

HOUSE BILL 1303

B2

71r3265

By: **Delegates Busch, V. Clagett, Beidle, Costa, George, and Love**

Introduced and read first time: February 26, 2007

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Creation of a State Debt – Anne Arundel County – Mount Olive Community**
3 **Life Center**

4 FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000,
5 the proceeds to be used as a grant to the Board of Directors of the Mount Olive
6 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 Anne Arundel
17 County – Mount Olive Community Life Center Loan of 2007 in a total principal
18 amount equal to the lesser of (i) \$250,000 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 Mount Olive
10 Community Development Corporation, Inc. (referred to hereafter in this Act as "the
11 grantee") for the construction and capital equipping of the Mount Olive Community
12 Life Center to provide community outreach, entrepreneurial and business
13 development services, and employment and computer technology training, located in
14 Annapolis.

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

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

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

1 of the proceeds of the loan or 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.