

BY repealing and reenacting, with amendments,

Article 78A - Public Works
Section 2
Annotated Code of Maryland
(1975 Replacement Volume and 1979 Supplement)

Preamble

WHEREAS, By the final passage of House Bill No. 712 on April 8, 1979 (later signed into law as Chapter 207 of the Laws of Maryland of 1979) the General Assembly amended Section 2 of Article 78A of the Annotated Code of Maryland, which had provided that moneys derived from the sale of State construction bonds shall be used only for capital improvements, to provide that moneys derived from the sale of bonds authorized by general obligation loan enabling acts shall be used only for capital improvements; and

WHEREAS, The intention of the General Assembly was only to make the language in Section 2 consistent with the language used in the amendments to Section 3 of Article 78A and the addition of Section 3A of Article 78A; and

WHEREAS, The General Assembly was aware of the principle that a general obligation loan enabling act which specifically authorized the issuance and sale of bonds, the proceeds of which could be used for purposes other than capital improvements, would take precedence over the language in Section 2 of Article 78A; and

WHEREAS, The General Assembly is nevertheless concerned about the appearance in Section 2 of Article 78A, a public general law, of a limitation on the use of bond proceeds for purposes other than capital improvements; and

WHEREAS, The General Assembly desires to make explicit its intention that the amendment to Section 2 by Chapter 207 not be construed to preclude the use of bond proceeds for noncapital improvements if the general obligation loan enabling act specifically authorizes such use; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article 78A - Public Works

2.

[Moneys] EXCEPT AS OTHERWISE SPECIFICALLY PROVIDED IN A GENERAL OBLIGATION LOAN ENABLING ACT, MONEYS derived from the sale of bonds authorized by a general obligation loan enabling act shall be used only for capital improvements and