

HOUSE BILL 250

Unofficial Copy  
B2

2001 Regular Session  
(11r1287)

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

Introduced by **Delegates Heller, Mandel, Petzold, Sher, Barkley, Bronrott,  
Carlson, Franchot, Kagan, Kopp, Shriver, and Stern**

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.

\_\_\_\_\_  
Speaker.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Creation of a State Debt - Montgomery County - Olney Boys and Girls Club**  
3 **Community Park**

4 FOR the purpose of authorizing the creation of a State Debt not to exceed ~~\$1,800,000~~  
5 ~~\$300,000~~ \$75,000, the proceeds to be used as a grant to the Board of Directors of  
6 the Olney Boys and Girls Club 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

1 County - Olney Boys and Girls Club Community Park Loan of 2001 in a total  
2 principal amount equal to the lesser of (i) ~~\$1,800,000~~ \$300,000 ~~\$75,000~~ or (ii) the  
3 amount of the matching fund provided in accordance with Section 1(5) below. This  
4 loan shall be evidenced by the issuance, sale, and delivery of State general obligation  
5 bonds authorized by a resolution of the Board of Public Works and issued, sold, and  
6 delivered in accordance with §§ 8-117 through 8-124 of the State Finance and  
7 Procurement Article and Article 31, § 22 of the Code.

8 (2) The bonds to evidence this loan or installments of this loan may be sold as  
9 a single issue or may be consolidated and sold as part of a single issue of bonds under  
10 § 8-122 of the State Finance and Procurement Article.

11 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer  
12 and first shall be applied to the payment of the expenses of issuing, selling, and  
13 delivering the bonds, unless funds for this purpose are otherwise provided, and then  
14 shall be credited on the books of the Comptroller and expended, on approval by the  
15 Board of Public Works, for the following public purposes, including any applicable  
16 architects' and engineers' fees: as a grant to the Board of Directors of the Olney Boys  
17 and Girls Club (referred to hereafter in this Act as "the grantee") for the planning,  
18 design, construction, repair, renovation, reconstruction, and capital equipping of the  
19 Olney Boys and Girls Club Community Park, a recreational facility for the over 4,500  
20 children who are members of the Olney Boys and Girls Club in Montgomery County.

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

25 (5) Prior to the payment of any funds under the provisions of this Act for the  
26 purposes set forth in Section 1(3) above, the grantee shall provide and expend a  
27 matching fund. No part of the grantee's matching fund may be provided, either  
28 directly or indirectly, from funds of the State, whether appropriated or  
29 unappropriated. No part of the fund may consist of real property. The fund may  
30 consist of in kind contributions or funds expended prior to the effective date of this  
31 Act. In case of any dispute as to the amount of the matching fund or what money or  
32 assets may qualify as matching funds, the Board of Public Works shall determine the  
33 matter and the Board's decision is final. The grantee has until June 1, 2003, to  
34 present evidence satisfactory to the Board of Public Works that a matching fund will  
35 be provided. If satisfactory evidence is presented, the Board shall certify this fact and  
36 the amount of the matching fund to the State Treasurer, and the proceeds of the loan  
37 equal to the amount of the matching fund shall be expended for the purposes provided  
38 in this Act. Any amount of the loan in excess of the amount of the matching fund  
39 certified by the Board of Public Works shall be canceled and be of no further effect.

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

1 (i) On the land or such portion of the land acceptable to the Trust;

2 and

3 (ii) On the exterior and interior, where appropriate, of the historic  
4 structures.

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

7 (b) If the grantee or beneficiary of the grant holds a lease on the land and  
8 structures, the Trust may accept an easement on the leasehold interest.

9 (c) The easement must be in form and substance acceptable to the Trust  
10 and any liens or encumbrances against the land or the structures must be acceptable to  
11 the Trust.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 June 1, 2001.