

HOUSE BILL 1366

B4

8lr2783

By: **Delegate Jones**

Introduced and read first time: February 8, 2008

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Prior Authorizations of State Debt to Fund Capital Projects – Alterations**

3 FOR the purpose of amending certain prior Acts of the General Assembly that
4 authorized the creation of State Debt through the issuance, sale, and delivery of
5 general obligation bonds, the proceeds of which were designated for funding
6 certain capital projects; requiring certain loan proceeds to be encumbered by the
7 Board of Public Works or expended for certain purposes by a certain date;
8 altering the names of certain grantees; altering and expanding the authorized
9 uses of certain grants; removing a requirement that a certain grantee provide
10 and expend a certain matching fund; requiring that a certain grantee provide
11 and expend a certain type of matching fund; altering the location of certain
12 capital projects; extending the deadline by which a certain grantee must present
13 evidence to the Board of Public Works that certain matching funds will be
14 provided; making other technical changes; and generally relating to prior
15 authorizations of State Debt by the General Assembly to fund certain capital
16 projects.

17 BY repealing and reenacting, with amendments,
18 Chapter 432 of the Acts of the General Assembly of 2001
19 Section 1

20 BY repealing and reenacting, with amendments,
21 Chapter 673 of the Acts of the General Assembly of 2001
22 Section 1

23 BY repealing and reenacting, with amendments,
24 Chapter 243 of the Acts of the General Assembly of 2001, as amended by
25 Chapter 219 of the Acts of the General Assembly of 2004
26 Section 1

27 BY repealing and reenacting, with amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Chapter 445 of the Acts of the General Assembly of 2005
2 Section 1(3) Item ZA02(Y)

3 BY repealing and reenacting, with amendments,
4 Chapter 46 of the Acts of the General Assembly of 2006
5 Section 1(3) Item ZA01(K) and (BW)

6 BY repealing and reenacting, with amendments,
7 Chapter 488 of the Acts of the General Assembly of 2007
8 Section 1(3) Item KA05(A)(4), ZA00(B), ZA01(Z), and ZA02(BI) and (BO)

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

11 **Chapter 432 of the Acts of 2001**

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 Anne Arundel
16 County – Historic London Town Visitors Center and Museum Loan of 2001 in a total
17 principal amount equal to the lesser of (i) \$200,000 or (ii) the amount of the matching
18 fund provided in accordance with Section 1(5) below. This loan shall be evidenced by
19 the issuance, sale, and delivery of State general obligation bonds authorized by a
20 resolution of the Board of Public Works and issued, sold, and delivered in accordance
21 with §§ 8–117 through 8–124 of the State Finance and Procurement Article and
22 Article 31, § 22 of the Code.

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

26 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer
27 and first shall be applied to the payment of the expenses of issuing, selling, and
28 delivering the bonds, unless funds for this purpose are otherwise provided, and then
29 shall be credited on the books of the Comptroller and expended, on approval by the
30 Board of Public Works, for the following public purposes, including any applicable
31 architects' and engineers' fees: as a grant to the Board of Directors of The London
32 Town Foundation, Inc. (referred to hereafter in this Act as "the grantee") for the
33 planning, design, construction, and capital equipping of a visitors center and museum
34 at Historic London Town and Gardens at 839 Londontown Road in Edgewater,
35 Maryland.

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

1 (5) Prior to the payment of any funds under the provisions of this Act for the
2 purposes set forth in Section 1(3) above, the grantee shall provide and expend a
3 matching fund. No part of the grantee's matching fund may be provided, either
4 directly or indirectly, from funds of the State, whether appropriated or
5 unappropriated. The fund may consist of in kind contributions. No part of the fund
6 may consist of real property or funds expended prior to the effective date of this Act. In
7 case of any dispute as to the amount of the matching fund or what money or assets
8 may qualify as matching funds, the Board of Public Works shall determine the matter
9 and the Board's decision is final. The grantee has until June 1, 2003, to present
10 evidence satisfactory to the Board of Public Works that a matching fund will be
11 provided. If satisfactory evidence is presented, the Board shall certify this fact and the
12 amount of the matching fund to the State Treasurer, and the proceeds of the loan
13 equal to the amount of the matching fund shall be expended for the purposes provided
14 in this Act. Any amount of the loan in excess of the amount of the matching fund
15 certified by the Board of Public Works shall be canceled and be of no further effect.

16 **(6) THE PROCEEDS OF THE LOAN MUST BE EXPENDED OR**
17 **ENCUMBERED BY THE BOARD OF PUBLIC WORKS FOR THE PURPOSES**
18 **PROVIDED IN THIS ACT NO LATER THAN JUNE 1, 2010. IF ANY FUNDS**
19 **AUTHORIZED BY THIS ACT REMAIN UNEXPENDED OR UNENCUMBERED AFTER**
20 **JUNE 1, 2010, THE AMOUNT OF THE UNENCUMBERED OR UNEXPENDED**
21 **AUTHORIZATION SHALL BE CANCELED AND BE OF NO FURTHER EFFECT. IF**
22 **BONDS HAVE BEEN ISSUED FOR THE LOAN, THE AMOUNT OF UNEXPENDED OR**
23 **UNENCUMBERED BOND PROCEEDS SHALL BE DISPOSED OF AS PROVIDED IN §**
24 **8-129 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

25 **Chapter 673 of the Acts of 2001**

26 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
27 MARYLAND, That:

28 (1) The Board of Public Works may borrow money and incur indebtedness on
29 behalf of the State of Maryland through a State loan to be known as the Calvert
30 County – The Boys and Girls Clubs of Southern Maryland Loan of 2001 in a total
31 principal amount equal to the lesser of (i) \$100,000 or (ii) the amount of the matching
32 fund provided in accordance with Section 1(5) below. This loan shall be evidenced by
33 the issuance, sale, and delivery of State general obligation bonds authorized by a
34 resolution of the Board of Public Works and issued, sold, and delivered in accordance
35 with §§ 8-117 through 8-124 of the State Finance and Procurement Article and
36 Article 31, § 22 of the Code.

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

1 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer
2 and first shall be applied to the payment of the expenses of issuing, selling, and
3 delivering the bonds, unless funds for this purpose are otherwise provided, and then
4 shall be credited on the books of the Comptroller and expended, on approval by the
5 Board of Public Works, for the following public purposes, including any applicable
6 architects' and engineers' fees: as a grant to the Board of Directors of The Boys and
7 Girls Clubs of Southern Maryland, Inc. (referred to hereafter in this Act as "the
8 grantee") for the planning, design, construction, reconstruction, and capital equipping
9 of a building in Calvert County to house a Boys and Girls Club.

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 as
21 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, 2003, 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) THE PROCEEDS OF THE LOAN MUST BE EXPENDED OR**
30 **ENCUMBERED BY THE BOARD OF PUBLIC WORKS FOR THE PURPOSES**
31 **PROVIDED IN THIS ACT NO LATER THAN JUNE 1, 2010. IF ANY FUNDS**
32 **AUTHORIZED BY THIS ACT REMAIN UNEXPENDED OR UNENCUMBERED AFTER**
33 **JUNE 1, 2010, THE AMOUNT OF THE UNENCUMBERED OR UNEXPENDED**
34 **AUTHORIZATION SHALL BE CANCELED AND BE OF NO FURTHER EFFECT. IF**
35 **BONDS HAVE BEEN ISSUED FOR THE LOAN, THE AMOUNT OF UNEXPENDED OR**
36 **UNENCUMBERED BOND PROCEEDS SHALL BE DISPOSED OF AS PROVIDED IN §**
37 **8-129 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

38 **Chapter 243 of the Acts of 2001, as amended by Chapter 219 of the Acts of**
39 **2004**

40 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
41 MARYLAND, That:

1 (1) The Board of Public Works may borrow money and incur indebtedness on
2 behalf of the State of Maryland through a State loan to be known as the Kent County
3 – Echo Hill Outdoor School Improvements Loan of 2001 in the total principal amount
4 of \$300,000. This loan shall be evidenced by the issuance, sale, and delivery of State
5 general obligation bonds authorized by a resolution of the Board of Public Works and
6 issued, sold, and delivered in accordance with §§ 8–117 through 8–124 of the State
7 Finance and Procurement Article and Article 31, § 22 of the Code.

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

11 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer
12 and first shall be applied to the payment of the expenses of issuing, selling, and
13 delivering the bonds, unless funds for this purpose are otherwise provided, and then
14 shall be credited on the books of the Comptroller and expended, on approval by the
15 Board of Public Works, for the following public purposes, including any applicable
16 architects' and engineers' fees: as a grant to the Board of Directors of Echo Hill
17 Outdoor School, Inc. (referred to hereafter in this Act as "the grantee") for the
18 construction and capital equipping of an addition to Harris Hall, construction and
19 capital equipping of an agricultural demonstration area including a barn, renovation
20 of staff housing facilities, and renovation of nature preserve facilities.

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 of \$161,000. No part of the grantee's matching fund may be provided,
28 either directly or indirectly, from funds of the State, whether appropriated or
29 unappropriated. The fund may consist of real property, in kind contributions or funds
30 expended prior to the effective date of this Act. In case of any dispute as to the amount
31 of the matching fund or what money or assets may qualify as matching funds, the
32 Board of Public Works shall determine the matter and the Board's decision is final.
33 The grantee has until June 1, 2003, to present evidence satisfactory to the Board of
34 Public Works that a matching fund will be provided. If satisfactory evidence is
35 presented, the Board shall certify this fact to the State Treasurer, and the proceeds of
36 the loan shall be expended for the purposes provided in this Act.

37 **(6) THE PROCEEDS OF THE LOAN MUST BE ENCUMBERED BY THE**
38 **BOARD OF PUBLIC WORKS OR EXPENDED FOR THE PURPOSES PROVIDED FOR**
39 **IN THIS ACT NO LATER THAN JUNE 1, 2010.**

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

3 (3) ZA02 LOCAL SENATE INITIATIVES

4 (Y) Waxter Center for Senior Citizens. Provide a grant equal to
5 the lesser of (i) \$100,000 or (ii) the amount of the matching
6 fund provided, to the Mayor and City Council of the City of
7 Baltimore for the repair, renovation, reconstruction, [and]
8 capital equipping, **AND NEW CONSTRUCTION** of the Waxter
9 Center for Senior Citizens, located in Baltimore City.
10 Notwithstanding Section 1(5) of this Act, the matching fund
11 may consist of funds expended prior to the effective date of
12 this Act (Baltimore City) 100,000

13 **Chapter 46 of the Acts of 2006**

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

16 (3) ZA01 LOCAL SENATE INITIATIVES

17 (K) Waxter Center for Senior Citizens. Provide a grant equal to
18 the lesser of (i) \$250,000 or (ii) the amount of the matching
19 fund provided, to the Mayor and City Council of the City of
20 Baltimore for the repair, renovation, reconstruction, [and]
21 capital equipping, **AND NEW CONSTRUCTION** of the Waxter
22 Center for Senior Citizens, located in Baltimore City.
23 Notwithstanding Section 1(5) of this Act, the matching fund
24 may consist of funds expended prior to the effective date of
25 this Act (Baltimore City) 250,000

26 (BW) Historic Laurel Mill Ruins. Provide a grant of \$50,000 to [the
27 Patuxent River Commission and] the Mayor and City Council
28 of the City of Laurel for the repair, stabilization, and
29 reconstruction of the Historic Laurel Mill Ruins, located in
30 Laurel (Prince George’s County) 50,000

31 **Chapter 488 of the Acts of 2007**

32 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
33 MARYLAND, That:

34 (3) KA05 CAPITAL GRANTS AND LOANS ADMINISTRATION

35 (A) Community Parks and Playgrounds. Provide funds for grants

1 to local governments to design and construct eligible projects
2 (Statewide). Further provided that \$2,000,000 of this
3 appropriation may only be used to provide grants for the
4 following projects:

5 (4) Woodstock Equestrian Park. Provide a grant equal to
6 the lesser of (i) \$250,000 or (ii) the amount of the
7 matching fund provided, to the [Board of Trustees of
8 the Montgomery County Parks Foundation, Inc.]
9 **MARYLAND-NATIONAL CAPITAL PARK AND**
10 **PLANNING COMMISSION** for the planning, design,
11 construction, and capital equipping of a public
12 equestrian park, located in Beallsville, subject to a
13 requirement that the grantee grant and convey a
14 historic easement to the Maryland Historical Trust
15 (Montgomery County).

16 ZA00 MISCELLANEOUS GRANT PROGRAMS

17 (B) Comprehensive Housing Assistance, Inc. Provide a grant to
18 THE ASSOCIATED: Jewish Community Federation of
19 Baltimore for the design, construction, and capital equipping
20 of a community development building in the Park Heights
21 Avenue neighborhood near their existing campus, AND
22 **COMMUNITY DEVELOPMENT OFFICE SPACE AT THE SITE**
23 **OF THE ASSOCIATED'S JEWISH COMMUNITY CENTER**
24 **CAMPUS IN OWINGS MILLS**, subject to the requirement that
25 the grantee provide an equal and matching fund for [this
26 purpose] **THESE PURPOSES** (Baltimore City AND
27 **BALTIMORE COUNTY**) 2,500,000

28 ZA01 LOCAL HOUSE INITIATIVES

29 (Z) Northeast Skate Park. Provide a grant equal to the lesser
30 of (i) \$100,000 or (ii) the amount of the matching fund
31 provided, to the County Executive and County Council of
32 Baltimore County for the planning, design, construction,
33 and capital equipping of a regional skate park, located in
34 [Overlea] **NORTHEAST BALTIMORE COUNTY** (Baltimore
35 County) 100,000

36 ZA02 LOCAL SENATE INITIATIVES

37 (BI) Woodstock Equestrian Park. Provide a grant equal to the
38 lesser of (i) \$250,000 or (ii) the amount of the matching fund
39 provided, to the [Board of Trustees of the Montgomery County

1	Parks Foundation, Inc.] MARYLAND-NATIONAL CAPITAL	
2	PARK AND PLANNING COMMISSION for the planning,	
3	design, construction, and capital equipping of a public	
4	equestrian park, located in Beallsville, subject to a	
5	requirement that the grantee grant and convey a historic	
6	easement to the Maryland Historical Trust (Montgomery	
7	County)	250,000
8	(BO) Historic Laurel Mill Ruins. Provide a grant of \$100,000, to	
9	[the Patuxent River Commission and] the Mayor and City	
10	Council of the City of Laurel for the repair, stabilization, and	
11	reconstruction of the Historic Laurel Mill Ruins, located in	
12	Laurel (Prince George's County)	100,000

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