

HOUSE BILL 1391

B2

3lr3154
CF 3lr3117

By: **Delegates Hixson, Hucker, and Mizeur**

Introduced and read first time: February 14, 2013

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Creation of a State Debt – Montgomery County – Maryland Youth Ballet**
3 **Institutional Capacity Building**

4 FOR the purpose of authorizing the creation of a State Debt in the amount of
5 \$300,000, the proceeds to be used as a grant to the Board of Directors of the
6 Maryland Youth Ballet, Inc. for certain development or improvement purposes;
7 providing for disbursement of the loan proceeds, subject to a requirement that
8 the grantee provide and expend a matching fund; establishing a deadline for the
9 encumbrance or expenditure of the loan proceeds; and providing generally for
10 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 – Maryland Youth Ballet Institutional Capacity Building Loan of 2013 in the
16 total principal amount of \$300,000. This loan shall be evidenced by the issuance, sale,
17 and delivery of State general obligation bonds authorized by a resolution of the Board
18 of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through
19 8–124 of the State 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 Maryland
2 Youth Ballet, Inc. (referred to hereafter in this Act as "the grantee") for the
3 acquisition, planning, design, construction, repair, renovation, reconstruction, and
4 capital equipping of the Maryland Youth Ballet Institutional Capacity Building,
5 located in Montgomery County.

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 \$150,000. 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. The fund may consist of real property, in kind contributions, or funds
15 expended prior to the effective date of this Act. In case of any dispute as to the amount
16 of the matching fund or what money or assets may qualify as matching funds, the
17 Board of Public Works shall determine the matter and the Board's decision is final.
18 The grantee has until June 1, 2015, to present evidence satisfactory to the Board of
19 Public Works that a matching fund will be provided. If satisfactory evidence is
20 presented, the Board shall certify this fact to the State Treasurer, and the proceeds of
21 the loan shall be expended for the 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, 2020. If any
24 funds authorized by this Act remain unexpended or unencumbered after June 1, 2020,
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, 2013.