

HOUSE BILL 1395

B2

2lr3235
CF SB 1023

By: **Delegate Costa**

Introduced and read first time: February 24, 2012

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Creation of a State Debt – Anne Arundel County – Deale Elementary School**
3 **Technology Enhancement Project**

4 FOR the purpose of authorizing the creation of a State Debt not to exceed \$23,000, the
5 proceeds to be used as a grant to the Board of Directors of the Deale Elementary
6 School Parent Teacher Association (Technology Committee) for certain
7 development or improvement purposes; providing for disbursement of the loan
8 proceeds, subject to a requirement that the grantee provide and expend a
9 matching fund; establishing a deadline for the encumbrance or expenditure of
10 the loan proceeds; and providing generally for the issuance and sale of bonds
11 evidencing the loan.

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

14 (1) The Board of Public Works may borrow money and incur indebtedness on
15 behalf of the State of Maryland through a State loan to be known as the Anne Arundel
16 County – Deale Elementary School Technology Enhancement Project Loan of 2012 in a
17 total principal amount equal to the lesser of (i) \$23,000 or (ii) the amount of the
18 matching fund provided in accordance with Section 1(5) below. This loan shall be
19 evidenced by the issuance, sale, and delivery of State general obligation bonds
20 authorized by a resolution of the Board of Public Works and issued, sold, and delivered
21 in accordance with §§ 8–117 through 8–124 of the State Finance and Procurement
22 Article and Article 31, § 22 of the Code.

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

26 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer
27 and first shall be applied to the payment of the expenses of issuing, selling, and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 delivering the bonds, unless funds for this purpose are otherwise provided, and then
2 shall be credited on the books of the Comptroller and expended, on approval by the
3 Board of Public Works, for the following public purposes, including any applicable
4 architects' and engineers' fees: as a grant to the Board of Directors of the Deale
5 Elementary School Parent Teacher Association (Technology Committee) (referred to
6 hereafter in this Act as "the grantee") for the design, construction, repair, and
7 renovation of the Deale Elementary School Technology Enhancement Project, located
8 in Deale.

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

13 (5) Prior to the payment of any funds under the provisions of this Act for the
14 purposes set forth in Section 1(3) above, the grantee shall provide and expend a
15 matching fund. No part of the grantee's matching fund may be provided, either
16 directly or indirectly, from funds of the State, whether appropriated or
17 unappropriated. No part of the fund may consist of real property, in kind
18 contributions, or funds expended prior to the effective date of this Act. In case of any
19 dispute as to the amount of the matching fund or what money or assets may qualify as
20 matching funds, the Board of Public Works shall determine the matter and the
21 Board's decision is final. The grantee has until June 1, 2014, to present evidence
22 satisfactory to the Board of Public Works that a matching fund will be provided. If
23 satisfactory evidence is presented, the Board shall certify this fact and the amount of
24 the matching fund to the State Treasurer, and the proceeds of the loan equal to the
25 amount of the matching fund shall be expended for the purposes provided in this Act.
26 Any amount of the loan in excess of the amount of the matching fund certified by the
27 Board of Public Works shall be canceled and be of no further effect.

28 (6) The proceeds of the loan must be expended or encumbered by the Board
29 of Public Works for the purposes provided in this Act no later than June 1, 2019. If any
30 funds authorized by this Act remain unexpended or unencumbered after June 1, 2019,
31 the amount of the unencumbered or unexpended authorization shall be canceled and
32 be of no further effect. If bonds have been issued for the loan, the amount of
33 unexpended or unencumbered bond proceeds shall be disposed of as provided in
34 § 8–129 of the State Finance and Procurement Article.

35 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
36 June 1, 2012.