

HOUSE BILL 1352

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B2

2002 Regular Session  
2lr2657  
CF 2lr2656

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By: **Delegates D. Davis, Brown, and Griffith**  
Introduced and read first time: February 20, 2002  
Assigned to: Rules and Executive Nominations

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A BILL ENTITLED

1 AN ACT concerning

2 **Creation of a State Debt - Prince George's County - St. Paul Community**  
3 **Centre Gymnasium (YMCA)**

4 FOR the purpose of authorizing the creation of a State Debt not to exceed \$350,000,  
5 the proceeds to be used as a grant to the Board of Directors of Saint Paul  
6 Community Development Corporation for certain development or improvement  
7 purposes; providing for disbursement of the loan proceeds, subject to a  
8 requirement that the grantee provide and expend a matching fund; prohibiting  
9 the use of the proceeds of the sale of the bonds or the matching fund for  
10 sectarian religious purposes; and providing generally for the issuance and sale  
11 of bonds 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 Prince  
16 George's County - St. Paul Community Centre Gymnasium (YMCA) Loan of 2002 in  
17 a total principal amount equal to the lesser of (i) \$350,000 or (ii) the amount of the  
18 matching fund provided in accordance with Section 1(5) below. This loan shall be  
19 evidenced by the issuance, sale, and delivery of State general obligation bonds  
20 authorized by a resolution of the Board of Public Works and issued, sold, and  
21 delivered in accordance with §§ 8-117 through 8-124 of the State Finance and  
22 Procurement Article and 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.

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

1 grantee") for the planning, design, construction, and capital equipping of the interior  
2 layout of the YMCA to accommodate a full-service YMCA to include a pool, weight  
3 and fitness rooms and equipment, multipurpose areas, classroom space,  
4 administrative office space, and sporting and event spaces, located at 6615 Walker  
5 Mill Road in Capitol Heights.

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

10 (5) Prior to the payment of any funds under the provisions of this Act for the  
11 purposes set forth in Section 1(3) above, the grantee shall provide and expend a  
12 matching fund. No part of the grantee's matching fund may be provided, either  
13 directly or indirectly, from funds of the State, whether appropriated or  
14 unappropriated. No part of the fund may consist of real property, in kind  
15 contributions, or funds expended prior to the effective date of this Act. In case of any  
16 dispute as to the amount of the matching fund or what money or assets may qualify  
17 as matching funds, the Board of Public Works shall determine the matter and the  
18 Board's decision is final. The grantee has until June 1, 2004, to present evidence  
19 satisfactory to the Board of Public Works that a matching fund will be provided. If  
20 satisfactory evidence is presented, the Board shall certify this fact and the amount of  
21 the matching fund to the State Treasurer, and the proceeds of the loan equal to the  
22 amount of the matching fund shall be expended for the purposes provided in this Act.  
23 Any amount of the loan in excess of the amount of the matching fund certified by the  
24 Board of Public Works shall be canceled and be of no further effect.

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

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
34 June 1, 2002.