

SENATE BILL 162

B2

0lr1419
CF 0lr1943

By: **Senators Forehand, Frosh, and Madaleno**

Introduced and read first time: January 19, 2010

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Creation of a State Debt – Montgomery County – Garrett Park Community**
3 **Center**

4 FOR the purpose of authorizing the creation of a State Debt in the amount of
5 \$200,000, the proceeds to be used as a grant to the Board of Directors of the
6 Garrett Park Nursery School, Inc. for certain development or improvement
7 purposes; providing for disbursement of the loan proceeds, subject to a
8 requirement that the grantee provide and expend a matching fund; establishing
9 a deadline for the encumbrance or expenditure of the loan proceeds; and
10 providing generally for the issuance and sale of bonds evidencing 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 Montgomery
15 County – Garrett Park Community Center Loan of 2010 in the total principal amount
16 of \$200,000. This loan shall be evidenced by the issuance, sale, and delivery of State
17 general obligation bonds authorized by a resolution of the Board of Public Works and
18 issued, sold, and delivered in accordance with §§ 8–117 through 8–124 of the State
19 Finance and Procurement Article and Article 31, § 22 of the Code.

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 architects' and engineers' fees: as a grant to the Board of Directors of the Garrett Park
2 Nursery School, Inc. (referred to hereafter in this Act as "the grantee") for the
3 planning, design, construction, repair, renovation, reconstruction, and capital
4 equipping of the Garrett Park Community Center, located in Garrett Park.

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

9 (5) Prior to the payment of any funds under the provisions of this Act for the
10 purposes set forth in Section 1(3) above, the grantee shall provide and expend a
11 matching fund of \$110,000. No part of the grantee's matching fund may be provided,
12 either directly or indirectly, from funds of the State, whether appropriated or
13 unappropriated. No part of the fund may consist of funds expended prior to the
14 effective date of this Act. The fund may consist of real property or in kind
15 contributions. In case of any dispute as to the amount of the matching fund or what
16 money or assets may qualify as matching funds, the Board of Public Works shall
17 determine the matter and the Board's decision is final. The grantee has until June 1,
18 2012, to present evidence satisfactory to the Board of Public Works that a matching
19 fund will be provided. If satisfactory evidence is presented, the Board shall certify this
20 fact to the State Treasurer, and the proceeds of the loan shall be expended for the
21 purposes provided in 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, 2017. If any
24 funds authorized by this Act remain unexpended or unencumbered after June 1, 2017,
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, 2010.