

SENATE BILL 816

B4

71r2639
CF HB 1093

By: **Senator Middleton**

Introduced and read first time: February 16, 2007

Assigned to: Rules

Re-referred to: Budget and Taxation, February 22, 2007

Committee Report: Favorable

Senate action: Adopted

Read second time: March 20, 2007

CHAPTER _____

1 AN ACT concerning

2 **Charles County – Boys and Girls Clubs of Southern Maryland Loan of 2001**

3 FOR the purpose of amending the Charles County – Boys and Girls Clubs of Southern
4 Maryland Loan of 2001 to require that the loan proceeds be encumbered by the
5 Board of Public Works or expended for certain purposes by a certain date; and
6 generally relating to the Charles County – Boys and Girls Clubs of Southern
7 Maryland Loan of 2001.

8 BY repealing and reenacting, with amendments,
9 Chapter 257 of the Acts of the General Assembly of 2001
10 Section 1

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Chapter 257 of the Acts of 2001**

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (1) The Board of Public Works may borrow money and incur indebtedness on
2 behalf of the State of Maryland through a State loan to be known as the Charles
3 County – The Boys and Girls Clubs of Southern Maryland Loan of 2001 in a total
4 principal amount equal to the lesser of (i) \$50,000 or (ii) the amount of the matching
5 fund provided in accordance with Section 1(5) below. This loan shall be evidenced by
6 the issuance, sale, and delivery of State general obligation bonds authorized by a
7 resolution of the Board of Public Works and issued, sold, and delivered in accordance
8 with §§ 8–117 through 8–124 of the State Finance and Procurement Article and
9 Article 31, § 22 of the Code.

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

13 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer
14 and first shall be applied to the payment of the expenses of issuing, selling, and
15 delivering the bonds, unless funds for this purpose are otherwise provided, and then
16 shall be credited on the books of the Comptroller and expended, on approval by the
17 Board of Public Works, for the following public purposes, including any applicable
18 architects' and engineers' fees: as a grant to the Board of Directors of The Boys and
19 Girls Clubs of Southern Maryland, Inc. (referred to hereafter in this Act as "the
20 grantee") for the acquisition, planning, design, construction, reconstruction, and
21 capital equipping of a site in Charles County to house a boys and girls club.

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

26 (5) Prior to the payment of any funds under the provisions of this Act for the
27 purposes set forth in Section 1(3) above, the grantee shall provide and expend a
28 matching fund. No part of the grantee's matching fund may be provided, either
29 directly or indirectly, from funds of the State, whether appropriated or
30 unappropriated. No part of the fund may consist of real property, in kind
31 contributions, or funds expended prior to the effective date of this Act. In case of any
32 dispute as to the amount of the matching fund or what money or assets may qualify as
33 matching funds, the Board of Public Works shall determine the matter and the
34 Board's decision is final. The grantee has until June 1, 2003, to present evidence
35 satisfactory to the Board of Public Works that a matching fund will be provided. If
36 satisfactory evidence is presented, the Board shall certify this fact and the amount of
37 the matching fund to the State Treasurer, and the proceeds of the loan equal to the
38 amount of the matching fund shall be expended for the purposes provided in this Act.

1 Any amount of the loan in excess of the amount of the matching fund certified by the
2 Board of Public Works shall be canceled and be of no further effect.

3 **(6) THE PROCEEDS OF THE LOAN MUST BE ENCUMBERED BY THE**
4 **BOARD OF PUBLIC WORKS OR EXPENDED FOR THE PURPOSES PROVIDED IN**
5 **THIS ACT NO LATER THAN JUNE 1, 2009.**

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.