

CF 7r2086

By: Senator Colburn

Introduced and read first time: January 31, 1997

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Creation of a State Debt - Talbot County - YMCA**

3 FOR the purpose of authorizing the creation of a State Debt not to exceed \$600,000, the
4 proceeds to be used as a grant to the Board of Directors of the Young Men's
5 Christian Association of Talbot County, Inc. for certain acquisition, development,
6 or improvement purposes; providing for disbursement of the loan proceeds, subject
7 to a requirement that the grantee provide and expend a matching fund; providing
8 that no proceeds of a loan or any matching funds may be used for religious
9 purposes; and providing generally for the issuance and sale of bonds evidencing the
10 loan.

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
12 MARYLAND, 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 Talbot County -
15 YMCA Loan of 1997 in a total principal amount equal to the lesser of (i) \$600,000 or (ii)
16 the amount of the matching fund provided in accordance with Section 1(5) below. This
17 loan shall be evidenced by the issuance, sale, and delivery of State general obligation
18 bonds authorized by a resolution of the Board of Public Works and issued, sold, and
19 delivered in accordance with §§ 8-117 through 8-124 of the State Finance and
20 Procurement Article and Article 31, § 22 of the Code.

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,
28 for the following public purposes, including any applicable architects' and engineers' fees:
29 as a grant to the Board of Directors of the Young Men's Christian Association of Talbot
30 County, Inc. (referred to hereafter in this Act as "the grantee") for the planning, design,
31 and construction of, and for the provision of capital equipment for, a swimming pool, to
32 be located at the Talbot County YMCA on Peachblossom Road in Easton, Maryland.

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

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

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

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