

HOUSE BILL 588

Unofficial Copy
B2

1998 Regular Session
8r1739
CF 8r1740

By: **Anne Arundel County Delegation**

Introduced and read first time: February 6, 1998

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Creation of a State Debt - Anne Arundel County - Benson-Hammond House**
3 **and William Downs House**

4 FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000,
5 the proceeds to be used as a grant to the County Executive and County Council
6 of Anne Arundel County for certain acquisition, development, or improvement
7 purposes; providing for disbursement of the loan proceeds, subject to a
8 requirement that the grantee provide and expend a matching fund; requiring
9 the grantee to grant and convey to the Maryland Historical Trust a certain kind
10 of easement; and providing generally for the issuance and sale of bonds
11 evidencing the loan.

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

14 (1) The Board of Public Works may borrow money and incur indebtedness on
15 behalf of the State of Maryland through a State loan to be known as the Anne Arundel
16 County - Benson-Hammond House and William Downs House Loan of 1998 in a total
17 principal amount equal to the lesser of (i)\$100,000 or (ii) the amount of the matching
18 fund provided in accordance with Section 1(5) below. This loan shall be evidenced by
19 the issuance, sale, and delivery of State general obligation bonds authorized by a
20 resolution of the Board of Public Works and issued, sold, and delivered in accordance
21 with §§ 8-117 through 8-124 of the State Finance and Procurement Article and
22 Article 31, § 22 of the Code.

23 (2) The bonds to evidence this loan or installments of this loan may be sold as
24 a single issue or may be consolidated and sold as part of a single issue of bonds under
25 § 8-122 of the State Finance and Procurement Article.

26 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer
27 and first shall be applied to the payment of the expenses of issuing, selling, and
28 delivering the bonds, unless funds for this purpose are otherwise provided, and then
29 shall be credited on the books of the Comptroller and expended, on approval by the
30 Board of Public Works, for the following public purposes, including any applicable
31 architects' and engineers' fees: as a grant to the County Executive and County Council
32 of Anne Arundel County (referred to hereafter in this Act as "the grantee") for the

1 relocation of the William Downs House to a site adjacent to the Benson-Hammond
2 House, for the planning, design, renovation, repair, and capital equipping of the
3 Downs House, which will serve as a caretaker's house for the Ann Arrundell County
4 Historical Society and as a ranger station facility for the hiking-biking trail system in
5 the area.

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

10 (5) Prior to the payment of any funds under the provisions of this Act for the
11 purposes set forth in Section 1(3) above, the grantee shall provide and expend a
12 matching fund. No part of the grantee's matching fund may be provided, either
13 directly or indirectly, from funds of the State, whether appropriated or
14 unappropriated. No part of the fund may consist of in kind contributions or funds
15 expended prior to the effective date of this Act. The matching fund may consist of real
16 property. In case of any dispute as to the amount of the matching fund or what money
17 or assets may qualify as matching funds, the Board of Public Works shall determine
18 the matter and the Board's decision is final. The grantee has until June 1, 2000, to
19 present evidence satisfactory to the Board of Public Works that a matching fund will
20 be provided. If satisfactory evidence is presented, the Board shall certify this fact and
21 the amount of the matching fund to the State Treasurer, and the proceeds of the loan
22 equal to the amount of the matching fund shall be expended for the purposes provided
23 in this Act. Any amount of the loan in excess of the amount of the matching fund
24 certified by the Board of Public Works shall be canceled and be of no further effect.

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

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

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

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

34 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
35 June 1, 1998.