

# SENATE BILL 917

B2

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CF 2lr2981

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By: **Senators Forehand and Garagiola**

Introduced and read first time: February 10, 2012

Assigned to: Rules

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## A BILL ENTITLED

1 AN ACT concerning

2 **Creation of a State Debt – Montgomery County – City of Rockville – Swim**  
3 **and Fitness Center**

4 FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000,  
5 the proceeds to be used as a grant to the Mayor and City Council of Rockville for  
6 certain development or improvement purposes; providing for disbursement of  
7 the loan proceeds, subject to a requirement that the grantee provide and expend  
8 a matching fund; establishing a deadline for the encumbrance or expenditure of  
9 the loan proceeds; and providing generally for the issuance and sale of bonds  
10 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 – City of Rockville – Swim and Fitness Center Loan of 2012 in a total principal  
16 amount equal to the lesser of (i) \$200,000 or (ii) the amount of the matching fund  
17 provided in accordance with Section 1(5) below. This loan shall be evidenced by the  
18 issuance, sale, and delivery of State general obligation bonds authorized by a  
19 resolution of the Board of Public Works and issued, sold, and delivered in accordance  
20 with §§ 8–117 through 8–124 of the State Finance and Procurement Article and  
21 Article 31, § 22 of the Code.

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

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

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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 Mayor and City Council of Rockville  
4 (referred to hereafter in this Act as "the grantee") for the reconstruction of the City of  
5 Rockville Swim and Fitness Center, located in Rockville.

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, 2014, 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, 2019. If any  
27 funds authorized by this Act remain unexpended or unencumbered after June 1, 2019,  
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, 2012.