

HOUSE BILL 693

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B4

2000 Regular Session
0lr2559
CF 0lr2558

By: **Delegates Shriver and Hurson**
Introduced and read first time: February 10, 2000
Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County - Joseph White House Loan of 1998**

3 FOR the purpose of amending Chapter 304 of the Acts of the General Assembly of
4 1998, Montgomery County - Joseph White House Loan of 1998, to change the
5 grantee from the Board of Directors of the Parks Foundation, Inc. to the
6 Maryland-National Capital Park and Planning Commission.

7 BY repealing and reenacting, with amendments,
8 Chapter 304 of the Acts of the General Assembly of 1998
9 Section 1

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

12 **Chapter 304 of the Acts of 1998**

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That:

15 (1) The Board of Public Works may borrow money and incur indebtedness on
16 behalf of the State of Maryland through a State loan to be known as the Montgomery
17 County - Joseph White House Loan of 1998 in a total principal amount equal to the
18 lesser of (i) \$200,000 or (ii) the amount of the matching fund provided in accordance
19 with Section 1(5) below. This loan shall be evidenced by the issuance, sale, and
20 delivery of State general obligation bonds authorized by a resolution of the Board of
21 Public Works and issued, sold, and delivered in accordance with §§ 8-117 through
22 8-124 of the State Finance and Procurement Article and 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.

26 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer
27 and first shall be applied to the payment of the expenses of issuing, selling, and
28 delivering the bonds, unless funds for this purpose are otherwise provided, and then
29 shall be credited on the books of the Comptroller and expended, on approval by the

1 Board of Public Works, for the following public purposes, including any applicable
2 architects' and engineers' fees: as a grant to the [Board of Directors of the Parks
3 Foundation, Inc.] MARYLAND-NATIONAL CAPITAL PARK AND PLANNING
4 COMMISSION (referred to hereafter in this Act as "the grantee") for the planning,
5 design, repair, renovation, restoration, and capital equipping of the historic Joseph
6 White House, located in Boyds, Maryland.

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

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

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

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

31 (ii) On the exterior, where appropriate, of the historic structures.

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

34 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
35 October 1, 2000.