

# HOUSE BILL 516

B2

9lr2831  
CF SB 488

---

By: **Delegates Robinson, Conaway, and Tarrant**

Introduced and read first time: February 5, 2009

Assigned to: Appropriations

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Creation of a State Debt – Baltimore City – Greenmount West Community**  
3 **Resource Center**

4 FOR the purpose of authorizing the creation of a State Debt not to exceed \$600,000,  
5 the proceeds to be used as a grant to the Board of Directors of The “New”  
6 Greenmount West Community Association 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 Baltimore  
17 City – Greenmount West Community Resource Center Loan of 2009 in a total  
18 principal amount equal to the lesser of (i) \$600,000 or (ii) the amount of the matching  
19 fund provided in accordance with Section 1(5) below. This loan shall be evidenced by  
20 the issuance, sale, and delivery of State general obligation bonds authorized by a  
21 resolution of the Board of Public Works and issued, sold, and delivered in accordance  
22 with §§ 8–117 through 8–124 of the State Finance and Procurement Article and  
23 Article 31, § 22 of the Code.

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

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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 "New"  
7 Greenmount West Community Association (referred to hereafter in this Act as "the  
8 grantee") for the acquisition, design, construction, repair, and renovation of the  
9 Greenmount West Community Resource Center, located in Baltimore City.

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 funds expended prior to the  
19 effective date of this Act. The fund may consist of real property or in kind  
20 contributions. In case of any dispute as to the amount of the matching fund or what  
21 money or assets may qualify as matching funds, the Board of Public Works shall  
22 determine the matter and the Board's decision is final. The grantee has until June 1,  
23 2011, to present evidence satisfactory to the Board of Public Works that a matching  
24 fund will be provided. If satisfactory evidence is presented, the Board shall certify this  
25 fact and the amount of the matching fund to the State Treasurer, and the proceeds of  
26 the loan equal to the amount of the matching fund shall be expended for the purposes  
27 provided in this Act. Any amount of the loan in excess of the amount of the matching  
28 fund certified by the Board of Public Works shall be canceled and be of no further  
29 effect.

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

33                           (i)     On the land or such portion of the land acceptable to the  
34 Trust; and

35                           (ii)    On the exterior and interior, where appropriate, of the  
36 historic structures.

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

39                   (c)     The easement must be in form and substance acceptable to the  
40 Trust and any liens or encumbrances against the land or the structures must be  
41 acceptable to the Trust.

1           (7)    The proceeds of the loan must be expended or encumbered by the Board  
2 of Public Works for the purposes provided in this Act no later than June 1, 2016. If any  
3 funds authorized by this Act remain unexpended or unencumbered after June 1, 2016,  
4 the amount of the unencumbered or unexpended authorization shall be canceled and  
5 be of no further effect. If bonds have been issued for the loan, the amount of  
6 unexpended or unencumbered bond proceeds shall be disposed of as provided in  
7 § 8-129 of the State Finance and Procurement Article.

8           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
9 June 1, 2009.