

HOUSE BILL 552

Unofficial Copy
B2

2001 Regular Session
(11r2272)

ENROLLED BILL
-- Appropriations/Budget and Taxation --

Introduced by **Delegates Walkup, Guns, and W. Baker**

Read and Examined by Proofreaders:

Proofreader.

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 - Caroline County - The Benedictine School**

3 FOR the purpose of authorizing the creation of a State Debt not to exceed ~~\$248,000~~
4 \$200,000 \$100,000, the proceeds to be used as a grant to the Board of Directors
5 of Benedictine Programs and Services, Inc. for certain development or
6 improvement purposes; prohibiting the use of the proceeds of the sale of the
7 bonds and the matching fund for religious purposes; providing for disbursement
8 of the loan proceeds, subject to a requirement that the grantee provide and
9 expend a matching fund; and providing generally for the issuance and sale of
10 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 Caroline
15 County - The Benedictine School Loan of 2001 in a total principal amount equal to
16 the lesser of (i) ~~\$248,000~~ \$200,000 \$100,000 or (ii) the amount of the matching fund

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

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

9 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer
10 and first shall be applied to the payment of the expenses of issuing, selling, and
11 delivering the bonds, unless funds for this purpose are otherwise provided, and then
12 shall be credited on the books of the Comptroller and expended, on approval by the
13 Board of Public Works, for the following public purposes, including any applicable
14 architects' and engineers' fees: as a grant to the Board of Directors of Benedictine
15 Programs and Services, Inc. (referred to hereafter in this Act as "the grantee") for the
16 acquisition of land for, for the planning, design, construction, and capital equipping of
17 a new group home for, and for the relocation, renovation, repair, reconstruction, and
18 capital equipping of existing facilities at, The Benedictine School, a school for children
19 and young adults with disabilities, located in Ridgley, Maryland.

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

24 (5) Prior to the payment of any funds under the provisions of this Act for the
25 purposes set forth in Section 1(3) above, the grantee shall provide and expend a
26 matching fund. No part of the grantee's matching fund may be provided, either
27 directly or indirectly, from funds of the State, whether appropriated or
28 unappropriated. No part of the fund may consist of real property or in kind
29 contributions. The fund may consist of funds expended prior to the effective date of
30 this Act. In case of any dispute as to the amount of the matching fund or what money
31 or assets may qualify as matching funds, the Board of Public Works shall determine
32 the matter and the Board's decision is final. The grantee has until June 1, 2003, to
33 present evidence satisfactory to the Board of Public Works that a matching fund will
34 be provided. If satisfactory evidence is presented, the Board shall certify this fact and
35 the amount of the matching fund to the State Treasurer, and the proceeds of the loan
36 equal to the amount of the matching fund shall be expended for the purposes provided
37 in this Act. Any amount of the loan in excess of the amount of the matching fund
38 certified by the Board of Public Works shall be canceled and be of no further effect.

39 (6) No portion of the proceeds of the loan or any of the matching funds may be
40 used for the furtherance of sectarian religious instruction, or in connection with the
41 design, acquisition, or construction of any building used or to be used as a place of
42 sectarian religious worship or instruction, or in connection with any program or
43 department of divinity for any religious denomination. Upon the request of the Board
44 of Public Works, the grantee shall submit evidence satisfactory to the Board that none

1 of the proceeds of the loan or any matching funds have been or are being used for a
2 purpose prohibited by this Act.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 June 1, 2001.