

HOUSE BILL 613

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B2

2000 Regular Session
(01r1322)

ENROLLED BILL
-- Appropriations/Budget and Taxation --

Introduced by **Delegates W. Baker, Guns, Eckardt, Schisler, and Walkup**

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 - Caroline County - Adkins Arboretum**

3 FOR the purpose of authorizing the creation of a State Debt ~~in the amount of~~ *not to*
4 *exceed* ~~\$400,000 \$300,000~~ *\$200,000*, the proceeds to be used as a grant to the
5 Board of Trustees of Adkins Arboretum, Ltd. for certain 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; and
8 providing generally for the issuance and sale of bonds evidencing the loan.

9 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
10 MARYLAND, That:

11 (1) The Board of Public Works may borrow money and incur indebtedness on
12 behalf of the State of Maryland through a State loan to be known as the Caroline
13 County - Adkins Arboretum Loan of 2000 in ~~the total principal amount of~~ *a total*
14 *principal amount equal to the lesser of (i) \$200,000 or (ii) the amount of the matching*
15 *fund provided in accordance with Section 1(5) below* ~~\$400,000 \$300,000~~. This loan
16 shall be evidenced by the issuance, sale, and delivery of State general obligation

1 bonds authorized by a resolution of the Board of Public Works and issued, sold, and
2 delivered in accordance with §§ 8-117 through 8-124 of the State Finance and
3 Procurement Article and Article 31, § 22 of the Code.

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

7 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer
8 and first shall be applied to the payment of the expenses of issuing, selling, and
9 delivering the bonds, unless funds for this purpose are otherwise provided, and then
10 shall be credited on the books of the Comptroller and expended, on approval by the
11 Board of Public Works, for the following public purposes, including any applicable
12 architects' and engineers' fees: as a grant to the Board of Trustees of Adkins
13 Arboretum, Ltd. (referred to hereafter in this Act as "the grantee") for the planning,
14 construction, replanting, restoration, and expansion of Adkins Arboretum, Maryland's
15 only State-owned arboretum dedicated to the conservation of the native flora of the
16 region.

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 ~~of \$200,000~~. No part of the grantee's matching fund may be provided,
24 either directly or indirectly, from funds of the State, whether appropriated or
25 unappropriated. The fund may consist of real property, in kind contributions, or funds
26 expended prior to the effective date of this Act. In case of any dispute as to the amount
27 of the matching fund or what money or assets may qualify as matching funds, the
28 Board of Public Works shall determine the matter and the Board's decision is final.
29 The grantee has until June 1, 2002, to present evidence satisfactory to the Board of
30 Public Works that a matching fund will be provided. If satisfactory evidence is
31 presented, the Board shall certify this fact and the amount of the matching fund to the
32 State Treasurer, and the proceeds of the loan equal to the amount of the matching
33 fund shall be expended for the purposes provided in this Act. Any amount of the loan
34 in excess of the amount of the matching fund certified by the Board of Public Works
35 shall be canceled and be of no further effect.

36 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
37 June 1, 2000.

