

SENATE BILL 795

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B2

2000 Regular Session  
0lr2891  
CF HB 491

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By: **Senators Colburn and Stoltzfus**  
Introduced and read first time: February 11, 2000  
Assigned to: Rules  
Re-referred to: Budget and Taxation, February 18, 2000

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

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Creation of a State Debt - Wicomico County - Pemberton Hall Foundation**

3 FOR the purpose of authorizing the creation of a State Debt ~~in the amount of~~  
4 ~~\$250,000~~ not to exceed \$100,000, the proceeds to be used as a grant to The Board  
5 of Directors of The Pemberton Hall Foundation, Inc. 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 Wicomico  
13 County - Pemberton Hall Foundation Loan of 2000 ~~in the total principal amount of~~  
14 ~~\$250,000~~ a total principal amount equal to the lesser of (i) \$100,000 or (ii) the amount  
15 of the matching fund provided in accordance with Section 1(5) below. This loan shall  
16 be evidenced by the issuance, sale, and delivery of State general obligation bonds  
17 authorized by a resolution of the Board of Public Works and issued, sold, and  
18 delivered in accordance with §§ 8-117 through 8-124 of the State Finance and  
19 Procurement Article and Article 31, § 22 of the Code.

20 (2) The bonds to evidence this loan or installments of this loan may be sold as  
21 a single issue or may be consolidated and sold as part of a single issue of bonds under  
22 § 8-122 of the State Finance and Procurement Article.

23 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer  
24 and first shall be applied to the payment of the expenses of issuing, selling, and

1 delivering the bonds, unless funds for this purpose are otherwise provided, and then  
2 shall be credited on the books of the Comptroller and expended, on approval by the  
3 Board of Public Works, for the following public purposes, including any applicable  
4 architects' and engineers' fees: as a grant to The Board of Directors of The Pemberton  
5 Hall Foundation, Inc. (referred to hereafter in this Act as "the grantee") for the repair,  
6 renovation, reconstruction, and capital equipping of Pemberton Hall and associated  
7 facilities on the surrounding plantation land in Wicomico County.

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

12 (5) Prior to the payment of any funds under the provisions of this Act for the  
13 purposes set forth in Section 1(3) above, the grantee shall provide and expend a  
14 matching fund ~~of \$125,000~~. No part of the grantee's matching fund may be provided,  
15 either directly or indirectly, from funds of the State, whether appropriated or  
16 unappropriated. The fund may consist of real property, in kind contributions, or funds  
17 expended prior to the effective date of this Act. In case of any dispute as to the amount  
18 of the matching fund or what money or assets may qualify as matching funds, the  
19 Board of Public Works shall determine the matter and the Board's decision is final.  
20 The grantee has until June 1, 2002, to present evidence satisfactory to the Board of  
21 Public Works that a matching fund will be provided. If satisfactory evidence is  
22 presented, the Board shall certify this fact to the State Treasurer, and the proceeds of  
23 the loan shall be expended for the purposes provided in this Act.

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