

# HOUSE BILL 914

L2

7lr2224  
CF SB 735

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

Introduced and read first time: February 6, 2017

Assigned to: Environment and Transportation

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## A BILL ENTITLED

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  
21 chapter, including, without limiting the generality of the foregoing, the right and power to  
22 make and enter into all contracts or agreements as the Commission determines with the  
23 Federal government, the State of Maryland or any agency or instrumentality of either  
24 thereof or with any municipal corporation, county, private corporation, copartnership,  
25 association or individual, on terms and conditions which the Commission approves, relating  
26 to the performance of the Commission's duties, the execution of its rights and powers, the

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 use by the Federal government, the State government or any Federal or State agency,  
2 municipal corporation, county or private entity or individual of any water supply or  
3 sewerage system constructed or acquired by the Commission under this chapter or the  
4 services therefrom or the facilities thereof or the use by the Commission of any water supply  
5 or sewerage systems owned or operated other than by the Commission.

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

25 **C. WHEN THE COMMISSION PLANS TO BORROW ANY MONEY, THE BOARD**  
26 **OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY SHALL REVIEW AND APPROVE**  
27 **ANY LOAN APPLICATION BEFORE THE COMMISSION SUBMITS THE LOAN**  
28 **APPLICATION TO A LENDER.**

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