

HOUSE BILL 545

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1999 Regular Session
9r1752
CF 9r2339

By: **Delegates Proctor and Vallario**
Introduced and read first time: February 11, 1999
Assigned to: Appropriations

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 29, 1999

CHAPTER _____

1 AN ACT concerning

2 **Creation of a State Debt - Prince George's County - Top Banana Home**
3 **Delivered Groceries, Inc.**

4 FOR the purpose of authorizing the creation of a State Debt not to exceed ~~\$130,000~~
5 \$100,000, the proceeds to be used as a grant to the Board of Directors of Top
6 Banana Home Delivered Groceries, Inc. for certain development or improvement
7 purposes; providing for disbursement of the loan proceeds, subject to a
8 requirement that the grantee provide and expend a matching fund; 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 Prince
14 George's County - Top Banana Home Delivered Groceries, Inc. Loan of 1999 in a total
15 principal amount equal to the lesser of (i) ~~\$130,000~~ \$100,000 or (ii) the amount of the
16 matching fund provided in accordance with Section 1(5) below. This loan shall be
17 evidenced by the issuance, sale, and delivery of State general obligation bonds
18 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
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.

24 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer
25 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 Top Banana
5 Home Delivered Groceries, Inc. (referred to hereafter in this Act as "the grantee") for
6 the acquisition, renovation, repair, construction, reconstruction, and capital
7 equipping of the old Brandywine Post Office, including the installation of a new roof,
8 construction of a three bay garage and an enclosed loading dock, and expansion of
9 administrative office space.

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

14 (5) Prior to the payment of any funds under the provisions of this Act for the
15 purposes set forth in Section 1(3) above, the grantee shall provide and expend a
16 matching fund. No part of the grantee's matching fund may be provided, either
17 directly or indirectly, from funds of the State, whether appropriated or
18 unappropriated. No part of the fund may consist of real property, ~~in kind~~
19 ~~contributions~~, or funds expended prior to the effective date of this Act. The fund may
20 include in kind contributions. In case of any dispute as to the amount of the matching
21 fund or what money or assets may qualify as matching funds, the Board of Public
22 Works shall determine the matter and the Board's decision is final. The grantee has
23 until June 1, 2001, to present evidence satisfactory to the Board of Public Works that
24 a matching fund will be provided. If satisfactory evidence is presented, the Board
25 shall certify this fact and the amount of the matching fund to the State Treasurer, and
26 the proceeds of the loan equal to the amount of the matching fund shall be expended
27 for the purposes provided in this Act. Any amount of the loan in excess of the amount
28 of the matching fund certified by the Board of Public Works shall be canceled and be
29 of no further effect.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 June 1, 1999.