

# HOUSE BILL 1305

B2

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CF SB 903

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By: **Delegate Griffith**

Introduced and read first time: February 26, 2007

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Creation of a State Debt – Capital Area Food Bank**

3 FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000,  
4 the proceeds to be used as a grant to the Board of Directors of the Capital Area  
5 Food Bank, Inc. for certain development or improvement purposes; providing for  
6 disbursement of the loan proceeds, subject to a requirement that the grantee  
7 provide and expend a matching fund; establishing a deadline for the  
8 encumbrance or expenditure of the loan proceeds; and providing generally for  
9 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 Capital Area  
14 Food Bank Loan of 2007 in a total principal amount equal to the lesser of (i) \$500,000  
15 or (ii) the amount of the matching fund provided in accordance with Section 1(5)  
16 below. This loan shall be evidenced by the issuance, sale, and delivery of State general  
17 obligation bonds authorized by a resolution of the Board of Public Works and issued,  
18 sold, and delivered in accordance with §§ 8–117 through 8–124 of the State Finance  
19 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  
21 as a single issue or may be consolidated and sold as part of a single issue of bonds  
22 under § 8–122 of the State Finance and Procurement Article.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (3)     The cash proceeds of the sale of the bonds shall be paid to the Treasurer  
2 and first shall be applied to the payment of the expenses of issuing, selling, and  
3 delivering the bonds, unless funds for this purpose are otherwise provided, and then  
4 shall be credited on the books of the Comptroller and expended, on approval by the  
5 Board of Public Works, for the following public purposes, including any applicable  
6 architects' and engineers' fees: as a grant to the Board of Directors of the Capital Area  
7 Food Bank, Inc. (referred to hereafter in this Act as "the grantee") for the planning,  
8 design, construction, repair, renovation, reconstruction, and capital equipping of a  
9 newly acquired facility for the Capital Area Food Bank, located in Washington, D.C.

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

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

29           (6)     The proceeds of the loan must be expended or encumbered by the Board  
30 of Public Works for the purposes provided in this Act no later than June 1, 2014. If any  
31 funds authorized by this Act remain unexpended or unencumbered after June 1, 2014,  
32 the amount of the unencumbered or unexpended authorization shall be canceled and  
33 be of no further effect. If bonds have been issued for the loan, the amount of  
34 unexpended or unencumbered bond proceeds shall be disposed of as provided in §  
35 8-129 of the State Finance and Procurement Article.

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