

HOUSE BILL 270

B2

71r2268
CF SB 253

By: **Delegates Stukes, Haynes, and Kirk**
Introduced and read first time: January 31, 2007
Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Creation of a State Debt – Baltimore City – Dorothy M. Higgins Community**
3 **Center**

4 FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000,
5 the proceeds to be used as a grant to the Board of Directors of the New
6 Christian Community Development Corporation, Inc. for certain development or
7 improvement purposes; providing for disbursement of the loan proceeds, subject
8 to a requirement that the grantee provide and expend a matching fund;
9 prohibiting the use of the loan proceeds or matching fund for sectarian religious
10 purposes; establishing a deadline for the encumbrance or expenditure of the
11 loan proceeds; and providing generally for the issuance and sale of bonds
12 evidencing the loan.

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That:

15 (1) The Board of Public Works may borrow money and incur indebtedness on
16 behalf of the State of Maryland through a State loan to be known as the Baltimore
17 City – Dorothy M. Higgins Community Center Loan of 2007 in a total principal
18 amount equal to the lesser of (i) \$200,000 or (ii) the amount of the matching fund
19 provided in accordance with Section 1(5) below. This loan shall be evidenced by the
20 issuance, sale, and delivery of State general obligation bonds authorized by a
21 resolution of the Board of Public Works and issued, sold, and delivered in accordance
22 with §§ 8–117 through 8–124 of the State Finance and Procurement Article and
23 Article 31, § 22 of the Code.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

4 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer
5 and first shall be applied to the payment of the expenses of issuing, selling, and
6 delivering the bonds, unless funds for this purpose are otherwise provided, and then
7 shall be credited on the books of the Comptroller and expended, on approval by the
8 Board of Public Works, for the following public purposes, including any applicable
9 architects' and engineers' fees: as a grant to the Board of Directors of the New
10 Christian Community Development Corporation, Inc. (referred to hereafter in this Act
11 as "the grantee") for the construction of the Dorothy M. Higgins Community Center,
12 located in Baltimore City.

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

17 (5) Prior to the payment of any funds under the provisions of this Act for the
18 purposes set forth in Section 1(3) above, the grantee shall provide and expend a
19 matching fund. No part of the grantee's matching fund may be provided,
20 either directly or indirectly, from funds of the State, whether appropriated or
21 unappropriated. No part of the fund may consist of funds expended prior to the
22 effective date of this Act. The fund may consist of real property or in kind
23 contributions. In case of any dispute as to the amount of the matching fund or what
24 money or assets may qualify as matching funds, the Board of Public Works shall
25 determine the matter and the Board's decision is final. The grantee has until June 1,
26 2009, to present evidence satisfactory to the Board of Public Works that a matching
27 fund will be provided. If satisfactory evidence is presented, the Board shall certify this
28 fact and the amount of the matching fund to the State Treasurer, and the proceeds of
29 the loan equal to the amount of the matching fund shall be expended for the purposes
30 provided in this Act. Any amount of the loan in excess of the amount of the matching
31 fund certified by the Board of Public Works shall be canceled and be of no further
32 effect.

33 (6) No portion of the proceeds of the loan or any of the matching funds may
34 be used for the furtherance of sectarian religious instruction, or in connection with the
35 design, acquisition, or construction of any building used or to be used as a place of
36 sectarian religious worship or instruction, or in connection with any program or
37 department of divinity for any religious denomination. Upon the request of the Board
38 of Public Works, the grantee shall submit evidence satisfactory to the Board that none

1 of the proceeds of the loan of any matching funds have been or are being used for a
2 purpose prohibited by this Act.

3 (7) The proceeds of the loan must be expended or encumbered by the Board
4 of Public Works for the purposes provided in this Act no later than June 1, 2014. If any
5 funds authorized by this Act remain unexpended or unencumbered after June 1, 2014,
6 the amount of the unencumbered or unexpended authorization shall be canceled and
7 be of no further effect. If bonds have been issued for the loan, the amount of
8 unexpended or unencumbered bond proceeds shall be disposed of as provided in §
9 8–129 of the State Finance and Procurement Article.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 June 1, 2007.