

HOUSE BILL 1253

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B2

1998 Regular Session
8r2568
CF 8r2608

By: **Delegate Hurson**
Introduced and read first time: February 13, 1998
Assigned to: Appropriations

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 31, 1998

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, the proceeds to be used as a grant to the Board of Directors of the
5 Parks Foundation, Inc. for certain acquisition, development, or improvement
6 purposes; providing for disbursement of the loan proceeds, subject to a
7 requirement that the grantee provide and expend a matching fund; requiring
8 the grantee to grant and convey to the Maryland Historical Trust a certain kind
9 of easement; and providing generally for the issuance and sale of bonds
10 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 or (ii) the amount of the matching fund provided in
17 accordance with Section 1(5) below. This loan shall be evidenced by the issuance, sale,
18 and delivery of State general obligation bonds authorized by a resolution of the Board
19 of Public Works and issued, sold, and delivered in accordance with §§ 8-117 through
20 8-124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

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

24 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer
25 and first shall be applied to the payment of the expenses of issuing, selling, and

1 delivering the bonds, unless funds for this purpose are otherwise provided, and then
 2 shall be credited on the books of the Comptroller and expended, on approval by the
 3 Board of Public Works, for the following public purposes, including any applicable
 4 architects' and engineers' fees: as a grant to the Board of Directors of the Parks
 5 Foundation, Inc. (referred to hereafter in this Act as "the grantee") for the planning,
 6 design, repair, renovation, restoration, and capital equipping of the historic Joseph
 7 White House, located in Boyds, Maryland.

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

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

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

31 (i) ~~On the land or such portion of the land acceptable to the Trust;~~
 32 ~~and~~

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

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

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

