

SENATE BILL 229

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HB 531/97 - APP

1998 Regular Session
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By: ~~Senator Ruben~~ **Senators Ruben, Roesser, Hoffman, Boozer, Currie, Fry,
Hogan, Kasemeyer, Lawlah, McFadden, Middleton, Munson, Neall, and
Van Hollen**

Introduced and read first time: January 30, 1998
Assigned to: Budget and Taxation

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

CHAPTER _____

1 AN ACT concerning

2 **Creation of a State Debt - Montgomery County - Hadley's ~~Park~~ Outdoor**
3 **Children's Center**

4 FOR the purpose of authorizing the creation of a State Debt not to exceed \$350,000,
5 the proceeds to be used as a grant to the Board of Directors of Hadley's Park,
6 Inc. for certain acquisition, development, or improvement purposes; providing
7 for disbursement of the loan proceeds, subject to a requirement that the grantee
8 provide and expend a matching fund; and providing generally for the issuance
9 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 Montgomery
14 County - Hadley's ~~Park~~ Outdoor Children's Center Loan of 1998 in a total principal
15 amount equal to the lesser of (i) \$350,000 or (ii) the amount of the matching fund
16 provided in accordance with Section 1(5) below. This loan shall be evidenced by the
17 issuance, sale, and delivery of State general obligation bonds authorized by a
18 resolution of the Board of Public Works and issued, sold, and delivered in accordance
19 with §§ 8-117 through 8-124 of the State Finance and Procurement Article and
20 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 Hadley's Park,
7 Inc. (referred to hereafter in this Act as "the grantee") for the planning, design,
8 construction, and capital equipping of Hadley's Park, in Potomac, Maryland, a park
9 that is completely handicapped accessible, where children with or without disabilities
10 can play together.

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

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

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