

HOUSE BILL 1116

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B4

2004 Regular Session
4lr2691
CF 4lr2692

By: **Delegate V. Clagett**
Introduced and read first time: February 13, 2004
Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Anne Arundel County - Charles Carroll House of Annapolis, Inc. Loan of**
3 **1997**

4 FOR the purpose of amending Chapter 205 of the Acts of the General Assembly of
5 1997 to provide that Charles Carroll House of Annapolis, Inc. must encumber or
6 expend the loan proceeds by a certain date.

7 BY repealing and reenacting, with amendments,
8 Chapter 205 of the Acts of the General Assembly of 1997
9 Section 1

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

12 **Chapter 205 of the Acts of 1997**

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That:

15 (1) The Board of Public Works may borrow money and incur indebtedness on
16 behalf of the State of Maryland through a State loan to be known as the Anne Arundel
17 County - Charles Carroll House of Annapolis, Inc. Loan of 1997 in a total principal
18 amount equal to the lesser of (i) \$200,000 or (ii) the amount of the matching fund
19 provided in accordance with Section 1(5) below. This loan shall be evidenced by the
20 issuance, sale, and delivery of State general obligation bonds authorized by a
21 resolution of the Board of Public Works and issued, sold, and delivered in accordance
22 with §§ 8-117 through 8-124 of the State Finance and Procurement Article and
23 Article 31, § 22 of the Code.

24 (2) The bonds to evidence this loan or installments of this loan may be sold as
25 a single issue or may be consolidated and sold as part of a single issue of bonds under
26 § 8-122 of the State Finance and Procurement Article.

27 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer
28 and first shall be applied to the payment of the expenses of issuing, selling, and
29 delivering the bonds, unless funds for this purpose are otherwise provided, and then

1 shall be credited on the books of the Comptroller and expended, on approval by the
2 Board of Public Works, for the following public purposes, including any applicable
3 architects' and engineers' fees: as a grant to the Charles Carroll House of Annapolis,
4 Inc. (referred to hereafter in this Act as "the grantee") for the continuing planning,
5 design, repair, restoration, and renovation of, and the provision and installation of
6 capital equipment for, the Charles Carroll House, including interior and exterior
7 historic preservation, reconstruction of any missing parts of the house, archaeological
8 excavation, work on the infrastructure, and work on the surrounding land and garden
9 areas.

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

14 (5) Prior to the payment of any funds under the provisions of this Act for the
15 purposes set forth in Section 1(3) above, the grantee shall provide and expend a
16 matching fund. No part of the grantee's matching fund may be provided, either
17 directly or indirectly, from funds of the State, whether appropriated or
18 unappropriated. No part of the fund may consist of real property, in kind
19 contributions, or funds expended prior to the effective date of this Act. In case of any
20 dispute as to the amount of the matching fund or what money or assets may qualify
21 as matching funds, the Board of Public Works shall determine the matter and the
22 Board's decision is final. The grantee has until June 1, 1999, to present evidence
23 satisfactory to the Board of Public Works that a matching fund will be provided. If
24 satisfactory evidence is presented, the Board shall certify this fact and the amount of
25 the matching fund to the State Treasurer, and the proceeds of the loan equal to the
26 amount of the matching fund shall be expended for the purposes provided in this Act.
27 Any amount of the loan in excess of the amount of the matching fund certified by the
28 Board of Public Works shall be canceled and be of no further effect.

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

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

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

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

38 (7) No portion of the proceeds of the loan or any of the matching funds may be
39 used for the furtherance of sectarian religious instruction, or in connection with the
40 design, acquisition, or construction of any building used or to be used as a place of
41 sectarian religious worship or instruction, or in connection with any program or
42 department of divinity for any religious denomination. Upon the request of the Board

1 of Public Works, the grantee shall submit evidence satisfactory to the Board that none
2 of the proceeds of the loan or any matching funds have been or are being used for a
3 purpose prohibited by this Act.

4 (8) THE LOAN PROCEEDS MUST BE EXPENDED OR ENCUMBERED BY JUNE 1,
5 2005.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
7 effect June 1, 2004.