

SENATE BILL 351

B4

0lr2318

By: **Senator Currie**

Introduced and read first time: January 28, 2010

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Kettering Largo Boys & Girls Club Storage Facility**
3 **Loan of 2001**

4 FOR the purpose of amending the Prince George's County – Kettering Largo Boys &
5 Girls Club Storage Facility Loan of 2001 to extend the deadline by which the
6 Board of Directors of Kettering Largo Boys & Girls Club may present evidence
7 to the Board of Public Works that a matching fund will be provided; and
8 requiring that the loan proceeds be encumbered by the Board or expended for
9 certain purposes by a certain date.

10 BY repealing and reenacting, with amendments,
11 Chapter 326 of the Acts of the General Assembly of 2001, as amended by
12 Chapter 30 of the Acts of the General Assembly of 2003, Chapter 188 of
13 the Acts of the General Assembly of 2005, and Chapter 219 of the Acts of
14 the General Assembly of 2008
15 Section 1

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

18 **Chapter 326 of the Acts of 2001, as amended by Chapter 30 of the Acts of 2003,**
19 **Chapter 188 of the Acts of 2005, and Chapter 219 of the Acts of 2008**

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

22 (1) The Board of Public Works may borrow money and incur indebtedness on
23 behalf of the State of Maryland through a State loan to be known as the Prince
24 George's County – Kettering Largo Boys & Girls Club Storage Facility Loan of 2001 in
25 a total principal amount equal to the lesser of (i) \$150,000 or (ii) the amount of the
26 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 Kettering Largo
14 Boys & Girls Club (referred to hereafter in this Act as "the grantee") for the planning,
15 design, construction, and capital equipping of a storage facility for the Kettering Largo
16 Boys & Girls Club.

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

21 (5) Prior to the payment of any funds under the provisions of this Act for the
22 purposes set forth in Section 1(3) above, the grantee shall provide and expend a
23 matching fund. No part of the grantee's matching fund may be provided, either
24 directly or indirectly, from funds of the State, whether appropriated or
25 unappropriated. No part of the fund may consist of funds expended prior to the
26 effective date of this Act. The fund may consist of real property or in kind
27 contributions. In case of any dispute as to the amount of the matching fund or what
28 money or assets may qualify as matching funds, the Board of Public Works shall
29 determine the matter and the Board's decision is final. The grantee has until June 1,
30 **[2010] 2012**, to present evidence satisfactory to the Board of Public Works that a
31 matching fund will be provided. If satisfactory evidence is presented, the Board shall
32 certify this fact and the amount of the matching fund to the State Treasurer, and the
33 proceeds of the loan equal to the amount of the matching fund shall be expended for
34 the purposes provided in this Act. Any amount of the loan in excess of the amount of
35 the matching fund certified by the Board of Public Works shall be canceled and be of
36 no further effect.

37 (6) The proceeds of the loan must be expended or encumbered by the Board
38 of Public Works for the purposes provided in this Act no later than June 1, **[2010]**
39 **2012**. If any funds authorized by this Act remain unexpended or unencumbered after
40 June 1, **[2010] 2012**, the amount of the unencumbered or unexpended authorization
41 shall be canceled and be of no further effect. If bonds have been issued for the loan, the

1 amount of unexpended or unencumbered bond proceeds shall be disposed of as
2 provided in § 8–129 of the State Finance and Procurement Article.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 June 1, 2010.