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By: **Delegates Rudolph, James, Kohl, Smigiel, Sossi, and Walkup**

Introduced and read first time: February 10, 2006

Assigned to: Appropriations

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A BILL ENTITLED

1 AN ACT concerning

2 **Creation of a State Debt - Cecil County - Boys & Girls Club of Cecil County**

3 FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000,  
4 the proceeds to be used as a grant to the Board of Directors of the Boys & Girls  
5 Club of Cecil County, Maryland, Inc. for certain development or improvement  
6 purposes; providing for disbursement of the loan proceeds, subject to a  
7 requirement that the grantee provide and expend a matching fund; establishing  
8 a deadline for the encumbrance or expenditure of the loan proceeds; and  
9 providing generally for the issuance and sale of bonds evidencing the loan.

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

12 (1) The Board of Public Works may borrow money and incur indebtedness on  
13 behalf of the State of Maryland through a State loan to be known as the Cecil County  
14 - Boys & Girls Club of Cecil County Loan of 2006 in a total principal amount equal to  
15 the lesser of (i) \$150,000 or (ii) the amount of the matching fund provided in  
16 accordance with Section 1(5) below. This loan shall be evidenced by the issuance, sale,  
17 and delivery of State general obligation bonds authorized by a resolution of the Board  
18 of Public Works and issued, sold, and delivered in accordance with §§ 8-117 through  
19 8-124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

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

23 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer  
24 and first shall be applied to the payment of the expenses of issuing, selling, and  
25 delivering the bonds, unless funds for this purpose are otherwise provided, and then  
26 shall be credited on the books of the Comptroller and expended, on approval by the  
27 Board of Public Works, for the following public purposes, including any applicable  
28 architects' and engineers' fees: as a grant to the Board of Directors of the Boys & Girls  
29 Club of Cecil County, Maryland, Inc. (referred to hereafter in this Act as "the  
30 grantee") for the acquisition, planning, and design of the new administration and  
31 clubhouse building, located in Port Deposit.

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

5 (5) Prior to the payment of any funds under the provisions of this Act for the  
6 purposes set forth in Section 1(3) above, the grantee shall provide and expend a  
7 matching fund. No part of the grantee's matching fund may be provided, either  
8 directly or indirectly, from funds of the State, whether appropriated or  
9 unappropriated. No part of the fund may consist of funds expended prior to the  
10 effective date of this Act. The fund may consist of real property or in kind  
11 contributions. In case of any dispute as to the amount of the matching fund or what  
12 money or assets may qualify as matching funds, the Board of Public Works shall  
13 determine the matter and the Board's decision is final. The grantee has until June 1,  
14 2008, to present evidence satisfactory to the Board of Public Works that a matching  
15 fund will be provided. If satisfactory evidence is presented, the Board shall certify this  
16 fact and the amount of the matching fund to the State Treasurer, and the proceeds of  
17 the loan equal to the amount of the matching fund shall be expended for the purposes  
18 provided in this Act. Any amount of the loan in excess of the amount of the matching  
19 fund certified by the Board of Public Works shall be canceled and be of no further  
20 effect.

21 (6) The proceeds of the loan must be expended or encumbered by the Board of  
22 Public Works for the purposes provided in this Act no later than June 1, 2013. If any  
23 funds authorized by this Act remain unexpended or unencumbered after June 1,  
24 2013, the amount of the unencumbered or unexpended authorization shall be  
25 canceled and be of no further effect. If bonds have been issued for the loan, the  
26 amount of unexpended or unencumbered bond proceeds shall be disposed of as  
27 provided in § 8-129 of the State Finance and Procurement Article.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
29 June 1, 2006.