by Chapter 234  
5 of the Acts of the General Assembly of 1997, to alter the type of matching fund  
6 that shall be provided by the Board of Directors of the Ward Brothers  
7 Homeplace, Inc. so that real property or funds expended previous to the effective  
8 date of Chapter 185 of the Acts of the General Assembly of 1994 may be used as  
9 the matching fund; and making this Act an emergency measure.

10 BY repealing and reenacting, with amendments,  
11 Chapter 185 of the Acts of the General Assembly of 1994, as amended by  
12 Chapter 234 of the Acts of the General Assembly of 1997  
13 Section 1

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Chapter 185 of the Acts of 1994, as amended by Chapter 234 of the Acts of**  
17 **1997**

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

20 (1) The Board of Public Works may borrow money and incur indebtedness on  
21 behalf of the State of Maryland through a State loan to be known as the Ward  
22 Brothers Homeplace Loan of 1994 in a total principal amount equal to the lesser of (i)  
23 \$50,000 or (ii) the amount of the matching fund provided in accordance with Section

1 1(5) below. This loan shall be evidenced by the issuance, sale, and delivery of State  
2 general obligation bonds authorized by a resolution of the Board of Public Works and  
3 issued, sold, and delivered in accordance with §§ 8-117 through 8-124 of the State  
4 Finance and Procurement Article and Article 31, § 22 of the Code.

5 (2) The bonds to evidence this loan or installments of this loan may be sold as  
6 a single issue or may be consolidated and sold as part of a single issue of bonds under  
7 § 8-122 of the State Finance and Procurement Article.

8 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer  
9 and first shall be applied to the payment of the expenses of issuing, selling, and  
10 delivering the bonds, unless funds for this purpose are otherwise provided, and then  
11 shall be credited on the books of the Comptroller and expended, on approval by the  
12 Board of Public Works, for the following public purposes, including any applicable  
13 architects' and engineers' fees: as a grant to the Board of Directors of Ward Brothers  
14 Homeplace, Inc. for the acquisition of land and other real property and the restoration  
15 of the Ward Brothers Homeplace at 3199 Sackertown Road in Crisfield, Maryland.

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

20 (5) Prior to the payment of any funds under the provisions of this Act for the  
21 purposes set forth in Section 1(3) above, the Board of Directors of Ward Brothers  
22 Homeplace, Inc. shall provide and expend a matching fund. No part of an applicant's  
23 matching fund may be provided, either directly or indirectly, from funds of the State,  
24 whether appropriated or unappropriated. No part of the fund may consist of [real  
25 property,] in kind contributions[, or]. **THE FUND MAY CONSIST OF REAL PROPERTY**  
26 **OR** funds expended prior to the effective date of this Act. In case of any dispute as to  
27 the amount of the matching fund or what money or assets may qualify as matching  
28 funds, the Board of Public Works shall determine the matter and the Board's decision  
29 is final. The Board of Directors of Ward Brothers Homeplace, Inc. has until June 1,  
30 1996, to present evidence satisfactory to the Board of Public Works that a matching  
31 fund will be provided. If satisfactory evidence is presented, the Board shall certify this  
32 fact and the amount of the matching fund to the State Treasurer, and the proceeds of  
33 the loan equal to the amount of the matching fund shall be expended for the purposes  
34 provided in this Act. Any amount of the loan in excess of the amount of the matching  
35 fund certified by the Board of Public Works shall be canceled and be of no further  
36 effect.

37 (6) (a) Prior to the issuance of the bonds, the Board of Directors of Ward  
38 Brothers Homeplace, Inc. shall grant and convey to the Maryland Historical Trust a  
39 perpetual preservation easement to the extent of its interest:

40 (i) On the land or such portion of the land acceptable to the Trust;  
41 and

1 (ii) On the exterior and interior, where appropriate, of the historic  
2 structures.

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

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an  
6 emergency measure, is necessary for the immediate preservation of the public health  
7 and safety, has been passed by a yea and nay vote supported by three-fifths of all the  
8 members elected to each of the two Houses of the General Assembly, and shall take  
9 effect from the date it is enacted.