

SENATE BILL 746

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B2

1998 Regular Session
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By: **Senators Jimeno and Middlebrooks**
Introduced and read first time: February 23, 1998
Rule 32 suspended
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 - 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
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
18 of Public Works and issued, sold, and delivered in accordance with §§ 8-117 through
19 8-124 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
21 a 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
24 and first shall be applied to the payment of the expenses of issuing, selling, and

1 delivering the bonds, unless funds for this purpose are otherwise provided, and then
2 shall be credited on the books of the Comptroller and expended, on approval by the
3 Board of Public Works, for the following public purposes, including any applicable
4 architects' and engineers' fees: as a grant to the Board of Directors of North Arundel
5 Hospital, Inc. (referred to hereafter in this Act as "the grantee") for the planning,
6 design, repair, renovation, reconstruction, construction, and capital equipping of the
7 emergency department, to be relocated within the complex at 301 Hospital Drive in
8 Glen Burnie.

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

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

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

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

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

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

