

HOUSE BILL 1514

B4

9lr3385

By: **Delegates Proctor and Vallario**

Introduced and read first time: March 5, 2009

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Bethel Recreation Center Loans of 2000 and 2001**
3 **and the Maryland Consolidated Capital Bond Loans of 2003 and 2005**

4 FOR the purpose of amending the Prince George's County – Bethel Recreation Center
5 Loans of 2000 and 2001 and the Maryland Consolidated Capital Bond Loans of
6 2003 and 2005 to alter the purpose of the Bethel Recreation Center loans, to
7 require that the proceeds of certain loans be encumbered by the Board of Public
8 Works or expended for the purposes provided by a certain date, and to extend
9 the deadline by which the Board of Trustees of Union Bethel A.M.E. Church,
10 Inc. may present evidence that a matching fund will be provided; and generally
11 relating to the Prince George's County – Bethel Recreation Center Loans of
12 2000 and 2001 and the Maryland Consolidated Capital Bond Loans of 2003 and
13 2005 and a grant to the Board of Trustees of Union Bethel A.M.E. Church, Inc.

14 BY repealing and reenacting, with amendments,
15 Chapter 582 of the Acts of the General Assembly of 2000
16 Section 1

17 BY repealing and reenacting, with amendments,
18 Chapter 650 of the Acts of the General Assembly of 2001
19 Section 1

20 BY repealing and reenacting, with amendments,
21 Chapter 204 of the Acts of the General Assembly of 2003
22 Section 12(3) Item (I)

23 BY repealing and reenacting, with amendments,
24 Chapter 445 of the Acts of the General Assembly of 2005
25 Section 1(3) Item ZA01(A)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Chapter 582 of the Acts of 2000**

4 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
5 MARYLAND, That:

6 (1) The Board of Public Works may borrow money and incur indebtedness on
7 behalf of the State of Maryland through a State loan to be known as the Prince
8 George's County – Bethel [Recreation Center] **SENIOR FACILITIES** Loan of 2000 in a
9 total principal amount equal to the lesser of (i) \$250,000 or (ii) the amount of the
10 matching fund provided in accordance with Section 1(5) below. This loan shall be
11 evidenced by the issuance, sale, and delivery of State general obligation bonds
12 authorized by a resolution of the Board of Public Works and issued, sold, and delivered
13 in accordance with §§ 8–117 through 8–124 of the State Finance and Procurement
14 Article and Article 31, § 22 of the Code.

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

18 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer
19 and first shall be applied to the payment of the expenses of issuing, selling, and
20 delivering the bonds, unless funds for this purpose are otherwise provided, and then
21 shall be credited on the books of the Comptroller and expended, on approval by the
22 Board of Public Works, for the following public purposes, including any applicable
23 architects' and engineers' fees: as a grant to the Board of Trustees of Union Bethel
24 A.M.E. Church (referred to hereafter in this Act as "the grantee") for the planning,
25 design, construction, and capital equipping of the Bethel [Recreation Center for use as
26 a gymnasium, cafe and bookstore, and community meeting area,] **SENIOR**
27 **FACILITIES**, to be located in Brandywine, Maryland.

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

32 (5) Prior to the payment of any funds under the provisions of this Act for the
33 purposes set forth in Section 1(3) above, the grantee shall provide and expend a
34 matching fund. No part of the grantee's matching fund may be provided, either
35 directly or indirectly, from funds of the State, whether appropriated or
36 unappropriated. The fund may consist of real property, in kind contributions, or funds
37 expended prior to the effective date of this Act. In case of any dispute as to the amount
38 of the matching fund or what money or assets may qualify as matching funds, the
39 Board of Public Works shall determine the matter and the Board's decision is final.
40 The grantee has until June 1, 2002, to present evidence satisfactory to the Board of

1 Public Works that a matching fund will be provided. If satisfactory evidence is
2 presented, the Board shall certify this fact and the amount of the matching fund to the
3 State Treasurer, and the proceeds of the loan equal to the amount of the matching
4 fund shall be expended for the purposes provided in this Act. Any amount of the loan
5 in excess of the amount of the matching fund certified by the Board of Public Works
6 shall be canceled and be of no further effect.

7 (6) No portion of the proceeds of the loan or any of the matching funds may
8 be used for the furtherance of sectarian religious instruction, or in connection with the
9 design, acquisition, or construction of any building used or to be used as a place of
10 sectarian religious worship or instruction, or in connection with any program or
11 department of divinity for any religious denomination. Upon the request of the Board
12 of Public Works, the grantee shall submit evidence satisfactory to the Board that none
13 of the proceeds of the loan or any matching funds have been or are being used for a
14 purpose prohibited by this Act.

15 **(7) THE PROCEEDS OF THE LOAN MUST BE EXPENDED OR**
16 **ENCUMBERED BY THE BOARD OF PUBLIC WORKS FOR THE PURPOSES**
17 **PROVIDED IN THIS ACT NO LATER THAN JUNE 1, 2011. IF ANY FUNDS**
18 **AUTHORIZED BY THIS ACT REMAIN UNEXPENDED OR UNENCUMBERED AFTER**
19 **JUNE 1, 2011, THE AMOUNT OF THE UNENCUMBERED OR UNEXPENDED**
20 **AUTHORIZATION SHALL BE CANCELED AND BE OF NO FURTHER EFFECT. IF**
21 **BONDS HAVE BEEN ISSUED FOR THE LOAN, THE AMOUNT OF UNEXPENDED OR**
22 **UNENCUMBERED BOND PROCEEDS SHALL BE DISPOSED OF AS PROVIDED IN §**
23 **8-129 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

24 **Chapter 650 of the Acts of 2001**

25 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
26 MARYLAND, That:

27 (1) The Board of Public Works may borrow money and incur indebtedness on
28 behalf of the State of Maryland through a State loan to be known as the Prince
29 George's County – Bethel [Recreation Center] **SENIOR FACILITIES** Loan of 2001 in a
30 total principal amount equal to the lesser of (i) \$250,000 or (ii) the amount of the
31 matching fund provided in accordance with Section 1(5) below. This loan shall be
32 evidenced by the issuance, sale, and delivery of State general obligation bonds
33 authorized by a resolution of the Board of Public Works and issued, sold, and delivered
34 in accordance with §§ 8-117 through 8-124 of the State Finance and Procurement
35 Article and Article 31, § 22 of the Code.

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

39 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer
40 and first shall be applied to the payment of the expenses of issuing, selling, and

1 delivering the bonds, unless funds for this purpose are otherwise provided, and then
2 shall be credited on the books of the Comptroller and expended, on approval by the
3 Board of Public Works, for the following public purposes, including any applicable
4 architects' and engineers' fees: as a grant to the Board of Trustees of Union Bethel
5 A.M.E. Church (referred to hereafter in this Act as "the grantee") for the planning,
6 design, construction, and capital equipping of the Bethel [Recreation Center for use as
7 a gymnasium, cafe and bookstore, and community meeting area,] **SENIOR**
8 **FACILITIES**, to be located in Brandywine, Maryland.

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

13 (5) Prior to the payment of any funds under the provisions of this Act for the
14 purposes set forth in Section 1(3) above, the grantee shall provide and expend a
15 matching fund. No part of the grantee's matching fund may be provided, either
16 directly or indirectly, from funds of the State, whether appropriated or
17 unappropriated. The fund may consist of real property, in kind contributions, or funds
18 expended prior to the effective date of this Act. In case of any dispute as to the amount
19 of the matching fund or what money or assets may qualify as matching funds, the
20 Board of Public Works shall determine the matter and the Board's decision is final.
21 The grantee has until June 1, 2003, to present evidence satisfactory to the Board of
22 Public Works that a matching fund will be provided. If satisfactory evidence is
23 presented, the Board shall certify this fact and the amount of the matching fund to the
24 State Treasurer, and the proceeds of the loan equal to the amount of the matching
25 fund shall be expended for the purposes provided in this Act. Any amount of the loan
26 in excess of the amount of the matching fund certified by the Board of Public Works
27 shall be canceled and be of no further effect.

28 (6) No portion of the proceeds of the loan or any of the matching funds may
29 be used for the furtherance of sectarian religious instruction, or in connection with the
30 design, acquisition, or construction of any building used or to be used as a place of
31 sectarian religious worship or instruction, or in connection with any program or
32 department of divinity for any religious denomination. Upon the request of the Board
33 of Public Works, the grantee shall submit evidence satisfactory to the Board that none
34 of the proceeds of the loan or any matching funds have been or are being used for a
35 purpose prohibited by this Act.

36 **(7) THE PROCEEDS OF THE LOAN MUST BE EXPENDED OR**
37 **ENCUMBERED BY THE BOARD OF PUBLIC WORKS FOR THE PURPOSES**
38 **PROVIDED IN THIS ACT NO LATER THAN JUNE 1, 2011. IF ANY FUNDS**
39 **AUTHORIZED BY THIS ACT REMAIN UNEXPENDED OR UNENCUMBERED AFTER**
40 **JUNE 1, 2011, THE AMOUNT OF THE UNENCUMBERED OR UNEXPENDED**
41 **AUTHORIZATION SHALL BE CANCELED AND BE OF NO FURTHER EFFECT. IF**
42 **BONDS HAVE BEEN ISSUED FOR THE LOAN, THE AMOUNT OF UNEXPENDED OR**

1 UNENCUMBERED BOND PROCEEDS SHALL BE DISPOSED OF AS PROVIDED IN §
2 8-129 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

3 Chapter 204 of the Acts of 2003

4 SECTION 12. AND BE IT FURTHER ENACTED, That:

5 (3)

6 (I) Bethel [Recreation Center.] **SENIOR FACILITIES.** Provide a
7 grant equal to the lesser of (i) \$250,000 or (ii) the amount of
8 the matching fund provided, to the Board of Trustees of Union
9 Bethel A.M.E. Church for the planning, design, construction,
10 and capital equipping of the Bethel [Recreation Center for use
11 as a gymnasium, cafe and bookstore, and community meeting
12 area,] **SENIOR FACILITIES,** located in Brandywine.
13 Notwithstanding the provisions of Section 12(5) of this Act,
14 the matching fund may include real property, in kind
15 contributions, or funds expended prior to the effective date of
16 this Act. **NOTWITHSTANDING SECTION 1(5) OF THIS ACT,**
17 **THE GRANTEE HAS UNTIL JUNE 1, 2011, TO PRESENT**
18 **EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED**
19 (Prince George’s County) 250,000

20 Chapter 445 of the Acts of 2005

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

23 (3) ZA01 LOCAL HOUSE OF DELEGATES INITIATIVES

24 (AY) Bethel [Recreation Center.] **SENIOR FACILITIES.** Provide a
25 grant equal to the lesser of (i) \$250,000 or (ii) the amount of
26 the matching fund provided, to the Board of Trustees of Union
27 Bethel A.M.E. Church, Inc. for the planning, design,
28 construction, and capital equipping of the Bethel [Recreation
29 Center for use as a gymnasium, cafe and bookstore, and
30 community meeting area,] **SENIOR FACILITIES,** located in
31 Brandywine. Notwithstanding Section 1(5) of this Act, the
32 matching fund may consist of real property, in kind
33 contributions, or funds expended prior to the effective date of
34 this Act. **NOTWITHSTANDING SECTION 1(5) OF THIS ACT,**
35 **THE GRANTEE HAS UNTIL JUNE 1, 2011, TO PRESENT**
36 **EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED**
37 (Prince George’s County) 250,000

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 June 1, 2009.