

HOUSE BILL 145

B2
HB 1398/07 – APP

8lr1305
CF 8lr1306

By: **Delegates Hixson, Mizeur, and Hucker**
Introduced and read first time: January 18, 2008
Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Creation of a State Debt – Montgomery County – Maryland Youth Ballet**

3 FOR the purpose of authorizing the creation of a State Debt in the amount of
4 \$200,000, the proceeds to be used as a grant to the Board of Directors of the
5 Maryland Youth Ballet, Inc. for certain development or improvement purposes;
6 providing for disbursement of the loan proceeds, subject to a requirement that
7 the grantee 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 Montgomery
14 County – Maryland Youth Ballet Loan of 2008 in the total principal amount of
15 \$200,000. This loan shall be evidenced by the issuance, sale, and delivery of State
16 general obligation bonds authorized by a resolution of the Board of Public Works and
17 issued, sold, and delivered in accordance with §§ 8–117 through 8–124 of the State
18 Finance and Procurement Article and Article 31, § 22 of the Code.

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

22 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer
23 and first shall be applied to the payment of the expenses of issuing, selling, and
24 delivering the bonds, unless funds for this purpose are otherwise provided, and then
25 shall be credited on the books of the Comptroller and expended, on approval by the
26 Board of Public Works, for the following public purposes, including any applicable
27 architects' and engineers' fees: as a grant to the Board of Directors of the Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Youth Ballet, Inc. (referred to hereafter in this Act as “the grantee”) for planning,
2 construction, and capital equipping of the Maryland Youth Ballet studio, located in
3 Silver Spring.

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

8 (5) Prior to the payment of any funds under the provisions of this Act for the
9 purposes set forth in Section 1(3) above, the grantee shall provide and expend a
10 matching fund of \$80,000. No part of the grantee’s matching fund may be provided,
11 either directly or indirectly, from funds of the State, whether appropriated or
12 unappropriated. No part of the fund may consist of real property or in kind
13 contributions. The fund may consist of funds expended prior to the effective date of
14 this Act, including funds expended on or after January 1, 2005. In case of any dispute
15 as to the amount of the matching fund or what money or assets may qualify as
16 matching funds, the Board of Public Works shall determine the matter and the
17 Board’s decision is final. The grantee has until June 1, 2010, to present evidence
18 satisfactory to the Board of Public Works that a matching fund will be provided. If
19 satisfactory evidence is presented, the Board shall certify this fact to the State
20 Treasurer, and the proceeds of the loan shall be expended for the purposes provided in
21 this Act.

22 (6) The proceeds of the loan must be expended or encumbered by the Board
23 of Public Works for the purposes provided in this Act no later than June 1, 2015. If any
24 funds authorized by this Act remain unexpended or unencumbered after June 1, 2015,
25 the amount of the unencumbered or unexpended authorization shall be canceled and
26 be of no further effect. If bonds have been issued for the loan, the amount of
27 unexpended or unencumbered bond proceeds shall be disposed of as provided in
28 § 8–129 of the State Finance and Procurement Article.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 June 1, 2008.