

Bill No.: _____
Requested: _____
Committee: _____

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By: **Chair, Howard County Delegation**

A BILL ENTITLED

1 AN ACT concerning

2 **Creation of a State Debt – Howard County – The Arc of Howard County HVAC**
3 **System Replacement**

4 **Ho. Co. 3–17**

5 FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the
6 proceeds to be used as a grant to the Board of Directors of The Arc of Howard County,
7 Inc. for certain development or improvement purposes; providing for disbursement
8 of the loan proceeds, subject to a requirement that the grantee provide and expend a
9 matching fund; establishing a deadline for the encumbrance or expenditure of the
10 loan proceeds; and providing generally for the issuance and sale of bonds evidencing
11 the loan.

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
13 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 Howard County
16 – The Arc of Howard County HVAC System Replacement Loan of 2017 in a total principal
17 amount equal to the lesser of (i) \$300,000 or (ii) the amount of the matching fund provided
18 in accordance with Section 1(5) below. This loan shall be evidenced by the issuance, sale,
19 and delivery of State general obligation bonds authorized by a resolution of the Board of

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124
2 and 8–131.2 of the State Finance and Procurement Article.

3 (2) The bonds to evidence this loan or installments of this loan may be sold as a
4 single issue or may be consolidated and sold as part of a single issue of bonds under §
5 8–122 of the State Finance and Procurement Article.

6 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and
7 first shall be applied to the payment of the expenses of issuing, selling, and delivering the
8 bonds, unless funds for this purpose are otherwise provided, and then shall be credited on
9 the books of the Comptroller and expended, on approval by the Board of Public Works, for
10 the following public purposes, including any applicable architects' and engineers' fees: as a
11 grant to the Board of Directors of The Arc of Howard County, Inc. (referred to hereafter in
12 this Act as "the grantee") for the acquisition, planning, design, construction, repair,
13 renovation, reconstruction, site improvement, and capital equipping of The Arc of Howard
14 County, including replacement of an HVAC system, located in Howard County.

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

19 (5) Prior to the payment of any funds under the provisions of this Act for the
20 purposes set forth in Section 1(3) above, the grantee shall provide and expend a matching
21 fund. No part of the grantee's matching fund may be provided, either directly or indirectly,
22 from funds of the State, whether appropriated or unappropriated. No part of the fund may
23 consist of real property, in kind contributions, or funds expended prior to the effective date
24 of this Act. In case of any dispute as to the amount of the matching fund or what money or
25 assets may qualify as matching funds, the Board of Public Works shall determine the
26 matter and the Board's decision is final. The grantee has until June 1, 2019, to present
27 evidence satisfactory to the Board of Public Works that a matching fund will be provided.
28 If satisfactory evidence is presented, the Board shall certify this fact and the amount of the
29 matching fund to the State Treasurer, and the proceeds of the loan equal to the amount of
30 the matching fund shall be expended for the purposes provided in this Act. Any amount of
31 the loan in excess of the amount of the matching fund certified by the Board of Public Works
32 shall be canceled and be of no further effect.

1 (6) The proceeds of the loan must be expended or encumbered by the Board of
2 Public Works for the purposes provided in this Act no later than June 1, 2024. If any funds
3 authorized by this Act remain unexpended or unencumbered after June 1, 2024, the
4 amount of the unencumbered or unexpended authorization shall be canceled and be of no
5 further effect. If bonds have been issued for the loan, the amount of unexpended or
6 unencumbered bond proceeds shall be disposed of as provided in § 8–129 of the State
7 Finance and Procurement Article.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
9 1, 2017.