

HOUSE BILL 1253

Unofficial Copy
B2

1998 Regular Session
(8lr2568)

ENROLLED BILL
-- Appropriations/Budget and Taxation --

Introduced by **Delegate Hurson**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Creation of a State Debt - Montgomery County - Joseph White House**

3 FOR the purpose of authorizing the creation of a State Debt not to exceed ~~\$300,000~~
4 ~~\$150,000~~ \$200,000, the proceeds to be used as a grant to the Board of Directors
5 of the Parks Foundation, Inc. for certain acquisition, development, or
6 improvement purposes; providing for disbursement of the loan proceeds, subject
7 to a requirement that the grantee provide and expend a matching fund;
8 requiring the grantee to grant and convey to the Maryland Historical Trust a
9 certain kind of easement; and providing generally for the issuance and sale of
10 bonds evidencing the loan.

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

13 (1) The Board of Public Works may borrow money and incur indebtedness on
14 behalf of the State of Maryland through a State loan to be known as the Montgomery
15 County - Joseph White House Loan of 1998 in a total principal amount equal to the
16 lesser of (i) ~~\$300,000~~ ~~\$150,000~~ \$200,000 or (ii) the amount of the matching fund

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

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

9 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer
10 and first shall be applied to the payment of the expenses of issuing, selling, and
11 delivering the bonds, unless funds for this purpose are otherwise provided, and then
12 shall be credited on the books of the Comptroller and expended, on approval by the
13 Board of Public Works, for the following public purposes, including any applicable
14 architects' and engineers' fees: as a grant to the Board of Directors of the Parks
15 Foundation, Inc. (referred to hereafter in this Act as "the grantee") for the planning,
16 design, repair, renovation, restoration, and capital equipping of the historic Joseph
17 White House, located in Boyds, Maryland.

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

22 (5) Prior to the payment of any funds under the provisions of this Act for the
23 purposes set forth in Section 1(3) above, the grantee shall provide and expend a
24 matching fund. No part of the grantee's matching fund may be provided, either
25 directly or indirectly, from funds of the State, whether appropriated or
26 unappropriated. No part of the fund may consist of ~~real property~~, in kind
27 contributions; or funds expended prior to the effective date of this Act. ~~The fund may~~
28 ~~consist of real property.~~ In case of any dispute as to the amount of the matching fund
29 or what money or assets may qualify as matching funds, the Board of Public Works
30 shall determine the matter and the Board's decision is final. The grantee has until
31 June 1, 2000, to present evidence satisfactory to the Board of Public Works that a
32 matching fund will be provided. If satisfactory evidence is presented, the Board shall
33 certify this fact and the amount of the matching fund to the State Treasurer, and the
34 proceeds of the loan equal to the amount of the matching fund shall be expended for
35 the purposes provided in this Act. Any amount of the loan in excess of the amount of
36 the matching fund certified by the Board of Public Works shall be canceled and be of
37 no further effect.

38 (6) (a) Prior to the issuance of the bonds, the grantee shall grant and convey
39 to the Maryland Historical Trust a perpetual preservation easement to the extent of
40 its interest;

41 (i) On 25 acres of the land or such portion of the land acceptable to
42 the Trust; and;

1 (i) ~~On the land or such portion of the land acceptable to the Trust;~~

2 ~~and~~

3 (ii) ~~On on (ii) On the exterior ~~and interior~~, where appropriate, of~~
4 the historic structures.

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

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