

SENATE BILL 197

B2

6lr1888

By: **Senators Nathan–Pulliam, Conway, Ferguson, Kelley, McFadden, and Pugh**
Introduced and read first time: January 20, 2016
Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Creation of a State Debt – Baltimore City – Community Empowerment and**
3 **Wellness Center**

4 FOR the purpose of authorizing the creation of a State Debt in the amount of \$500,000, the
5 proceeds to be used as a grant to the Board of Directors of the Bethel Outreach
6 Center, Inc. for certain development or improvement purposes; providing for
7 disbursement of the loan proceeds, subject to a requirement that the grantee provide
8 and expend a matching fund; prohibiting the use of the loan proceeds or matching
9 fund for sectarian religious purposes; establishing a deadline for the encumbrance
10 or expenditure of the loan proceeds; and providing generally for the issuance and
11 sale of bonds evidencing the loan.

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

14 (1) The Board of Public Works may borrow money and incur indebtedness on
15 behalf of the State of Maryland through a State loan to be known as the Baltimore
16 City – Community Empowerment and Wellness Center Loan of 2016 in the total principal
17 amount of \$500,000. 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

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 Bethel Outreach Center, Inc. (referred to hereafter in
3 this Act as "the grantee") for the acquisition, planning, design, construction, repair,
4 renovation, reconstruction, and capital equipping of the Community Empowerment and
5 Wellness Center, located in Baltimore City.

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

10 (5) Prior to the payment of any funds under the provisions of this Act for the
11 purposes set forth in Section 1(3) above, the grantee shall provide and expend a matching
12 fund of \$300,000. No part of the grantee's matching fund may be provided, either directly
13 or indirectly, from funds of the State, whether appropriated or unappropriated. No part of
14 the fund may consist of funds expended prior to the effective date of this Act. The fund may
15 consist of real property or in kind contributions. In case of any dispute as to the amount of
16 the matching fund or what money or assets may qualify as matching funds, the Board of
17 Public Works shall determine the matter and the Board's decision is final. The grantee has
18 until June 1, 2018, to present evidence satisfactory to the Board of Public Works that a
19 matching fund will be provided. If satisfactory evidence is presented, the Board shall certify
20 this fact to the State Treasurer, and the proceeds of the loan shall be expended for the
21 purposes provided in this Act.

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

30 (7) The proceeds of the loan must be expended or encumbered by the Board of
31 Public Works for the purposes provided in this Act no later than June 1, 2023. If any funds
32 authorized by this Act remain unexpended or unencumbered after June 1, 2023, the
33 amount of the unencumbered or unexpended authorization shall be canceled and be of no
34 further effect. If bonds have been issued for the loan, the amount of unexpended or
35 unencumbered bond proceeds shall be disposed of as provided in § 8-129 of the State
36 Finance and Procurement Article.

37 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
38 1, 2016.