

SENATE BILL 153

B2
SB 450/07 – B&T

8lr1410
CF 8lr1387

By: **Senator Colburn**

Introduced and read first time: January 18, 2008

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Creation of a State Debt – Dorchester County – Galestown Community**
3 **Center**

4 FOR the purpose of authorizing the creation of a State Debt in the amount of
5 \$150,000, the proceeds to be used as a grant to the Commissioners of Galestown
6 for certain development or improvement purposes; providing for disbursement
7 of the loan proceeds, subject to a requirement that the grantee provide and
8 expend a matching fund; requiring the grantee to grant and convey a certain
9 easement to the Maryland Historical Trust; establishing a deadline for the
10 encumbrance or expenditure of the loan proceeds; and providing generally for
11 the issuance and sale of bonds 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 Dorchester
16 County – Galestown Community Center Loan of 2008 in the total principal amount of
17 \$150,000. This loan shall be evidenced by the issuance, sale, and delivery of State
18 general obligation bonds authorized by a resolution of the Board of Public Works and
19 issued, sold, and delivered in accordance with §§ 8–117 through 8–124 of the State
20 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
22 as a single issue or may be consolidated and sold as part of a single issue of bonds
23 under § 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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Board of Public Works, for the following public purposes, including any applicable
2 architects' and engineers' fees: as a grant to the Commissioners of Galestown (referred
3 to hereafter in this Act as "the grantee") for the repair, renovation, and construction of
4 the Galestown Community Center, located in Galestown.

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

9 (5) Prior to the payment of any funds under the provisions of this Act for the
10 purposes set forth in Section 1(3) above, the grantee shall provide and expend a
11 matching fund of \$37,500. No part of the grantee's matching fund may be provided,
12 either directly or indirectly, from funds of the State, whether appropriated or
13 unappropriated. No part of the fund may consist of real property. The fund may
14 consist of in kind contributions or funds expended prior to the effective date of this
15 Act. In case of any dispute as to the amount of the matching fund or what money or
16 assets may qualify as matching funds, the Board of Public Works shall determine the
17 matter and the Board's decision is final. The grantee has until June 1, 2010, to present
18 evidence satisfactory to the Board of Public Works that a matching fund will be
19 provided. If satisfactory evidence is presented, the Board shall certify this fact to the
20 State Treasurer, and the proceeds of the loan shall be expended for the purposes
21 provided in this Act.

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

25 (i) On the land or such portion of the land acceptable to the
26 Trust; and

27 (ii) On the exterior and interior, where appropriate, of the
28 historic structures.

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

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

34 (7) The proceeds of the loan must be expended or encumbered by the Board
35 of Public Works for the purposes provided in this Act no later than June 1, 2015. If any
36 funds authorized by this Act remain unexpended or unencumbered after June 1, 2015,
37 the amount of the unencumbered or unexpended authorization shall be canceled and
38 be of no further effect. If bonds have been issued for the loan, the amount of
39 unexpended or unencumbered bond proceeds shall be disposed of as provided in §
40 8-129 of the State Finance and Procurement Article.

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