

HOUSE BILL 671

B4

8lr2528

By: **Delegates O'Donnell, Kullen, Proctor, and Vallario**

Introduced and read first time: February 1, 2008

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Calvert County – The Boys and Girls Clubs of Southern Maryland Loan of**
3 **2001**

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

9 BY repealing and reenacting, with amendments,
10 Chapter 673 of the Acts of the General Assembly of 2001
11 Section 1

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

14 **Chapter 673 of the Acts of 2001**

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

17 (1) The Board of Public Works may borrow money and incur indebtedness on
18 behalf of the State of Maryland through a State loan to be known as the Calvert
19 County – The Boys and Girls Clubs of Southern Maryland Loan of 2001 in a total
20 principal amount equal to the lesser of (i) \$100,000 or (ii) the amount of the matching
21 fund provided in accordance with Section 1(5) below. This loan shall be evidenced by
22 the issuance, sale, and delivery of State general obligation bonds authorized by a
23 resolution of the Board of Public Works and issued, sold, and delivered in accordance
24 with §§ 8–117 through 8–124 of the State Finance and Procurement Article and
25 Article 31, § 22 of the Code.

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 Boys and
10 Girls Clubs of Southern Maryland, Inc. (referred to hereafter in this Act as "the
11 grantee") for the planning, design, construction, reconstruction, and capital equipping
12 of a building in Calvert County to house a Boys and Girls Club.

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, in kind
22 contributions, or funds expended prior to the effective date of this Act. In case of any
23 dispute as to the amount of the matching fund or what money or assets may qualify as
24 matching funds, the Board of Public Works shall determine the matter and the
25 Board's decision is final. The grantee has until June 1, 2003, to present evidence
26 satisfactory to the Board of Public Works that a matching fund will be provided. If
27 satisfactory evidence is presented, the Board shall certify this fact and the amount of
28 the matching fund to the State Treasurer, and the proceeds of the loan equal to the
29 amount of the matching fund shall be expended for the purposes provided in this Act.
30 Any amount of the loan in excess of the amount of the matching fund certified by the
31 Board of Public Works shall be canceled and be of no further effect.

32 **(6) THE PROCEEDS OF THE LOAN MUST BE EXPENDED OR**
33 **ENCUMBERED BY THE BOARD OF PUBLIC WORKS FOR THE PURPOSES**
34 **PROVIDED IN THIS ACT NO LATER THAN JUNE 1, 2010. IF ANY FUNDS**
35 **AUTHORIZED BY THIS ACT REMAIN UNEXPENDED OR UNENCUMBERED AFTER**
36 **JUNE 1, 2010, THE AMOUNT OF THE UNENCUMBERED OR UNEXPENDED**
37 **AUTHORIZATION SHALL BE CANCELED AND BE OF NO FURTHER EFFECT. IF**
38 **BONDS HAVE BEEN ISSUED FOR THE LOAN, THE AMOUNT OF UNEXPENDED OR**
39 **UNENCUMBERED BOND PROCEEDS SHALL BE DISPOSED OF AS PROVIDED IN §**
40 **8-129 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

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