

HOUSE BILL 1198

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B2

2001 Regular Session
11r2298
CF 11r2203

By: **Charles County Delegation**

Introduced and read first time: February 9, 2001

Assigned to: Appropriations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 24, 2001

CHAPTER _____

1 AN ACT concerning

2 **Creation of a State Debt - Charles County - Old Waldorf School Community**
3 **Center and Head Start Facility**

4 FOR the purpose of authorizing the creation of a State Debt not to exceed \$350,000,
5 the proceeds to be used as a grant to the Board of Directors of the Friends of Old
6 Waldorf School Foundation, Inc. for certain development or improvement
7 purposes; ~~requiring the grantee to grant and convey a certain easement to the~~
8 ~~Maryland Historical Trust~~; providing for disbursement of the loan proceeds,
9 subject to a requirement that the grantee provide and expend a matching fund;
10 and providing 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 Charles
15 County - Old Waldorf School Community Center and Head Start Facility Loan of
16 2001 in a total principal amount equal to the lesser of (i) \$350,000 or (ii) the amount
17 of the matching fund provided in accordance with Section 1(5) below. This loan shall
18 be 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.

(3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and first shall be applied to the payment of the expenses of issuing, selling, and delivering the bonds, unless funds for this purpose are otherwise provided, and then shall be credited on the books of the Comptroller and expended, on approval by the Board of Public Works, for the following public purposes, including any applicable architects' and engineers' fees: as a grant to the Board of Directors of the Friends of Old Waldorf School Foundation, Inc. (referred to hereafter in this Act as "the grantee") for the repair, renovation, reconstruction, and capital equipping of the Old Waldorf School for use as a community center and Head Start facility, located in Waldorf, Maryland.

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

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

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

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

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

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

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

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