

HOUSE BILL 1394

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B2

2001 Regular Session
11r2836
CF 11r2887

By: **Delegates Marriott, Fulton, Rawlings, Gladden, Oaks, Phillips, and C. Davis**

Introduced and read first time: February 26, 2001
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Creation of a State Debt - Baltimore City - Agape Family Empowerment**
3 **Center**

4 FOR the purpose of authorizing the creation of a State Debt not to exceed \$730,000,
5 the proceeds to be used as a grant to the Board of Directors of the Agape Family
6 Empowerment Center, Inc. for certain development or improvement purposes;
7 prohibiting the use of the proceeds of the sale of the bonds and the matching
8 fund for sectarian religious purposes; providing for disbursement of the loan
9 proceeds, subject to a requirement that the grantee provide and expend a
10 matching fund; and providing generally for the issuance and sale of bonds
11 evidencing the loan.

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That:

14 (1) The Board of Public Works may borrow money and incur indebtedness on
15 behalf of the State of Maryland through a State loan to be known as the Baltimore
16 City - Agape Family Empowerment Center Loan of 2001 in a total principal amount
17 equal to the lesser of (i) \$730,000 or (ii) the amount of the matching fund provided in
18 accordance with Section 1(5) below. This loan shall be evidenced by the issuance, sale,
19 and delivery of State general obligation bonds authorized by a resolution of the Board
20 of Public Works and issued, sold, and delivered in accordance with §§ 8-117 through
21 8-124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

22 (2) The bonds to evidence this loan or installments of this loan may be sold as
23 a single issue or may be consolidated and sold as part of a single issue of bonds under
24 § 8-122 of the State Finance and Procurement Article.

25 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer
26 and first shall be applied to the payment of the expenses of issuing, selling, and
27 delivering the bonds, unless funds for this purpose are otherwise provided, and then
28 shall be credited on the books of the Comptroller and expended, on approval by the
29 Board of Public Works, for the following public purposes, including any applicable
30 architects' and engineers' fees: as a grant to the Board of Directors of the Agape
31 Family Empowerment Center, Inc. (referred to hereafter in this Act as "the grantee")

1 for the planning, design, repair, reconstruction, renovation, and capital equipping of
2 the Agape Family Empowerment Center, located at 4650 Reisterstown Road in
3 Baltimore, Maryland.

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

8 (5) Prior to the payment of any funds under the provisions of this Act for the
9 purposes set forth in Section 1(3) above, the grantee shall provide and expend a
10 matching fund. No part of the grantee's matching fund may be provided, either
11 directly or indirectly, from funds of the State, whether appropriated or
12 unappropriated. The fund may consist of real property, in kind contributions, or funds
13 expended prior to the effective date of this Act. In case of any dispute as to the amount
14 of the matching fund or what money or assets may qualify as matching funds, the
15 Board of Public Works shall determine the matter and the Board's decision is final.
16 The grantee has until June 1, 2003, to present evidence satisfactory to the Board of
17 Public Works that a matching fund will be provided. If satisfactory evidence is
18 presented, the Board shall certify this fact and the amount of the matching fund to
19 the State Treasurer, and the proceeds of the loan equal to the amount of the matching
20 fund shall be expended for the purposes provided in this Act. Any amount of the loan
21 in excess of the amount of the matching fund certified by the Board of Public Works
22 shall be canceled and be of no further effect.

23 (6) No portion of the proceeds of the loan or any of the matching funds may be
24 used for the furtherance of sectarian religious instruction, or in connection with the
25 design, acquisition, or construction of any building used or to be used as a place of
26 sectarian religious worship or instruction, or in connection with any program or
27 department of divinity for any religious denomination. Upon the request of the Board
28 of Public Works, the grantee shall submit evidence satisfactory to the Board that none
29 of the proceeds of the loan or any matching funds have been or are being used for a
30 purpose prohibited by this Act.

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