

(PRE-FILED)

By: **Delegate Levy**

Requested: November 3, 2005

Introduced and read first time: January 11, 2006

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Creation of a State Debt - Charles County - Potomac Heights Housing**
3 **Complex**

4 FOR the purpose of authorizing the creation of a State Debt in the amount of \$50,000,
5 the proceeds to be used as a grant to the Board of Directors of the Potomac
6 Heights Mutual Home Owners' Association, Inc. for certain development or
7 improvement purposes; providing for disbursement of the loan proceeds;
8 requiring the grantee to grant and convey a certain easement to the Maryland
9 Historical Trust; establishing a deadline for the encumbrance or expenditure of
10 the loan proceeds; and providing generally for the issuance and sale of bonds
11 evidencing the loan.

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

14 (1) The Board of Public Works may borrow money and incur indebtedness on
15 behalf of the State of Maryland through a State loan to be known as the Charles
16 County - Potomac Heights Housing Complex Loan of 2006 in the total principal
17 amount of \$50,000. This loan shall be evidenced by the issuance, sale, and delivery of
18 State general obligation bonds authorized by a resolution of the Board of Public
19 Works and issued, sold, and delivered in accordance with §§ 8-117 through 8-124 of
20 the State Finance and Procurement Article and Article 31, § 22 of the Code.

21 (2) The bonds to evidence this loan or installments of this loan may be sold as
22 a single issue or may be consolidated and sold as part of a single issue of bonds under
23 § 8-122 of the State Finance and Procurement Article.

24 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer
25 and first shall be applied to the payment of the expenses of issuing, selling, and
26 delivering the bonds, unless funds for this purpose are otherwise provided, and then
27 shall be credited on the books of the Comptroller and expended, on approval by the
28 Board of Public Works, for the following public purposes, including any applicable
29 architects' and engineers' fees: as a grant to the Board of Directors of the Potomac
30 Heights Mutual Home Owners' Association, Inc. for the planning, design, repair,
31 renovation, reconstruction, and capital equipping of the Potomac Heights housing

1 complex, including installation of a stormwater management system, located in
2 Potomac Heights.

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

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

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

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

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

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

19 (6) The proceeds of the loan must be expended or encumbered by the Board of
20 Public Works for the purposes provided in this Act no later than June 1, 2013. If any
21 funds authorized by this Act remain unexpended or unencumbered after June 1,
22 2013, the amount of the unencumbered or unexpended authorization shall be
23 canceled and be of no further effect. If bonds have been issued for the loan, the
24 amount of unexpended or unencumbered bond proceeds shall be disposed of as
25 provided in § 8-129 of the State Finance and Procurement Article.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 June 1, 2006.