

HOUSE BILL 355
EMERGENCY BILL

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B4

2004 Regular Session
4r1682
CF 4r1681

By: **Delegate Minnick (Baltimore County Administration)**

Introduced and read first time: January 28, 2004

Assigned to: Appropriations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 10, 2004

CHAPTER _____

1 AN ACT concerning

2 **Redhouse Run Stormwater Systems Loan of 1984**

3 FOR the purpose of amending Chapter 389 of the Acts of 1984 to require that the
4 ~~County Executive and County Council of Baltimore County encumber or expend~~
5 ~~the loan proceeds by June 1, 2005~~ loan proceeds be encumbered by the Board of
6 Public Works or expended for certain purposes by a certain date; and making
7 this Act an emergency measure.

8 BY repealing and reenacting, with amendments,
9 Chapter 389 of the Acts of the General Assembly of 1984, as amended by
10 Chapter 138 of the Acts of the General Assembly of 1985
11 Section 1

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Chapter 389 of the Acts of 1984, as amended by Chapter 138 of the Acts of**
15 **1985**

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That:

18 (1) The Board of Public Works may borrow money and incur indebtedness on
19 behalf of the State of Maryland through a State loan to be known as the Redhouse
20 Run Stormwater Systems Loan of 1984 in the aggregate principal amount of
21 \$3,000,000. This loan shall be evidenced by the issuance and sale of State general
22 obligation bonds authorized by a resolution of the Board of Public Works and issued,
23 sold and delivered in accordance with the provisions of §§ 19 to 23 of Article 31 of the

1 Annotated Code of Maryland (1983 Replacement Volume, as amended from time to
2 time).

3 (2) The bonds issued to evidence this loan or installments thereof may be sold
4 as a single issue, or may be consolidated and sold as part of a single issue of bonds
5 under § 2B of Article 31 of the Code.

6 (3) The actual cash proceeds of the sale of the bonds shall be paid to the
7 Treasurer and shall be first applied to the payment of the expenses of issuing and
8 delivering the bonds unless funds for this purpose are otherwise provided and
9 thereafter shall be credited on the books of the State Comptroller and expended, upon
10 approval by the Board of Public Works, for the following public purposes, including
11 any applicable architects' and engineers' fees: as a grant to the County Executive and
12 County Council of Baltimore County for the purpose of the reconstruction,
13 rehabilitation, renovation, reequipping, restoration, and improvement of the
14 stormwater systems along Redhouse Run in Baltimore County.

15 (4) There is hereby levied and imposed an annual State tax on all assessable
16 property in the State in rate and amount sufficient to pay the principal of and interest
17 on the bonds as and when due and until paid in full, such principal to be discharged
18 within fifteen years of the date of issue of the bonds.

19 (5) Prior to the payment of any funds under the provisions of this Act for the
20 purposes set forth in Section 1(3) above, the County Executive and County Council of
21 Baltimore County shall provide at least an equal and matching fund of \$3,000,000. No
22 part of an applicant's matching fund may be provided, either directly or indirectly,
23 from funds of the State, whether appropriated or unappropriated. No part of the fund
24 may consist of real property, in kind contributions, or funds expended prior to the
25 effective date of this Act. In case of any dispute as to what money or assets may
26 qualify as matching funds, the Board of Public Works shall determine the matter, and
27 the Board's decision is final. The County Executive and County Council of Baltimore
28 County have until June 1, 1987, to present evidence satisfactory to the Board of
29 Public Works that the matching fund will be provided. If satisfactory evidence is
30 presented, the Board shall certify this fact to the State Treasurer and the proceeds of
31 the loan shall be expended for the purposes provided in this Act. If this evidence is not
32 presented by June 1, 1987, the proceeds of the loan shall be applied to the purposes
33 authorized in Article 78A, § 3 of the Code.

34 (6) ~~THE COUNTY EXECUTIVE AND COUNTY COUNCIL OF BALTIMORE COUNTY~~
35 ~~MUST ENCUMBER OR EXPEND THE LOAN PROCEEDS BY JUNE 1, 2005 THE PROCEEDS~~
36 ~~OF THE LOAN MUST BE ENCUMBERED BY THE BOARD OF PUBLIC WORKS OR~~
37 ~~EXPENDED FOR THE PURPOSES PROVIDED IN THIS ACT NO LATER THAN JUNE 1, 2006.~~

38 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an
39 emergency measure, is necessary for the immediate preservation of the public health
40 or safety, has been passed by a yea and nay vote supported by three-fifths of all the
41 members elected to each of the two Houses of the General Assembly, and shall take
42 effect from the date it is enacted.

