

SENATE BILL 1055

B2

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By: **Senator Garagiola**

Constitutional Requirements Complied with for Introduction in the last 35 Days of Session

Introduced and read first time: March 11, 2009

Rules suspended

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Creation of a State Debt – Montgomery County – Poolesville Skate Park**

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 Town of Poolesville for
5 certain development or improvement purposes; providing for disbursement of
6 the loan proceeds, subject to a requirement that the grantee provide and expend
7 a matching fund; establishing a deadline for the encumbrance or expenditure of
8 the loan proceeds; and providing generally for the issuance and sale of bonds
9 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 – Poolesville Skate Park Loan of 2009 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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 shall be credited on the books of the Comptroller and expended, on approval by the
2 Board of Public Works, for the following public purposes, including any applicable
3 architects' and engineers' fees: as a grant to the Town of Poolesville (referred to
4 hereafter in this Act as "the grantee") for the planning, design, and construction of a
5 skate park, located in Poolesville.

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 of \$130,000. No part of the grantee's matching fund may be provided,
13 either directly or indirectly, from funds of the State, whether appropriated or
14 unappropriated. No part of the fund may consist of in kind contributions or funds
15 expended prior to the effective date of this Act. The fund may consist of real property.
16 In case of any dispute as to the amount of the matching fund or what money or assets
17 may qualify as matching funds, the Board of Public Works shall determine the matter
18 and the Board's decision is final. The grantee has until June 1, 2011, to present
19 evidence satisfactory to the Board of Public Works that a matching fund will be
20 provided. If satisfactory evidence is presented, the Board shall certify this fact to the
21 State Treasurer, and the proceeds of the loan shall be expended for the purposes
22 provided in this Act.

23 (6) The proceeds of the loan must be expended or encumbered by the Board
24 of Public Works for the purposes provided in this Act no later than June 1, 2016. If any
25 funds authorized by this Act remain unexpended or unencumbered after June 1, 2016,
26 the amount of the unencumbered or unexpended authorization shall be canceled and
27 be of no further effect. If bonds have been issued for the loan, the amount of
28 unexpended or unencumbered bond proceeds shall be disposed of as provided in
29 § 8-129 of the State Finance and Procurement Article.

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