

HOUSE BILL 430

B2

8lr1799
CF SB 48

By: **Delegates V. Clagett, Busch, Beidle, Costa, George, King, Kipke,
McConkey, Schuh, and Sophocleus**

Introduced and read first time: January 28, 2008

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Creation of a State Debt – Anne Arundel County – Galesville Rosenwald**
3 **School**

4 FOR the purpose of authorizing the creation of a State Debt in the amount of
5 \$200,000, the proceeds to be used as a grant to the Board of Directors of the
6 Galesville Community Center Organization, Inc. for certain development or
7 improvement purposes; providing for disbursement of the loan proceeds, subject
8 to a requirement that the grantee provide and expend a matching fund;
9 requiring the grantee to grant and convey a certain easement to the Maryland
10 Historical Trust; establishing a deadline for the encumbrance or expenditure of
11 the loan proceeds; and providing generally for the issuance and sale of bonds
12 evidencing the loan.

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 – Galesville Rosenwald School Loan of 2008 in the total principal amount of
18 \$200,000. This loan shall be evidenced by the issuance, sale, and delivery of State
19 general obligation bonds authorized by a resolution of the Board of Public Works and
20 issued, sold, and delivered in accordance with §§ 8–117 through 8–124 of the State
21 Finance and Procurement Article and Article 31, § 22 of the Code.

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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 Board of Directors of the Galesville
5 Community Center Organization, Inc. (referred to hereafter in this Act as "the
6 grantee") for the renovation of the Galesville Rosenwald School, located in Galesville.

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

11 (5) Prior to the payment of any funds under the provisions of this Act for the
12 purposes set forth in Section 1(3) above, the grantee shall provide and expend a
13 matching fund of \$94,000. No part of the grantee's matching fund may be provided,
14 either directly or indirectly, from funds of the State, whether appropriated or
15 unappropriated. No part of the fund may consist of real property, in kind
16 contributions, or funds expended prior to the effective date of this Act. In case of any
17 dispute as to the amount of the matching fund or what money or assets may qualify as
18 matching funds, the Board of Public Works shall determine the matter and the
19 Board's decision is final. The grantee has until June 1, 2010, to present evidence
20 satisfactory to the Board of Public Works that a matching fund will be provided. If
21 satisfactory evidence is presented, the Board shall certify this fact to the State
22 Treasurer, and the proceeds of the loan shall be expended for the purposes provided in
23 this Act.

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

27 (i) On the land or such portion of the land acceptable to the
28 Trust; and

29 (ii) On the exterior and interior, where appropriate, of the
30 historic structures.

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

33 (c) The easement must be in form and substance acceptable to the
34 Trust and any liens or encumbrances against the land or the structures must be
35 acceptable to the Trust.

36 (7) The proceeds of the loan must be expended or encumbered by the Board
37 of Public Works for the purposes provided in this Act no later than June 1, 2015. If any
38 funds authorized by this Act remain unexpended or unencumbered after June 1, 2015,
39 the amount of the unencumbered or unexpended authorization shall be canceled and
40 be of no further effect. If bonds have been issued for the loan, the amount of

1 unexpended or unencumbered bond proceeds shall be disposed of as provided in
2 § 8–129 of the State Finance and Procurement Article.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 June 1, 2008.