

SENATE BILL 49

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B2

1998 Regular Session  
8lr0420  
CF 8lr0493

(PRE-FILED)

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By: **Senators Colburn and Baker**  
Requested: September 22, 1997  
Introduced and read first time: January 14, 1998  
Assigned to: Budget and Taxation

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Committee Report: Favorable with amendments  
Senate action: Adopted  
Read second time: March 27, 1998

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

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

3 FOR the purpose of authorizing the creation of a State Debt not to exceed ~~\$600,000~~  
4 \$300,000, the proceeds to be used as a grant to the Board of Directors of the  
5 Young Men's Christian Association of Talbot County, Inc. for certain acquisition,  
6 development, or improvement purposes; providing for disbursement of the loan  
7 proceeds, subject to a requirement that the grantee provide and expend a  
8 matching fund; prohibiting the use of the loan proceeds or any of the matching  
9 funds for sectarian religious purposes; and providing generally for the issuance  
10 and sale of bonds evidencing the 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  
15 County - YMCA Pool Loan of 1998 in a total principal amount equal to the lesser of (i)  
16 ~~\$600,000~~ \$300,000 or (ii) the amount of the matching fund provided in accordance  
17 with Section 1(5) below. This loan shall be evidenced by the issuance, sale, and  
18 delivery of State general obligation bonds authorized by a resolution of the Board of  
19 Public Works and issued, sold, and delivered in accordance with §§ 8-117 through  
20 8-124 of the State Finance and 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  
22 a 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.

1 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer  
2 and first shall be applied to the payment of the expenses of issuing, selling, and  
3 delivering the bonds, unless funds for this purpose are otherwise provided, and then  
4 shall be credited on the books of the Comptroller and expended, on approval by the  
5 Board of Public Works, for the following public purposes, including any applicable  
6 architects' and engineers' fees: as a grant to the Board of Directors of the Young Men's  
7 Christian Association of Talbot County, Inc. (referred to hereafter in this Act as "the  
8 grantee") for the planning, design, construction, and capital equipping of a  
9 therapeutic and rehabilitative pool, specifically designed for use by the elderly and by  
10 handicapped persons, to be located at the Talbot County YMCA on Peachblossom  
11 Road in Easton, Maryland.

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

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

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

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

