

SENATE BILL 140

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2001 Regular Session
11r0826
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By: **Senator Della**

Introduced and read first time: January 18, 2001

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 29, 2001

CHAPTER_____

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 \$300,000, the proceeds to be used as a grant to the Board of Directors of the
6 Islamic Society of Baltimore, Inc. for certain development or improvement
7 purposes; prohibiting the use of the proceeds of the sale of the bonds and the
8 matching fund for 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 County - The Community Learning Center Loan of 2001 in the total principal amount
17 equal to the lesser of (i) ~~\$400,000~~ \$300,000 or (ii) the amount of the matching fund
18 provided in accordance with Section 1(5) below. This loan shall be evidenced by the
19 issuance, sale, and delivery of State general obligation bonds authorized by a
20 resolution of the Board of Public Works and issued, sold, and delivered in accordance
21 with §§ 8-117 through 8-124 of the State Finance and Procurement Article and
22 Article 31, § 22 of the Code.

23 (2) The bonds to evidence this loan or installments of this loan may be sold as
24 a single issue or may be consolidated and sold as part of a single issue of bonds under
25 § 8-122 of the State Finance and Procurement Article.

1 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer
2 and first shall be applied to the payment of the expenses of issuing, selling, and
3 delivering the bonds, unless funds for this purpose are otherwise provided, and then
4 shall be credited on the books of the Comptroller and expended, on approval by the
5 Board of Public Works, for the following public purposes, including any applicable
6 architects' and engineers' fees: as a grant to the Board of Directors of the Islamic
7 Society of Baltimore, Inc. (referred to hereafter in this Act as "the grantee") for the
8 planning, design, construction, and capital equipping of a building, to be located at
9 ~~6600~~ 6631 Johnnycake Road in Baltimore, Maryland, to be used for a community
10 learning center.

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

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

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

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

