

HOUSE BILL 1017

Unofficial Copy
B2

2001 Regular Session
(1r2370)

ENROLLED BILL
-- Appropriations/Budget and Taxation --

Introduced by **Delegates Franchot and Hixson**

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 - Montgomery County - Takoma Park Cooperative**
3 **School**

4 FOR the purpose of authorizing the creation of a State Debt not to exceed ~~\$200,000~~
5 \$100,000, the proceeds to be used as a grant to the Board of Directors of the
6 Takoma Park Cooperative ~~Nursery~~ Nursery School, Inc. for certain development
7 or improvement purposes; providing for disbursement of the loan proceeds,
8 subject to a requirement that the grantee provide and expend a matching fund;
9 and 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 Montgomery
14 County - Takoma Park Cooperative ~~Nursery~~ School Loan of 2001 in a total principal
15 amount equal to the lesser of (i) ~~\$200,000~~ \$100,000 or (ii) the amount of the matching
16 fund provided in accordance with Section 1(5) below. This loan shall be evidenced by

1 the issuance, sale, and delivery of State general obligation bonds authorized by a
2 resolution of the Board of Public Works and issued, sold, and delivered in accordance
3 with §§ 8-117 through 8-124 of the State Finance and Procurement Article and
4 Article 31, § 22 of the Code.

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

8 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer
9 and first shall be applied to the payment of the expenses of issuing, selling, and
10 delivering the bonds, unless funds for this purpose are otherwise provided, and then
11 shall be credited on the books of the Comptroller and expended, on approval by the
12 Board of Public Works, for the following public purposes, including any applicable
13 architects' and engineers' fees: as a grant to the Board of Directors of the Takoma
14 Park Cooperative Nursery School, Inc. (referred to hereafter in this Act as "the
15 grantee") for the acquisition, repair, renovation, reconstruction, and capital equipping
16 of a building, located at 8204 Flower Avenue in Takoma Park, Maryland, for use as
17 the Takoma Park Cooperative Nursery School.

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

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

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

