

SENATE BILL 216

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B2

2004 Regular Session  
4r2026  
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By: **Senators Britt, Currie, Exum, Giannetti, Green, Lawlah, and Pinsky**  
Introduced and read first time: January 28, 2004  
Assigned to: Budget and Taxation

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A BILL ENTITLED

1 AN ACT concerning

2 **Creation of a State Debt - Prince George's County - African American**  
3 **Cultural Heritage Center at North Brentwood**

4 FOR the purpose of authorizing the creation of a State Debt not to exceed \$650,000,  
5 the proceeds to be used as a grant to the Board of Directors of the Gateway  
6 Municipalities Community Development Corporation for certain development or  
7 improvement purposes; providing for disbursement of the loan proceeds, subject  
8 to a requirement that the grantee provide and expend a matching fund;  
9 establishing a deadline for the encumbrance or expenditure of the loan proceeds;  
10 and providing generally for 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 Prince  
15 George's County - African American Cultural Heritage Center at North Brentwood  
16 Loan of 2004 in a total principal amount equal to the lesser of (i) \$650,000 or (ii) the  
17 amount of the matching fund provided in accordance with Section 1(5) below. This  
18 loan shall be evidenced by the issuance, sale, and delivery of State general obligation  
19 bonds authorized by a resolution of the Board of Public Works and issued, sold, and  
20 delivered in accordance with §§ 8-117 through 8-124 of the State Finance and  
21 Procurement Article and Article 31, § 22 of the Code.

22 (2) The bonds to evidence this loan or installments of this loan may be sold as  
23 a single issue or may be consolidated and sold as part of a single issue of bonds under  
24 § 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  
28 shall be credited on the books of the Comptroller and expended, on approval by the  
29 Board of Public Works, for the following public purposes, including any applicable  
30 architects' and engineers' fees: as a grant to the Board of Directors of the Gateway  
31 Municipalities Community Development Corporation (referred to hereafter in this

1 Act as "the grantee") for the acquisition of a building to serve as the African American  
2 Cultural Heritage Center, located in North Brentwood.

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

7 (5) Prior to the payment of any funds under the provisions of this Act for the  
8 purposes set forth in Section 1(3) above, the grantee shall provide and expend a  
9 matching fund. No part of the grantee's matching fund may be provided, either  
10 directly or indirectly, from funds of the State, whether appropriated or  
11 unappropriated. No part of the fund may consist of real property, in kind  
12 contributions, or funds expended prior to the effective date of this Act. In case of any  
13 dispute as to the amount of the matching fund or what money or assets may qualify  
14 as matching funds, the Board of Public Works shall determine the matter and the  
15 Board's decision is final. The grantee has until June 1, 2006, to present evidence  
16 satisfactory to the Board of Public Works that a matching fund will be provided. If  
17 satisfactory evidence is presented, the Board shall certify this fact and the amount of  
18 the matching fund to the State Treasurer, and the proceeds of the loan equal to the  
19 amount of the matching fund shall be expended for the purposes provided in this Act.  
20 Any amount of the loan in excess of the amount of the matching fund certified by the  
21 Board of Public Works shall be canceled and be of no further effect.

22 (6) The proceeds of the loan must be expended or encumbered by the Board of  
23 Public Works for the purposes provided in this Act no later than June 1, 2011. If any  
24 funds authorized by this Act remain unexpended or unencumbered after June 1, 2011,  
25 the amount of the unencumbered or unexpended authorization shall be canceled and  
26 be of no further effect. If any 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, 2004.