

SENATE BILL 506

Unofficial Copy  
B2

2000 Regular Session  
(01r1568)

**ENROLLED BILL**  
-- Budget and Taxation/Appropriations --

Introduced by **Senator Ruben**

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.

\_\_\_\_\_  
President.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Creation of a State Debt - Montgomery County - Alpha Phi Alpha Smithville**  
3 **School Museum**

4 FOR the purpose of authorizing the creation of a State Debt ~~in the amount of~~ not to  
5 exceed \$300,000 \$250,000, the proceeds to be used as a grant to the Board of  
6 Directors of Iota Upsilon Lambda, 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 grant and convey a certain easement to the Maryland Historical  
10 Trust; and providing generally for the issuance and sale of bonds evidencing the  
11 loan.

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

14 (1) The Board of Public Works may borrow money and incur indebtedness on  
15 behalf of the State of Maryland through a State loan to be known as the Montgomery  
16 County - Alpha Phi Alpha Smithville School Museum Loan of 2000 in ~~the total~~

1 ~~principal amount of a total principal amount equal to the lesser of (i) \$300,000~~  
2 ~~\$250,000 or (ii) the amount of the matching fund provided in accordance with Section~~  
3 ~~I(5) below.~~ This loan shall be evidenced by the issuance, sale, and delivery of State  
4 general obligation bonds authorized by a resolution of the Board of Public Works and  
5 issued, sold, and delivered in accordance with §§ 8-117 through 8-124 of the State  
6 Finance and Procurement Article and Article 31, § 22 of the Code.

7 (2) The bonds to evidence this loan or installments of this loan may be sold as  
8 a single issue or may be consolidated and sold as part of a single issue of bonds under  
9 § 8-122 of the State Finance and Procurement Article.

10 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer  
11 and first shall be applied to the payment of the expenses of issuing, selling, and  
12 delivering the bonds, unless funds for this purpose are otherwise provided, and then  
13 shall be credited on the books of the Comptroller and expended, on approval by the  
14 Board of Public Works, for the following public purposes, including any applicable  
15 architects' and engineers' fees: as a grant to the Board of Directors of Iota Upsilon  
16 Lambda, Inc. (referred to hereafter in this Act as "the grantee") for the planning,  
17 design, construction, reconstruction, repair, renovation, and capital equipping of  
18 buildings located at 811 East Randolph Road, Colesville, Maryland, for use as a  
19 museum, educational center, and community and meeting center.

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

24 (5) Prior to the payment of any funds under the provisions of this Act for the  
25 purposes set forth in Section 1(3) above, the grantee shall provide and expend a  
26 matching fund ~~of \$300,000~~. No part of the grantee's matching fund may be provided,  
27 either directly or indirectly, from funds of the State, whether appropriated or  
28 unappropriated. No part of the fund may consist of real property. The fund may  
29 consist of in kind contributions or funds expended prior to the effective date of this  
30 Act. In case of any dispute as to the amount of the matching fund or what money or  
31 assets may qualify as matching funds, the Board of Public Works shall determine the  
32 matter and the Board's decision is final. The grantee has until June 1, 2002, to  
33 present evidence satisfactory to the Board of Public Works that a matching fund will  
34 be provided. If satisfactory evidence is presented, the Board shall certify this fact *and*  
35 *the amount of the matching fund* to the State Treasurer, and the proceeds of the loan  
36 *equal to the amount of the matching fund* shall be expended for the purposes provided  
37 in this Act. *Any amount of the loan in excess of the amount of the matching fund*  
38 *certified by the Board of Public Works shall be canceled and be of no further effect.*

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

42 (i) On the land or such portion of the land acceptable to the Trust;  
43 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, 2000.