

SENATE BILL 469

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B2

2000 Regular Session  
0lr0787  
CF 0lr1322

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By: **Senators Colburn and Baker**

Introduced and read first time: February 4, 2000

Assigned to: Budget and Taxation

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A BILL ENTITLED

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  
4 \$400,000, the proceeds to be used as a grant to the Board of Trustees of Adkins  
5 Arboretum, Ltd. for certain development or improvement purposes; providing  
6 for disbursement of the loan proceeds, subject to a requirement that the grantee  
7 provide and expend a matching fund; and providing generally for the issuance  
8 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 \$400,000.  
14 This loan shall be evidenced by the issuance, sale, and delivery of State general  
15 obligation bonds authorized by a resolution of the Board of Public Works and issued,  
16 sold, and delivered in accordance with §§ 8-117 through 8-124 of the State Finance  
17 and Procurement Article and Article 31, § 22 of the Code.

18 (2) The bonds to evidence this loan or installments of this loan may be sold as  
19 a single issue or may be consolidated and sold as part of a single issue of bonds under  
20 § 8-122 of the State Finance and Procurement Article.

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

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

5 (5) Prior to the payment of any funds under the provisions of this Act for the  
6 purposes set forth in Section 1(3) above, the grantee shall provide and expend a  
7 matching fund of \$200,000. No part of the grantee's matching fund may be provided,  
8 either directly or indirectly, from funds of the State, whether appropriated or  
9 unappropriated. The fund may consist of real property, in kind contributions, or funds  
10 expended prior to the effective date of this Act. In case of any dispute as to the amount  
11 of the matching fund or what money or assets may qualify as matching funds, the  
12 Board of Public Works shall determine the matter and the Board's decision is final.  
13 The grantee has until June 1, 2002, to present evidence satisfactory to the Board of  
14 Public Works that a matching fund will be provided. If satisfactory evidence is  
15 presented, the Board shall certify this fact to the State Treasurer, and the proceeds of  
16 the loan shall be expended for the purposes provided in this Act.

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