

SENATE BILL 181

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SB 566/97 - B&T

1998 Regular Session
8r1192
CF 8r2637

By: **Senators Hogan, Roesser, and Ruben**
Introduced and read first time: January 27, 1998
Assigned to: Budget and Taxation

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: March 27, 1998

CHAPTER _____

1 AN ACT concerning

2 **Creation of a State Debt - Montgomery County - Waters Property Historical**
3 **Site**

4 FOR the purpose of authorizing the creation of a State Debt not to exceed ~~\$1,100,000~~
5 \$100,000, the proceeds to be used as a grant to the Maryland-National Capital
6 Park and Planning Commission for certain acquisition, development, or
7 improvement purposes; providing for disbursement of the loan proceeds, subject
8 to a requirement that the grantee provide and expend a matching fund;
9 requiring the grantee to convey a certain easement to the Maryland Historical
10 Trust; and providing generally for the issuance and sale of bonds evidencing the
11 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 Montgomery
16 County - Waters Property Historical Site Loan of 1998 in a total principal amount
17 equal to the lesser of (i) ~~\$1,100,000~~, \$100,000 or (ii) the amount of the matching fund
18 provided in accordance with Section 1(5) below. This loan shall be evidenced by the
19 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.

1 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer
2 and first shall be applied to the payment of the expenses of issuing, selling, and
3 delivering the bonds, unless funds for this purpose are otherwise provided, and then
4 shall be credited on the books of the Comptroller and expended, on approval by the
5 Board of Public Works, for the following public purposes, including any applicable
6 architects' and engineers' fees: as a grant to the Maryland-National Capital Park and
7 Planning Commission (referred to hereafter in this Act as "the grantee") for the
8 repair, restoration, and rehabilitation of, and for the provision of capital equipment
9 for, the barn at the Waters Complex at Milestone in Germantown, and for the design,
10 fabrication, and mounting of a permanent exhibit of the history of Montgomery
11 County in the barn.

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

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

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

34 (i) On the land or such portion of the land acceptable to the Trust;
35 and

36 (ii) On the exterior and interior, where appropriate, of the historic
37 structures.

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

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

