## HOUSE BILL 567

B2

7lr1912 CF SB 115

By: **Delegates Saab, Malone, and McConkey** Introduced and read first time: January 30, 2017 Assigned to: Appropriations

## A BILL ENTITLED

1 AN ACT concerning

## Creation of a State Debt – Anne Arundel County – Cape St. Claire Beach Replenishment

FOR the purpose of authorizing the creation of a State Debt not to exceed \$750,000, the
proceeds to be used as a grant to the Board of Governors of the Cape St. Claire
Improvement Association, Inc. for certain development or improvement purposes;
providing for disbursement of the loan proceeds, subject to a requirement that the
grantee provide and expend a matching fund; establishing a deadline for the
encumbrance or expenditure of the loan proceeds; and providing generally for the
issuance and sale of bonds evidencing the loan.

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

13The Board of Public Works may borrow money and incur indebtedness on (1)behalf of the State of Maryland through a State loan to be known as the Anne Arundel 14 15County – Cape St. Claire Beach Replenishment Loan of 2017 in a total principal amount equal to the lesser of (i) \$750,000 or (ii) the amount of the matching fund provided in 1617accordance with Section 1(5) below. This loan shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public 18Works and issued, sold, and delivered in accordance with §§ 8-117 through 8-124 and 19 208-131.2 of the State Finance and Procurement Article.

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

(3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and first shall be applied to the payment of the expenses of issuing, selling, and delivering the bonds, unless funds for this purpose are otherwise provided, and then shall be credited on 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.



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1 the following public purposes, including any applicable architects' and engineers' fees: as a  $\mathbf{2}$ grant to the Board of Governors of the Cape St. Claire Improvement Association, Inc. 3 (referred to hereafter in this Act as "the grantee") for the acquisition, planning, design, 4 construction, repair, renovation, reconstruction, site improvement, and capital equipping  $\mathbf{5}$ of the Cape St. Claire Beaches, located in Anne Arundel County.

6 (4)An annual State tax is imposed on all assessable property in the State in rate 7and 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 12fund. No part of the grantee's matching fund may be provided, either directly or indirectly, 13from funds of the State, whether appropriated or unappropriated. No part of the fund may 14consist of real property, in kind contributions, or funds expended prior to the effective date 15of this Act. In case of any dispute as to the amount of the matching fund or what money or 16 assets may qualify as matching funds, the Board of Public Works shall determine the 17matter and the Board's decision is final. The grantee has until June 1, 2019, to present 18 evidence satisfactory to the Board of Public Works that a matching fund will be provided. 19 If satisfactory evidence is presented, the Board shall certify this fact and the amount of the 20matching fund to the State Treasurer, and the proceeds of the loan equal to the amount of 21the matching fund shall be expended for the purposes provided in this Act. Any amount of 22the loan in excess of the amount of the matching fund certified by the Board of Public Works 23shall be canceled and be of no further effect.

24The proceeds of the loan must be expended or encumbered by the Board of (6)25Public Works for the purposes provided in this Act no later than June 1, 2024. If any funds 26authorized by this Act remain unexpended or unencumbered after June 1, 2024, the 27amount of the unencumbered or unexpended authorization shall be canceled and be of no 28further effect. If bonds have been issued for the loan, the amount of unexpended or 29unencumbered bond proceeds shall be of disposed as provided in 30 § 8–129 of the State Finance and Procurement Article.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 31321, 2017.

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