

# SENATE BILL 839

B2

71r2952

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By: **Senator Currie**

Introduced and read first time: February 19, 2007

Assigned to: Rules

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## A BILL ENTITLED

1 AN ACT concerning

2 **Creation of a State Debt – Prince George’s County – Ernest Everett Just**  
3 **Monument**

4 FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000,  
5 the proceeds to be used as a grant to the Board of Directors of The Ernest  
6 Everett Just Foundation, Inc. for certain development or improvement  
7 purposes; providing for disbursement of the loan proceeds, subject to a  
8 requirement that the grantee provide and expend a matching fund; establishing  
9 a deadline for the encumbrance or expenditure of the loan proceeds; and  
10 providing generally for the issuance and sale of bonds evidencing the loan.

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

13 (1) The Board of Public Works may borrow money and incur indebtedness on  
14 behalf of the State of Maryland through a State loan to be known as the Prince  
15 George’s County – Ernest Everett Just Monument Loan of 2007 in a total principal  
16 amount equal to the lesser of (i) \$150,000 or (ii) the amount of the matching fund  
17 provided in accordance with Section 1(5) below. This loan shall be evidenced by the  
18 issuance, sale, and delivery of State general obligation bonds authorized by a  
19 resolution of the Board of Public Works and issued, sold, and delivered in accordance  
20 with §§ 8–117 through 8–124 of the State Finance and Procurement Article and  
21 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 the Board of Directors of The Ernest  
10 Everett Just Foundation, Inc. (referred to hereafter in this Act as "the grantee") for the  
11 planning, design, and construction of a statue commemorating Ernest Everett Just,  
12 located in Mitchellville.

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. The fund may consist of real property, in kind contributions, or funds  
22 expended prior to the effective date of this Act. In case of any dispute as to the amount  
23 of the matching fund or what money or assets may qualify as matching funds, the  
24 Board of Public Works shall determine the matter and the Board's decision is final.  
25 The grantee has until June 1, 2009, to present evidence satisfactory to the Board of  
26 Public Works that a matching fund will be provided. If satisfactory evidence is  
27 presented, the Board shall certify this fact and the amount of the matching fund to the  
28 State Treasurer, and the proceeds of the loan equal to the amount of the matching  
29 fund shall be expended for the purposes provided in this Act. Any amount of the loan  
30 in excess of the amount of the matching fund certified by the Board of Public Works  
31 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.