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**By: Senators Derr and Ferguson**

Introduced and read first time: February 2, 1996

Assigned to: Budget and Taxation

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A BILL ENTITLED

1 AN ACT concerning

2 **Creation of a State Debt - Frederick County Family YMCA**

3 FOR the purpose of authorizing the creation of a State Debt not to exceed \$370,000, the  
4 proceeds to be used as a grant to the Frederick County Family YMCA for certain  
5 acquisition, development, or improvement purposes; providing for disbursement of  
6 the loan proceeds, subject to a requirement that the grantee provide and expend a  
7 matching fund; prohibiting the use of the grant or any of the matching funds for  
8 sectarian religious purposes; and providing generally for the issuance and sale of  
9 bonds evidencing the loan.

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

12 (1) The Board of Public Works may borrow money and incur indebtedness on  
13 behalf of the State of Maryland through a State loan to be known as the Frederick County  
14 Family YMCA Loan of 1996 in a total principal amount equal to the lesser of (i) \$370,000  
15 or (ii) the amount of the matching fund provided in accordance with Section 1(5) below.  
16 This loan shall be evidenced by the issuance, sale, and delivery of State general obligation  
17 bonds authorized by a resolution of the Board of Public Works and issued, sold, and  
18 delivered in accordance with §§ 8-117 through 8-124 of the State Finance and  
19 Procurement Article and Article 31, § 22 of the Code.

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

23 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and  
24 first shall be applied to the payment of the expenses of issuing, selling, and delivering the  
25 bonds, unless funds for this purpose are otherwise provided, and then shall be credited on  
26 the books of the Comptroller and expended, on approval by the Board of Public Works,  
27 for the following public purposes, including any applicable architects' and engineers' fees:  
28 as a grant to the Frederick County Family YMCA (referred to hereafter in this Act as  
29 "the grantee") for the planning, design, construction, and equipping of an addition to the  
30 current facility in Frederick County, to be used as a youth center, a child care center, and  
31 a locker room.

32 (4) An annual State tax is imposed on all assessable property in the State in rate  
33 and amount sufficient to pay the principal of and interest on the bonds, as and when due

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1 and until paid in full. The principal shall be discharged within 15 years after the date of  
2 issuance of the bonds.

3 (5) Prior to the payment of any funds under the provisions of this Act for the  
4 purposes set forth in Section 1(3) above, the grantee shall provide and expend a matching  
5 fund. No part of the grantee's matching fund may be provided, either directly or  
6 indirectly, from funds of the State, whether appropriated or unappropriated. No part of  
7 the fund may consist of real property, in kind contributions, or funds expended prior to  
8 the effective date of this Act. In case of any dispute as to the amount of the matching  
9 fund or what money or assets may qualify as matching funds, the Board of Public Works  
10 shall determine the matter and the Board's decision is final. The grantee has until June 1,  
11 1998, to present evidence satisfactory to the Board of Public Works that a matching fund  
12 will be provided. If satisfactory evidence is presented, the Board shall certify this fact and  
13 the amount of the matching fund to the State Treasurer, and the proceeds of the loan  
14 equal to the amount of the matching fund shall be expended for the purposes provided in  
15 this Act. Any amount of the loan in excess of the amount of the matching fund certified  
16 by the Board of Public Works shall be canceled and be of no further effect.

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

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26 June 1, 1996.