

# SENATE BILL 735

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7lr2226  
CF HB 914

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By: **Senator Waugh**

Introduced and read first time: February 3, 2017

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 8, 2017

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## 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; authorizing the Board to direct certain repayment of loans  
7 under certain circumstances; and generally relating to the authority to borrow  
8 money of the St. Mary's County Metropolitan Commission.

9 BY repealing and reenacting, with amendments,  
10 The Public Local Laws of St. Mary's County  
11 Section 113–2  
12 Article 19 – Public Local Laws of Maryland  
13 (2007 Edition and October 2014 Supplement, as amended)

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

16 **Article 19 – St. Mary's County**

17 113–2.

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

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

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

32 C. **(1) WHEN THE COMMISSION PLANS TO BORROW ANY MONEY, THE**  
33 **BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY SHALL REVIEW AND**  
34 **APPROVE ANY LOAN APPLICATION BEFORE THE COMMISSION SUBMITS THE LOAN**  
35 **APPLICATION TO A LENDER.**

36 **(2) IF THE COMMISSION HAS NOT EFFECTIVELY OBLIGATED THE**  
37 **MONEY IN A TIMELY MANNER, THE BOARD OF COUNTY COMMISSIONERS OF ST.**  
38 **MARY'S COUNTY MAY DIRECT PARTIAL OR COMPLETE REPAYMENT OF LOANS.**

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