

HOUSE BILL 789

Unofficial Copy  
B2

1998 Regular Session  
(8lr2223)

*ENROLLED BILL*  
*-- Appropriations/Budget and Taxation --*

Introduced by **Delegates Love, M. Burns, Rzepkowski, Cadden, Leopold,  
Schade, Perry, Owings, Clagett, Baldwin, Bissett, Greenip, and Busch**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

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Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this  
\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_ M.

\_\_\_\_\_  
Speaker.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Creation of a State Debt - Anne Arundel County - North Arundel Hospital**

3 FOR the purpose of authorizing the creation of a State Debt not to exceed \$800,000,  
4 the proceeds to be used as a grant to the Board of Directors of North Arundel  
5 Hospital, Inc. for certain acquisition, development, or improvement purposes;  
6 providing for disbursement of the loan proceeds, subject to a requirement that  
7 the grantee provide and expend a matching fund; providing for a repayment  
8 equal to a certain amount of the grant under certain circumstances; and  
9 providing 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 Anne Arundel  
14 County - North Arundel Hospital Loan of 1998 in a total principal amount equal to  
15 the lesser of (i) \$800,000 or (ii) the amount of the matching fund provided in

1 accordance with Section 1(5) below. This loan shall be evidenced by the issuance, sale,  
2 and delivery of State general obligation bonds authorized by a resolution of the Board  
3 of Public Works and issued, sold, and delivered in accordance with §§ 8-117 through  
4 8-124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

5 (2) The bonds to evidence this loan or installments of this loan may be sold as  
6 a single issue or may be consolidated and sold as part of a single issue of bonds under  
7 § 8-122 of the State Finance and Procurement Article.

8 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer  
9 and first shall be applied to the payment of the expenses of issuing, selling, and  
10 delivering the bonds, unless funds for this purpose are otherwise provided, and then  
11 shall be credited on the books of the Comptroller and expended, on approval by the  
12 Board of Public Works, for the following public purposes, including any applicable  
13 architects' and engineers' fees: as a grant to the Board of Directors of North Arundel  
14 Hospital, Inc. (referred to hereafter in this Act as "the grantee") for the planning,  
15 design, repair, renovation, reconstruction, construction, and capital equipping of the  
16 emergency department, to be relocated within the complex at 301 Hospital Drive in  
17 Glen Burnie.

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

22 (5) (a) Prior to the payment of any funds under the provisions of this Act for  
23 the purposes set forth in Section 1(3) above, the grantee shall provide and expend a  
24 matching fund. No part of the grantee's matching fund may be provided, either  
25 directly or indirectly, from funds of the State, whether appropriated or  
26 unappropriated. No part of the fund may consist of real property or in kind  
27 contributions. The fund may consist of funds expended prior to the effective date of  
28 this Act. In case of any dispute as to the amount of the matching fund or what money  
29 or assets may qualify as matching funds, the Board of Public Works shall determine  
30 the matter and the Board's decision is final. The grantee has until June 1, 2000, to  
31 present evidence satisfactory to the Board of Public Works that a matching fund will  
32 be provided. If satisfactory evidence is presented, the Board shall certify this fact and  
33 the amount of the matching fund to the State Treasurer, and the proceeds of the loan  
34 equal to the amount of the matching fund shall be expended for the purposes provided  
35 in this Act. Any amount of the loan in excess of the amount of the matching fund  
36 certified by the Board of Public Works shall be canceled and be of no further effect.

37 (b) Notwithstanding any other provision of law, the grantee shall repay to  
38 the State an amount equal to the amount of the grant multiplied by a fraction, the  
39 numerator of which is the time remaining on the life of the bonds and the denominator  
40 of which is the total life of the bonds, if the grantee:

41 (i) ceases to exist as a nonprofit entity; or

1                   (ii)       *sells, leases, exchanges, gives, or transfers in any way the*  
2 *property that was acquired, constructed, or improved with grant funds to a for profit*  
3 *entity.*

4       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 June 1, 1998.