

HOUSE BILL 250

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B2

2001 Regular Session  
11r1287  
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By: **Delegates Heller, Mandel, Petzold, Sher, Barkley, Bronrott, Carlson,  
Franchot, Kagan, Kopp, Shriver, and Stern**

Introduced and read first time: January 24, 2001

Assigned to: Appropriations

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 24, 2001

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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, the proceeds to be used as a grant to the Board of Directors of the  
6 Olney Boys and Girls Club for certain development or improvement purposes;  
7 providing for disbursement of the loan proceeds, subject to a requirement that  
8 the grantee provide and expend a matching fund; requiring the grantee to grant  
9 and convey a certain easement to the Maryland Historical Trust; and providing  
10 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 Montgomery  
15 County - Olney Boys and Girls Club Community Park Loan of 2001 in a total  
16 principal amount equal to the lesser of (i) ~~\$1,800,000~~ \$300,000 or (ii) the amount of  
17 the matching fund provided in accordance with Section 1(5) below. This loan shall be  
18 evidenced by the issuance, sale, and delivery of State general obligation bonds  
19 authorized by a resolution of the Board of Public Works and issued, sold, and  
20 delivered in accordance with §§ 8-117 through 8-124 of the State Finance and  
21 Procurement Article and Article 31, § 22 of the Code.

22 (2) The bonds to evidence this loan or installments of this loan may be sold as  
23 a single issue or may be consolidated and sold as part of a single issue of bonds under  
24 § 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 Directors of the Olney Boys  
7 and Girls Club (referred to hereafter in this Act as "the grantee") for the planning,  
8 design, construction, repair, renovation, reconstruction, and capital equipping of the  
9 Olney Boys and Girls Club Community Park, a recreational facility for the over 4,500  
10 children who are members of the Olney Boys and Girls Club in Montgomery County.

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

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

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

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

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

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

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

