

# SENATE BILL 621

B2

5lr1851

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By: **Senator Currie**

Introduced and read first time: February 6, 2015

Assigned to: Budget and Taxation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Creation of a State Debt – Prince George’s County – Mt. Calvary Softball Field**

3 FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the  
4 proceeds to be used as a grant to the Board of Directors of the Bishop McNamara  
5 High School, Inc. for certain development or improvement purposes; providing for  
6 disbursement of the loan proceeds, subject to a requirement that the grantee provide  
7 and expend a matching fund; prohibiting the use of the loan proceeds or matching  
8 fund for sectarian religious purposes; establishing a deadline for the encumbrance  
9 or expenditure of the loan proceeds; and providing generally for the issuance and  
10 sale of bonds evidencing the loan.

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
12 That:

13 (1) The Board of Public Works may borrow money and incur indebtedness on  
14 behalf of the State of Maryland through a State loan to be known as the Prince George’s  
15 County – Mt. Calvary Softball Field Loan of 2015 in a total principal amount equal to the  
16 lesser of (i) \$150,000 or (ii) the amount of the matching fund provided in accordance with  
17 Section 1(5) below. This loan shall be evidenced by the issuance, sale, and delivery of State  
18 general obligation bonds authorized by a resolution of the Board of Public Works and  
19 issued, sold, and delivered in accordance with §§ 8–117 through 8–124 and 8–131.2 of the  
20 State Finance and Procurement Article.

21 (2) The bonds to evidence this loan or installments of this loan may be sold as a  
22 single issue or may be consolidated and sold as part of a single issue of bonds under §  
23 8–122 of the State Finance and Procurement Article.

24 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and  
25 first shall be applied to the payment of the expenses of issuing, selling, and delivering the  
26 bonds, unless funds for this purpose are otherwise provided, and then shall be credited on  
27 the books of the Comptroller and expended, on approval by the Board of Public Works, for

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 the following public purposes, including any applicable architects' and engineers' fees: as a  
2 grant to the Board of Directors of the Bishop McNamara High School, Inc. (referred to  
3 hereafter in this Act as "the grantee") for the acquisition, planning, design, construction,  
4 repair, renovation, reconstruction, and capital equipping of the Mt. Calvary Softball Field  
5 project, including field reseeding and sodding, landscaping, site improvements, the  
6 installation of fencing, and the construction of other sports-related facilities, located in  
7 Prince George's County.

8 (4) An annual State tax is imposed on all assessable property in the State in rate  
9 and amount sufficient to pay the principal of and interest on the bonds, as and when due  
10 and until paid in full. The principal shall be discharged within 15 years after the date of  
11 issuance of the bonds.

12 (5) Prior to the payment of any funds under the provisions of this Act for the  
13 purposes set forth in Section 1(3) above, the grantee shall provide and expend a matching  
14 fund. No part of the grantee's matching fund may be provided, either directly or indirectly,  
15 from funds of the State, whether appropriated or unappropriated. The fund may consist of  
16 real property, in kind contributions, or funds expended prior to the effective date of this  
17 Act. In case of any dispute as to the amount of the matching fund or what money or assets  
18 may qualify as matching funds, the Board of Public Works shall determine the matter and  
19 the Board's decision is final. The grantee has until June 1, 2017, to present evidence  
20 satisfactory to the Board of Public Works that a matching fund will be provided. If  
21 satisfactory evidence is presented, the Board shall certify this fact and the amount of the  
22 matching fund to the State Treasurer, and the proceeds of the loan equal to the amount of  
23 the matching fund shall be expended for the purposes provided in this Act. Any amount of  
24 the loan in excess of the amount of the matching fund certified by the Board of Public Works  
25 shall be canceled and be of no further effect.

26 (6) No portion of the proceeds of the loan or any of the matching funds may be  
27 used for the furtherance of sectarian religious instruction, or in connection with the  
28 acquisition, planning, design, construction, repair, renovation, reconstruction, or capital  
29 equipping of any building or facility used or to be used as a place of sectarian religious  
30 worship or instruction, or in connection with any program or department of divinity for any  
31 religious denomination. Upon the request of the Board of Public Works, the grantee shall  
32 submit evidence satisfactory to the Board that none of the proceeds of the loan or any  
33 matching funds have been or are being used for a purpose prohibited by this Act.

34 (7) The proceeds of the loan must be expended or encumbered by the Board of  
35 Public Works for the purposes provided in this Act no later than June 1, 2022. If any funds  
36 authorized by this Act remain unexpended or unencumbered after June 1, 2022, the  
37 amount of the unencumbered or unexpended authorization shall be canceled and be of no  
38 further effect. If bonds have been issued for the loan, the amount of unexpended or  
39 unencumbered bond proceeds shall be disposed of as provided in § 8-129 of the State  
40 Finance and Procurement Article.

41 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June  
42 1, 2015.