

HOUSE BILL 137

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HB 255/02 - APP

2003 Regular Session
3r1385

By: **Delegates Aumann, Rawlings, Boteler, Bromwell, Burns, DeBoy, Frank, Impallaria, James, Jennings, Kach, Malone, McDonough, Minnick, Morhaim, Nathan-Pulliam, Redmer, Weir, and Zirkin**

Introduced and read first time: January 24, 2003

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Creation of a State Debt - Baltimore County - Valley Academy**

3 FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,200,000,
4 the proceeds to be used as a grant to the Board of Directors of Valley Academy
5 for certain development or improvement purposes; providing for disbursement of
6 the loan proceeds, subject to a requirement that the grantee provide and expend
7 a matching fund; and providing generally for the issuance and sale of bonds
8 evidencing the loan.

9 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
10 MARYLAND, That:

11 (1) The Board of Public Works may borrow money and incur indebtedness on
12 behalf of the State of Maryland through a State loan to be known as the Baltimore
13 County - Valley Academy Loan of 2003 in a total principal amount equal to the lesser
14 of (i) \$1,200,000 or (ii) the amount of the matching fund provided in accordance with
15 Section 1(5) below. This loan shall be evidenced by the issuance, sale, and delivery of
16 State general obligation bonds authorized by a resolution of the Board of Public
17 Works and issued, sold, and delivered in accordance with §§ 8-117 through 8-124 of
18 the State Finance and Procurement Article and Article 31, § 22 of the Code.

19 (2) The bonds to evidence this loan or installments of this loan may be sold as
20 a single issue or may be consolidated and sold as part of a single issue of bonds under
21 § 8-122 of the State Finance and Procurement Article.

22 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer
23 and first shall be applied to the payment of the expenses of issuing, selling, and
24 delivering the bonds, unless funds for this purpose are otherwise provided, and then
25 shall be credited on the books of the Comptroller and expended, on approval by the
26 Board of Public Works, for the following public purposes, including any applicable
27 architects' and engineers' fees: as a grant to the Board of Directors of Valley Academy
28 (referred to hereafter in this Act as "the grantee") for renovation and expansion of
29 Valley Academy to provide additional classrooms, tutoring rooms, a multipurpose

1 room, computer labs, a multimedia center, and faculty and administrative offices,
2 located in Baltimore County.

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. No part of the fund may consist of real property, in kind
12 contributions, or funds expended prior to the effective date of this Act. In case of any
13 dispute as to the amount of the matching fund or what money or assets may qualify
14 as matching funds, the Board of Public Works shall determine the matter and the
15 Board's decision is final. The grantee has until June 1, 2005, to present evidence
16 satisfactory to the Board of Public Works that a matching fund will be provided. If
17 satisfactory evidence is presented, the Board shall certify this fact and the amount of
18 the matching fund to the State Treasurer, and the proceeds of the loan equal to the
19 amount of the matching fund shall be expended for the purposes provided in this Act.
20 Any amount of the loan in excess of the amount of the matching fund certified by the
21 Board of Public Works shall be canceled and be of no further effect.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 June 1, 2003.