
By: **Anne Arundel County Senators**

Introduced and read first time: February 4, 2005

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 7, 2005

CHAPTER _____

1 AN ACT concerning

2 **Anne Arundel County - Wiley H. Bates High School Loan of ~~1997~~ 1998**

3 FOR the purpose of amending Chapter ~~221~~ 224 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~~ 1998 to require the proceeds of the Wiley H. Bates
 7 High School Loan of 1998 to be encumbered by the Board of Public Works or
 8 ~~expended for certain purposes by a certain date~~; and generally relating to the
 9 Anne Arundel County - Wiley H. Bates High School Loan of ~~1997~~ 1998.

10 BY repealing and reenacting, with amendments,
 11 Chapter ~~221~~ 224 of the Acts of the General Assembly of ~~1997~~, as amended by
 12 ~~Chapter 32 of the Acts of the General Assembly of 2004~~ 1998
 13 Section 1

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

16 **~~Chapter 221 of the Acts of 1997, as amended by Chapter 32 of the Acts of 2004~~**
 17 **Chapter 224 of the Acts of 1998**

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 19 MARYLAND, That:

20 (1) The Board of Public Works may borrow money and incur indebtedness on
 21 behalf of the State of Maryland through a State loan to be known as the Anne Arundel
 22 County - Wiley H. Bates High School Loan of ~~1997~~ 1998 in a total principal amount
 23 equal to the lesser of (i) \$1,000,000 or (ii) the amount of the matching fund provided

1 in accordance with Section 1(5) below. This loan shall be evidenced by the issuance,
2 sale, and delivery of State general obligation bonds authorized by a resolution of the
3 Board of Public Works and issued, sold, and delivered in accordance with §§ 8-117
4 through 8-124 of the State Finance and Procurement Article and Article 31, § 22 of
5 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 County Executive and County Council
15 of Anne Arundel County (referred to hereafter in this Act as "the grantee") for the
16 repair, renovation, ~~rehabilitation,~~ reconstruction, construction, and capital equipping,
17 ~~including asbestos removal and other improvements to the infrastructure,~~ of the
18 historic Wiley H. Bates High School, located in Annapolis, for use as a senior center,
19 adult day care center, gymnasium, community center, and site for specific newly
20 formed small businesses from within the community.

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

25 (5) Prior to the payment of any funds under the provisions of this Act for the
26 purposes set forth in Section 1(3) above, the grantee shall provide and expend a
27 matching fund. No part of the grantee's matching fund may be provided, either
28 directly or indirectly, from funds of the State, whether appropriated or
29 unappropriated. No part of the fund may consist of real property, in kind
30 contributions, or funds expended prior to the effective date of this Act. In case of any
31 dispute as to the amount of the matching fund or what money or assets may qualify
32 as matching funds, the Board of Public Works shall determine the matter and the
33 Board's decision is final. The grantee has until June 1, ~~1999~~ 2000, to present evidence
34 satisfactory to the Board of Public Works that a matching fund will be provided. If
35 satisfactory evidence is presented, the Board shall certify this fact and the amount of
36 the matching fund to the State Treasurer, and the proceeds of the loan equal to the
37 amount of the matching fund shall be expended for the purposes provided in this Act.
38 Any amount of the loan in excess of the amount of the matching fund certified by the
39 Board of Public Works shall be canceled and be of no further effect.

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

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

2 and

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

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

7 ~~(7) The proceeds of the loan must be encumbered by the Board of Public Works~~
8 ~~or expended for the purposes provided in this Act no later than June 1, [2005] 2006.~~

9 (7) THE PROCEEDS OF THE LOAN MUST BE ENCUMBERED BY THE BOARD OF
10 PUBLIC WORKS OR EXPENDED FOR THE PURPOSES PROVIDED IN THIS ACT NO LATER
11 THAN JUNE 1, 2006.

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