

SENATE BILL 140

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B2

2001 Regular Session
11r0826
CF 11r0827

By: **Senator Della**

Introduced and read first time: January 18, 2001

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Creation of a State Debt - Baltimore County - The Community Learning**
3 **Center**

4 FOR the purpose of authorizing the creation of a State Debt not to exceed \$400,000,
5 the proceeds to be used as a grant to the Board of Directors of the Islamic
6 Society of Baltimore, 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 religious purposes; providing for disbursement of the loan proceeds,
9 subject to a requirement that the grantee provide and expend a matching fund;
10 and providing generally for the issuance and sale of 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 Baltimore
15 County - The Community Learning Center Loan of 2001 in the total principal amount
16 equal to the lesser of (i) \$400,000 or (ii) the amount of the matching fund provided in
17 accordance with Section 1(5) below. This loan shall be evidenced by the issuance, sale,
18 and delivery of State general obligation bonds authorized by a resolution of the Board
19 of Public Works and issued, sold, and delivered in accordance with §§ 8-117 through
20 8-124 of the State Finance and 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
26 delivering the bonds, unless funds for this purpose are otherwise provided, and then
27 shall be credited on the books of the Comptroller and expended, on approval by the
28 Board of Public Works, for the following public purposes, including any applicable
29 architects' and engineers' fees: as a grant to the Board of Directors of the Islamic
30 Society of Baltimore, Inc. (referred to hereafter in this Act as "the grantee") for the
31 planning, design, construction, and capital equipping of a building, to be located at

1 6600 Johnnycake Road in Baltimore, Maryland, to be used for a community learning
2 center.

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

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

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

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