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**By: Senator Hughes**

Introduced and read first time: January 31, 1997

Assigned to: Budget and Taxation

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Committee Report: Favorable

Senate action: Adopted

Read second time: April 2, 1997

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## CHAPTER \_\_\_\_

1 AN ACT concerning

**2 Creation of a State Debt - Baltimore City - Madison Avenue Development Corporation**

3 FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the  
4 proceeds to be used as a grant to the Madison Avenue Development Corporation  
5 for certain acquisition, development, or improvement purposes; providing for  
6 disbursement of the loan proceeds, subject to a requirement that the grantee  
7 provide and expend a matching fund; prohibiting the use of the proceeds of the  
8 bonds or the matching funds for sectarian religious purposes; and providing  
9 generally for the issuance and sale of 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 Baltimore City  
14 - Madison Avenue Development Corporation Loan of 1997 in a total principal amount  
15 equal to the lesser of (i) \$200,000 or (ii) the amount of the matching fund provided in  
16 accordance with Section 1(5) below. This loan shall be evidenced by the issuance, sale,  
17 and delivery of State general obligation bonds authorized by a resolution of the Board of  
18 Public Works and issued, sold, and delivered in accordance with §§ 8-117 through 8-124  
19 of the State Finance and 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,

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1 for the following public purposes, including any applicable architects' and engineers' fees:  
2 as a grant to the Madison Avenue Development Corporation (referred to hereafter in this  
3 Act as "the grantee") for the planning, design, and construction of, and for the provision  
4 of capital equipment for, an outreach center in Baltimore City.

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

9 (5) Prior to the payment of any funds under the provisions of this Act for the  
10 purposes set forth in Section 1(3) above, the grantee shall provide and expend a matching  
11 fund. No part of the grantee's matching fund may be provided, either directly or  
12 indirectly, from funds of the State, whether appropriated or unappropriated. No part of  
13 the fund may consist of in kind contributions. The matching fund may consist of real  
14 property or funds expended prior to the effective date of this Act. In case of any dispute  
15 as to the amount of the matching fund or what money or assets may qualify as matching  
16 funds, the Board of Public Works shall determine the matter and the Board's decision is  
17 final. The grantee has until June 1, 1999, to present evidence satisfactory to the Board of  
18 Public Works that a matching fund will be provided. If satisfactory evidence is presented,  
19 the Board shall certify this fact and the amount of the matching fund to the State  
20 Treasurer, and the proceeds of the loan equal to the amount of the matching fund shall  
21 be expended for the purposes provided in this Act. Any amount of the loan in excess of  
22 the amount of the matching fund certified by the Board of Public Works shall be canceled  
23 and be of no further effect.

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

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
33 June 1, 1997.