

HOUSE BILL 1351

B4

11r3131

By: **Delegate Howard**

Rules suspended

Introduced and read first time: March 17, 2011

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Prior Authorizations – Prince George’s County – Ebenezer Community Life**
3 **Center Loans of 2001 and 2006**

4 FOR the purpose of amending certain prior authorizations of State debt for the
5 Ebenezer Community Life Center to extend the deadline for the Board of Public
6 Works to expend or encumber the proceeds of certain loans by a certain date;
7 and generally relating to amending certain prior authorizations of State debt for
8 the Ebenezer Community Life Center.

9 BY repealing and reenacting, with amendments,
10 Chapter 462 of the Acts of the General Assembly of 2001, as amended by
11 Chapter 707 of the Acts of the General Assembly of 2009
12 Section 1

13 BY repealing and reenacting, with amendments,
14 Chapter 46 of the Acts of the General Assembly of 2006, as amended by Chapter
15 707 of the Acts of the General Assembly of 2009
16 Section 1(3) Item ZA01(BT)

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

19 **Chapter 462 of the Acts of 2001, as amended by Chapter 707 of the Acts of**
20 **2009**

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

23 (1) The Board of Public Works may borrow money and incur indebtedness on
24 behalf of the State of Maryland through a State loan to be known as the Prince

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 George's County – Ebenezer Community Life Center Loan of 2001 in a total principal
2 amount equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund
3 provided in accordance with Section 1(5) below. This loan shall be evidenced by the
4 issuance, sale, and delivery of State general obligation bonds authorized by a
5 resolution of the Board of Public Works and issued, sold, and delivered in accordance
6 with §§ 8–117 through 8–124 of the State Finance and Procurement Article and
7 Article 31, § 22 of the Code.

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

11 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer
12 and first shall be applied to the payment of the expenses of issuing, selling, and
13 delivering the bonds, unless funds for this purpose are otherwise provided, and then
14 shall be credited on the books of the Comptroller and expended, on approval by the
15 Board of Public Works, for the following public purposes, including any applicable
16 architects' and engineers' fees: as a grant to the Board of Directors of Ebenezer
17 Community Development Corporation (referred to hereafter in this Act as "the
18 grantee") for the design, renovation, reconstruction, and capital equipping of two
19 existing buildings on Whitfield Chapel Road in Lanham, and the design and
20 construction and capital equipping of a new wing, to serve as a mixed educational,
21 administrative, and fellowship complex.

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

26 (5) Prior to the payment of any funds under the provisions of this Act for the
27 purposes set forth in Section 1(3) above, the grantee shall provide and expend a
28 matching fund. No part of the grantee's matching fund may be provided, either
29 directly or indirectly, from funds of the State, whether appropriated or
30 unappropriated. No part of the fund may consist of in kind contributions. The fund
31 may consist of real property and funds expended prior to the effective date of this Act.
32 In case of any dispute as to the amount of the matching fund or what money or assets
33 may qualify as matching funds, the Board of Public Works shall determine the matter
34 and the Board's decision is final. The grantee has until June 1, 2003, to present
35 evidence satisfactory to the Board of Public Works that a matching fund will be
36 provided. If satisfactory evidence is presented, the Board shall certify this fact and the
37 amount of the matching fund to the State Treasurer, and the proceeds of the loan
38 equal to the amount of the matching fund shall be expended for the purposes provided
39 in this Act. Any amount of the loan in excess of the amount of the matching fund
40 certified by the Board of Public Works shall be canceled and be of no further effect.

41 (6) No portion of the proceeds of the loan or any of the matching funds may
42 be used for the furtherance of sectarian religious instruction, or in connection with the
43 design, acquisition, or construction of any building used or to be used as a place of

1 sectarian religious worship or instruction, or in connection with any program or
2 department of divinity for any religious denomination. Upon the request of the Board
3 of Public Works, the grantee shall submit evidence satisfactory to the Board that none
4 of the proceeds of the loan or any matching funds have been or are being used for a
5 purpose prohibited by this Act.

6 (7) The proceeds of the loan must be expended or encumbered by the Board
7 of Public Works for the purposes provided in this Act no later than June 1, [2011]
8 **2013**. If any funds authorized by this Act remain unexpended or unencumbered after
9 June 1, [2011] **2013**, the amount of the unencumbered or unexpended authorization
10 shall be canceled and be of no further effect. If bonds have been issued for the loan, the
11 amount of unexpended or unencumbered bond proceeds shall be disposed of as
12 provided in § 8–129 of the State Finance and Procurement Article.

13 **Chapter 46 of the Acts of 2006, as amended by Chapter 707 of the Acts of 2009**

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That:

16 (3) ZA01 LOCAL SENATE INITIATIVES

17 (BT) Ebenezer Community Life Center. Provide a grant equal to
18 the lesser of (i) \$150,000 or (ii) the amount of the matching
19 fund provided, to the Board of Directors of Ebenezer
20 Community Development Corporation for the planning,
21 design, construction, renovation, reconstruction, and capital
22 equipping of the Community Life Center, located in Lanham.
23 Notwithstanding Section 1(5) of this Act, the matching fund
24 may consist of real property, in kind contributions, or funds
25 expended prior to the effective date of this Act.
26 Notwithstanding any other provision of law, the proceeds of
27 the loan must be encumbered by the Board of Public Works or
28 expended for the purposes provided in this Act no later than
29 June 1, [2011] **2013** (Prince George’s County) 150,000

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 June 1, 2011.