

# HOUSE BILL 1341

B2

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CF SB 849

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By: **Delegate Bohanan**

Introduced and read first time: March 1, 2007

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Creation of a State Debt – St. Mary’s County – SMARTCO’s Computer**  
3 **Technology Learning Center**

4 FOR the purpose of authorizing the creation of a State Debt not to exceed \$50,000, the  
5 proceeds to be used as a grant to Board of Directors of The Southern Maryland  
6 Applied Research and Technology Consortium, 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 establishing a deadline for the encumbrance or expenditure of the loan  
10 proceeds; and providing generally for the issuance and sale of bonds evidencing  
11 the loan.

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

14 (1) The Board of Public Works may borrow money and incur indebtedness on  
15 behalf of the State of Maryland through a State loan to be known as the St. Mary’s  
16 County – SMARTCO’s Computer Technology Learning Center Loan of 2007 in a total  
17 principal amount equal to the lesser of (i) \$50,000 or (ii) the amount of the matching  
18 fund provided in accordance with Section 1(5) below. This loan shall be evidenced by  
19 the issuance, sale, and delivery of State general obligation bonds authorized by a  
20 resolution of the Board of Public Works and issued, sold, and delivered in accordance  
21 with §§ 8–117 through 8–124 of the State Finance and Procurement Article and  
22 Article 31, § 22 of the Code.

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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 Board of Directors of The Southern  
10 Maryland Applied Research and Technology Consortium, Inc. (referred to hereafter in  
11 this Act as "the grantee") for planning, repair, renovation, and capital equipping of the  
12 SMARTCO's Computer Technology Learning Center, located in Lexington Park.

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

32           (6)     The proceeds of the loan must be expended or encumbered by the Board  
33 of Public Works for the purposes provided in this Act no later than June 1, 2014. If any  
34 funds authorized by this Act remain unexpended or unencumbered after June 1, 2014,  
35 the amount of the unencumbered or unexpended authorization shall be canceled and  
36 be of no further effect. If bonds have been issued for the loan, the amount of  
37 unexpended or unencumbered bond proceeds shall be disposed of as provided in  
38 § 8–129 of the State Finance and Procurement Article.

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