

HOUSE BILL 914

L2

7lr2224
CF SB 735

By: **St. Mary's County Delegation**

Introduced and read first time: February 6, 2017

Assigned to: Environment and Transportation

Committee Report: Favorable

House action: Adopted

Read second time: March 14, 2017

CHAPTER _____

1 AN ACT concerning

2 **St. Mary's County – Metropolitan Commission – Authority to Borrow Money**

3 FOR the purpose of requiring the Board of County Commissioners of St. Mary's County,
4 when the St. Mary's County Metropolitan Commission plans to borrow any money,
5 to review and approve any loan application before the Commission submits the loan
6 application to a lender; and generally relating to the authority to borrow money of
7 the St. Mary's County Metropolitan Commission.

8 BY repealing and reenacting, with amendments,
9 The Public Local Laws of St. Mary's County
10 Section 113–2
11 Article 19 – Public Local Laws of Maryland
12 (2007 Edition and October 2014 Supplement, as amended)

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

15 **Article 19 – St. Mary's County**

16 113–2.

17 A. The members of the Commission are a body politic and corporate, by the name
18 of the “St. Mary's County Metropolitan Commission” (referred to elsewhere in this chapter
19 as the “Commission”), with the right to use a common seal, to sue and be sued and to do
20 any and all other corporate acts for the purpose of carrying out the provisions of this

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 chapter, including, without limiting the generality of the foregoing, the right and power to
2 make and enter into all contracts or agreements as the Commission determines with the
3 Federal government, the State of Maryland or any agency or instrumentality of either
4 thereof or with any municipal corporation, county, private corporation, copartnership,
5 association or individual, on terms and conditions which the Commission approves, relating
6 to the performance of the Commission's duties, the execution of its rights and powers, the
7 use by the Federal government, the State government or any Federal or State agency,
8 municipal corporation, county or private entity or individual of any water supply or
9 sewerage system constructed or acquired by the Commission under this chapter or the
10 services therefrom or the facilities thereof or the use by the Commission of any water supply
11 or sewerage systems owned or operated other than by the Commission.

12 B. Whenever it is deemed necessary by the Commission to take or acquire any
13 land, structure or buildings, or any streambed, waterway, water rights or watershed, either
14 in fee or as an easement, within or outside of St. Mary's County, for the construction,
15 extension or maintenance of any water main, sewer or appurtenance thereof, or any sewage
16 treatment plant, reservoir, water treatment plant, storage tank or pumping station, or for
17 the execution by the Commission of any other power or function vested in it by this chapter,
18 the Commission may purchase it from the owners or, failing to agree with the owner or
19 owners thereof, may condemn it by proceedings in the Circuit Court for the county in which
20 the land, structures or buildings, streambed, waterway, water rights or watershed is
21 located, as are provided for condemnation of land by public service corporations in the
22 Public General Laws of Maryland. The Commission may likewise condemn the interest of
23 any tenant, lessee or other person having any right or interest in the land, structures or
24 buildings, streambed, waterway, water rights or watershed. At any time after ten (10) days
25 after the return and recordation of the verdict or award in the proceedings, the Commission
26 may enter and take possession of the property so condemned, upon first paying to the Clerk
27 of the Court the amount of the award and all costs taxed to that date, notwithstanding any
28 appeal or further proceedings upon the part of the defendant. At the time of payment,
29 however, the Commission shall give its corporate undertaking to abide by and fulfill any
30 judgment in such appeal or further proceedings.

31 **C. WHEN THE COMMISSION PLANS TO BORROW ANY MONEY, THE BOARD**
32 **OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY SHALL REVIEW AND APPROVE**
33 **ANY LOAN APPLICATION BEFORE THE COMMISSION SUBMITS THE LOAN**
34 **APPLICATION TO A LENDER.**

35 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
36 October 1, 2017.