
By: **Senator Middleton**

Introduced and read first time: February 27, 1998

Assigned to: Rules

Re-referred to: Budget and Taxation, March 5, 1998

Committee Report: Favorable

Senate action: Adopted

Read second time: March 23, 1998

CHAPTER _____

1 AN ACT concerning

2 **Charles County - Historic Old Waldorf School - Preservation Loan of 1995**

3 FOR the purpose of amending Chapter 147 of the Acts of the General Assembly of
4 1995, as amended by Chapter 72 of the Acts of the General Assembly of 1997,
5 the Charles County - Historic Old Waldorf School - Preservation Loan of 1995,
6 to alter the kind of matching fund to be provided and expended by the grantee
7 and to extend the time by which the grantee shall provide and expend the
8 matching fund.

9 BY repealing and reenacting, with amendments,
10 Chapter 147 of the Acts of the General Assembly of 1995, as amended by
11 Chapter 72 of the Acts of the General Assembly of 1997
12 Section 1

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

15 **Chapter 147 of the Acts of 1995, as amended by Chapter 72 of the Acts of 1997**

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That:

18 (1) The Board of Public Works may borrow money and incur indebtedness on
19 behalf of the State of Maryland through a State loan to be known as the Charles
20 County - Historic Old Waldorf School - Preservation Loan of 1995 in a total principal
21 amount equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund
22 provided in accordance with Section 1(5) below. This loan shall be evidenced by the

1 issuance, sale, and delivery of State general obligation bonds authorized by a
2 resolution of the Board of Public Works and issued, sold, and delivered in accordance
3 with §§ 8-117 through 8-124 of the State Finance and Procurement Article and
4 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 Friends of Old Waldorf School
14 Foundation, Inc. (referred to hereafter in this Act as "the grantee") for the repair,
15 renovation, restoration, and preservation of the Historic Old Waldorf School, located
16 in Charles County.

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

21 (5) Prior to the payment of any funds under the provisions of this Act for the
22 purposes set forth in Section 1(3) above, the grantee shall provide and expend a
23 matching fund. No part of the grantee's matching fund may be provided, either
24 directly or indirectly, from funds of the State, whether appropriated or
25 unappropriated. [No part of the] THE fund may consist of real property [or], in kind
26 contributions[. The fund may consist of], OR funds expended prior to the effective
27 date of this Act. In case of any dispute as to the amount of the matching fund or what
28 money or assets may qualify as matching funds, the Board of Public Works shall
29 determine the matter and the Board's decision is final. The grantee has until June 1,
30 [1998] 2000, to present evidence satisfactory to the Board of Public Works that a
31 matching fund will be provided. If satisfactory evidence is presented, the Board shall
32 certify this fact and the amount of the matching fund to the State Treasurer, and the
33 proceeds of the loan equal to the amount of the matching fund shall be expended for
34 the purposes provided in this Act. Any amount of the loan in excess of the amount of
35 the matching fund certified by the Board of Public Works shall be canceled and be of
36 no further effect.

37 (6) (a) Prior to the issuance of the bonds, the grantee shall grant and convey
38 to the Maryland Historical Trust a perpetual preservation easement to the extent of
39 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 shall take effect
6 June 1, 1998.