

SENATE BILL 134

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B2

2000 Regular Session
0lr0679
CF 0lr0735

By: **Senators McCabe, Madden, and Kasemeyer**
Introduced and read first time: January 17, 2000
Assigned to: Budget and Taxation

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: March 29, 2000

CHAPTER _____

1 AN ACT concerning

2 **Creation of a State Debt - Howard County Conservancy**
3 **Ho. Co. 11-00**

4 FOR the purpose of authorizing the creation of a State Debt not to exceed ~~\$375,000~~
5 \$150,000, the proceeds to be used as a grant to the Board of Trustees of the
6 Howard County Conservancy, Inc. for certain development or improvement
7 purposes; providing for disbursement of the loan proceeds, subject to a
8 requirement that the grantee provide and expend a matching fund; ~~requiring~~
9 ~~the grantee to convey a certain easement to the Maryland Historic Trust;~~ and
10 providing generally for the issuance and sale of bonds 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 Howard
15 County Conservancy Loan of 2000 in a total principal amount equal to the lesser of (i)
16 ~~\$375,000~~ \$150,000 or (ii) the amount of the matching fund provided in accordance
17 with Section 1(5) below. This loan shall be evidenced by the issuance, sale, and
18 delivery of State general obligation bonds authorized by a resolution of the Board of
19 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.

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 Board of Trustees of the Howard
7 County Conservancy, Inc. (referred to hereafter in this Act as "the grantee") for the
8 planning, design, construction, and capital equipping of an educational facility on the
9 grounds of Mount Pleasant, a historic estate located in Howard County.

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

14 (5) Prior to the payment of any funds under the provisions of this Act for the
15 purposes set forth in Section 1(3) above, the grantee shall provide and expend a
16 matching fund. No part of the grantee's matching fund may be provided, either
17 directly or indirectly, from funds of the State, whether appropriated or
18 unappropriated. No part of the fund may consist of in kind contributions or funds
19 expended prior to the effective date of this Act. The matching fund may consist of real
20 property. In case of any dispute as to the amount of the matching fund or what money
21 or assets may qualify as matching funds, the Board of Public Works shall determine
22 the matter and the Board's decision is final. The grantee has until June 1, 2002, to
23 present evidence satisfactory to the Board of Public Works that a matching fund will
24 be provided. If satisfactory evidence is presented, the Board shall certify this fact and
25 the amount of the matching fund to the State Treasurer, and the proceeds of the loan
26 equal to the amount of the matching fund shall be expended for the purposes provided
27 in this Act. Any amount of the loan in excess of the amount of the matching fund
28 certified by the Board of Public Works shall be canceled and be of no further effect.

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

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

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

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

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

