
By: **Anne Arundel County Senators**

Introduced and read first time: February 4, 2005

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Anne Arundel County - Wiley H. Bates High School Loan of 1997**

3 FOR the purpose of amending Chapter 221 of the Acts of 1997, as amended by
4 Chapter 32 of the Acts of 2004 to alter the date by which the loan proceeds be
5 encumbered by the Board of Public Works or expended for certain purposes from
6 June 1, 2005, to June 1, 2006; and generally relating to the Anne Arundel
7 County - Wiley H. Bates High School Loan of 1997.

8 BY repealing and reenacting, with amendments,
9 Chapter 221 of the Acts of the General Assembly of 1997, as amended by
10 Chapter 32 of the Acts of the General Assembly of 2004
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 221 of the Acts of 1997, as amended by Chapter 32 of the Acts of 2004**

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

17 (1) The Board of Public Works may borrow money and incur indebtedness on
18 behalf of the State of Maryland through a State loan to be known as the Anne Arundel
19 County - Wiley H. Bates High School Loan of 1997 in a total principal amount equal
20 to the lesser of (i) \$1,000,000 or (ii) the amount of the matching fund provided in
21 accordance with Section 1(5) below. This loan shall be evidenced by the issuance, sale,
22 and delivery of State general obligation bonds authorized by a resolution of the Board
23 of Public Works and issued, sold, and delivered in accordance with §§ 8-117 through
24 8-124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

25 (2) The bonds to evidence this loan or installments of this loan may be sold as
26 a single issue or may be consolidated and sold as part of a single issue of bonds under
27 § 8-122 of the State Finance and Procurement Article.

28 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer
29 and first shall be applied to the payment of the expenses of issuing, selling, and

1 delivering the bonds, unless funds for this purpose are otherwise provided, and then
2 shall be credited on the books of the Comptroller and expended, on approval by the
3 Board of Public Works, for the following public purposes, including any applicable
4 architects' and engineers' fees: as a grant to the County Executive and County Council
5 of Anne Arundel County (referred to hereafter in this Act as "the grantee") for the
6 repair, renovation, rehabilitation, reconstruction, and capital equipping, including
7 asbestos removal and other improvements to the infrastructure, of the historic Wiley
8 H. Bates High School, located in Annapolis, for use as a senior center, adult day care
9 center, gymnasium, community center, and site for specific newly formed small
10 businesses from within the community.

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, in kind
20 contributions, or funds expended prior to the effective date of this Act. In case of any
21 dispute as to the amount of the matching fund or what money or assets may qualify
22 as matching funds, the Board of Public Works shall determine the matter and the
23 Board's decision is final. The grantee has until June 1, 1999, to present evidence
24 satisfactory to the Board of Public Works that a matching fund will be provided. If
25 satisfactory evidence is presented, the Board shall certify this fact and the amount of
26 the matching fund to the State Treasurer, and the proceeds of the loan equal to the
27 amount of the matching fund shall be expended for the purposes provided in this Act.
28 Any amount of the loan in excess of the amount of the matching fund certified by the
29 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 (7) The proceeds of the loan must be encumbered by the Board of Public Works
40 or expended for the purposes provided in this Act no later than June 1, [2005] 2006.

41 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
42 June 1, 2005.

