

HOUSE BILL 342

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B2

2001 Regular Session
(11r1356)

ENROLLED BILL
-- Appropriations/Budget and Taxation --

Introduced by **Harford County Delegation**

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 - Harford County - Hosanna School**

3 FOR the purpose of authorizing the creation of a State Debt not to exceed ~~\$186,227~~
4 \$186,000, the proceeds to be used as a grant to the Board of Commissioners of
5 the Harford County Historic Preservation Commission for certain development
6 or improvement purposes; providing for disbursement of the loan proceeds,
7 subject to a requirement that the grantee provide and expend a matching fund;
8 ~~requiring the grantee to grant and convey a certain easement to the Maryland~~
9 ~~Historical Trust~~; prohibiting the use of the proceeds of the sale of the bonds and
10 the matching fund for sectarian religious purposes; and providing generally for
11 the issuance and sale of bonds evidencing the 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 Harford
16 County - Hosanna School Loan of 2001 in a total principal amount equal to the lesser

1 of (i) ~~\$186,227~~ \$186,000 or (ii) the amount of the matching fund provided in
2 accordance with Section 1(5) below. This loan shall be evidenced by the issuance, sale,
3 and delivery of State general obligation bonds authorized by a resolution of the Board
4 of Public Works and issued, sold, and delivered in accordance with §§ 8-117 through
5 8-124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

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

9 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer
10 and first shall be applied to the payment of the expenses of issuing, selling, and
11 delivering the bonds, unless funds for this purpose are otherwise provided, and then
12 shall be credited on the books of the Comptroller and expended, on approval by the
13 Board of Public Works, for the following public purposes, including any applicable
14 architects' and engineers' fees: as a grant to the Board of Commissioners of the
15 Harford County Historic Preservation Commission (referred to hereafter in this Act
16 as "the grantee") for the planning, design, construction, reconstruction, and capital
17 equipping of the Hosanna School, located in Berkley, Maryland.

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

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

37 (6) (a) ~~Prior to the issuance of the bonds, the grantee shall grant and convey~~
38 ~~to the Maryland Historical Trust a perpetual preservation easement to the extent of~~
39 ~~its interest.~~

40 (i) ~~On the land or such portion of the land acceptable to the Trust;~~
41 ~~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 ~~(7)~~ (6) No portion of the proceeds of the loan or any of the matching funds
6 may be used for the furtherance of sectarian religious instruction, or in connection
7 with the design, acquisition, or construction of any building used or to be used as a
8 place of sectarian religious worship or instruction, or in connection with any program
9 or department of divinity for any religious denomination. Upon the request of the
10 Board of Public Works, the grantee shall submit evidence satisfactory to the Board
11 that none of the proceeds of the loan or any matching funds have been or are being
12 used for a purpose prohibited by this Act.

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