

# HOUSE BILL 1004

B2

8lr2862

---

By: **Delegates Conway and Walkup**

Introduced and read first time: February 7, 2008

Assigned to: Appropriations

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Creation of a State Debt – Kent County – Camp Fairlee Manor**

3 FOR the purpose of authorizing the creation of a State Debt not to exceed \$350,000,  
4 the proceeds to be used as a grant to the Board of Directors of the Easter Seal  
5 Society for Disabled Children & Adults, Inc., for certain development or  
6 improvement purposes; providing for disbursement of the loan proceeds, subject  
7 to a requirement that the grantee provide and expend a matching fund;  
8 establishing a deadline for the encumbrance or expenditure of the loan  
9 proceeds; and providing generally for the issuance and sale of bonds evidencing  
10 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 Kent County  
15 – Camp Fairlee Manor Loan of 2008 in a total principal amount equal to the lesser of  
16 (i) \$350,000 or (ii) the amount of the matching fund provided in accordance with  
17 Section 1(5) below. This loan shall be evidenced by the issuance, sale, and delivery of  
18 State general obligation bonds authorized by a resolution of the Board of Public Works  
19 and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 of the State  
20 Finance and Procurement Article and Article 31, § 22 of the Code.

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

24 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer  
25 and first shall be applied to the payment of the expenses of issuing, selling, and  
26 delivering the bonds, unless funds for this purpose are otherwise provided, and then  
27 shall be credited on the books of the Comptroller and expended, on approval by the

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Board of Public Works, for the following public purposes, including any applicable  
2 architects' and engineers' fees: as a grant to the Board of Directors of the Easter Seal  
3 Society for Disabled Children & Adults, Inc. (referred to hereafter in this Act as "the  
4 grantee") for the acquisition, planning, design, construction, and capital equipping of  
5 the Camp Fairlee facilities and equipment, located in Chestertown.

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

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

25 (6) The proceeds of the loan must be expended or encumbered by the Board  
26 of Public Works for the purposes provided in this Act no later than June 1, 2015. If any  
27 funds authorized by this Act remain unexpended or unencumbered after June 1, 2015,  
28 the amount of the unencumbered or unexpended authorization shall be canceled and  
29 be of no further effect. If bonds have been issued for the loan, the amount of  
30 unexpended or unencumbered bond proceeds shall be disposed of as provided in  
31 § 8-129 of the State Finance and Procurement Article.

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