

HOUSE BILL 873

B4

9lr0763

By: **Delegates Oaks, Carter, and Rosenberg**
Introduced and read first time: February 12, 2009
Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Park Heights Golf Range and Family Sports Park Loan of**
3 **2000 and Maryland Consolidated Bond Loan of 2002 – Baltimore City – Park**
4 **Heights Golf Range and Family Sports Park**

5 FOR the purpose of amending the Baltimore City – Park Heights Golf Range and
6 Family Sports Park Loan of 2000 and the Maryland Consolidated Capital Bond
7 Loan of 2002 to require that certain loan proceeds be encumbered by the Board
8 of Public Works or expended for certain purposes by a certain date.

9 BY repealing and reenacting, with amendments,
10 Chapter 440 of the Acts of the General Assembly of 2000, as amended by
11 Chapter 94 of the Acts of the General Assembly of 2007
12 Section 1

13 BY repealing and reenacting, with amendments,
14 Chapter 290 of the Acts of the General Assembly of 2002
15 Section 1(3) Item ZA00 (EE)

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

18 **Chapter 440 of the Acts of 2000, as amended by Chapter 94 of the Acts of 2007**

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That:

21 (1) The Board of Public Works may borrow money and incur indebtedness on
22 behalf of the State of Maryland through a State loan to be known as the Baltimore
23 City – Park Heights Golf Range and Family Sports Park Loan of 2000 in a total
24 principal amount equal to the lesser of (i) [\$250,00] **\$250,000** or (ii) the amount of the
25 matching fund provided in accordance with Section 1(5) below. This loan shall be

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 evidenced by the issuance, sale, and delivery of State general obligation bonds
2 authorized by a resolution of the Board of Public Works and issued, sold, and delivered
3 in accordance with §§ 8–117 through 8–124 of the State Finance and Procurement
4 Article and Article 31, § 22 of the Code.

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

8 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer
9 and first shall be applied to the payment of the expenses of issuing, selling, and
10 delivering the bonds, unless funds for this purpose are otherwise provided, and then
11 shall be credited on the books of the Comptroller and expended, on approval by the
12 Board of Public Works, for the following public purposes, including any applicable
13 architects' and engineers' fees: as a grant to the Board of Directors of Park Heights
14 Golf Range and Family Sports Park, Inc. (referred to hereafter in this Act as "the
15 grantee") for the planning, design, construction, and capital equipping of a family
16 sports park, golf driving range, miniature golf park, and related buildings, to be
17 located on Reisterstown Road in Baltimore, Maryland.

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

22 (5) Prior to the payment of any funds under the provisions of this Act for the
23 purposes set forth in Section 1(3) above, the grantee shall provide and expend a
24 matching fund. No part of the grantee's matching fund may be provided, either
25 directly or indirectly, from funds of the State, whether appropriated or
26 unappropriated. The fund may consist of real property. No part of the fund may
27 consist of in kind contributions or funds expended prior to the effective date of this
28 Act. In case of any dispute as to the amount of the matching fund or what money or
29 assets may qualify as matching funds, the Board of Public Works shall determine the
30 matter and the Board's decision is final. The grantee has until June 1, 2002, to present
31 evidence satisfactory to the Board of Public Works that a matching fund will be
32 provided. If satisfactory evidence is presented, the Board shall certify this fact and the
33 amount of the matching fund to the State Treasurer, and the proceeds of the loan
34 equal to the amount of the matching fund shall be expended for the purposes provided
35 in this Act. Any amount of the loan in excess of the amount of the matching fund
36 certified by the Board of Public Works shall be canceled and be of no further effect.

37 (6) The proceeds of the loan must be encumbered by the Board of Public
38 Works or expended for the purposes provided in this Act no later than June 1, [2009]
39 **2011.**

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

3 (3) ZA00 MISCELLANEOUS GRANT PROGRAMS

4 (EE) Park Heights Golf Range and Family Sports Complex. Provide
5 a grant to the Board of Directors of the Park Heights Golf
6 Range and Family Sports Park, Inc. to assist in the
7 acquisition, design, and construction of the Park Heights Golf
8 Range and Family Sports Complex. **NOTWITHSTANDING**
9 **ANY OTHER PROVISION OF LAW, THE PROCEEDS OF THE**
10 **LOAN MUST BE ENCUMBERED BY THE BOARD OF PUBLIC**
11 **WORKS OR EXPENDED FOR THE PURPOSES PROVIDED IN**
12 **THIS ACT NO LATER THAN JUNE 1, 2011**(Baltimore City) .. 500,000

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 June 1, 2009.