

EMERGENCY BILL

(PRE-FILED)

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CF 71r0398

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**By: Senator McFadden**

Requested: September 12, 1996

Introduced and read first time: January 8, 1997

Assigned to: Budget and Taxation

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A BILL ENTITLED

1 AN ACT concerning

2 **CURE Heart, Body, and Soul Loan of 1994**

3 FOR the purpose of amending Chapter 229 of the Acts of the General Assembly of 1994,  
4 the CURE Heart, Body, and Soul Loan of 1994, to alter the purpose for which the  
5 proceeds of the grant will be used from renovation of existing buildings to the  
6 construction of a new building; and making this Act an emergency measure.

7 BY repealing and reenacting, with amendments,  
8 Chapter 229 of the Acts of the General Assembly of 1994  
9 Section 1

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

12 **Chapter 229 of the Acts of 1994**

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

15 (1) The Board of Public Works may borrow money and incur indebtedness on  
16 behalf of the State of Maryland through a State loan to be known as the CURE Heart,  
17 Body, and Soul Loan of 1994 in a total principal amount equal to the lesser of (i) \$200,000  
18 or (ii) the amount of the matching fund provided in accordance with Section 1(5) below.  
19 This loan shall be evidenced by the issuance, sale, and delivery of State general obligation  
20 bonds authorized by a resolution of the Board of Public Works and issued, sold, and  
21 delivered in accordance with §§ 8-117 through 8-124 of the State Finance and  
22 Procurement Article and Article 31, § 22 of the Code.

23 (2) The bonds to evidence this loan or installments of this loan may be sold as a  
24 single issue or may be consolidated and sold as part of a single issue of bonds under §  
25 8-122 of the State Finance and Procurement Article.

26 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and  
27 first shall be applied to the payment of the expenses of issuing, selling, and delivering the  
28 bonds, unless funds for this purpose are otherwise provided, and then shall be credited on  
29 the books of the Comptroller and expended, on approval by the Board of Public Works,  
30 for the following public purposes, including any applicable architects' and engineers' fees:

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1 as a grant to the Board of Directors of Clergy United for Renewal of East Baltimore, Inc.  
 2 for the [renovation of four buildings located at 901 through 907 North Broadway]  
 3 CONSTRUCTION OF A BUILDING in Baltimore City to be used as operational  
 4 headquarters, a community health center, and a nonprofit revenue-generating business  
 5 for the CURE Heart, Body, and Soul Program.

6 (4) An annual State tax is imposed on all assessable property in the State in rate  
 7 and amount sufficient to pay the principal of and interest on the bonds as and when due  
 8 and until paid in full. The principal shall be discharged within 15 years after the date of  
 9 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 Board of Directors of Clergy United for  
 12 Renewal of East Baltimore, Inc. shall provide and expend a matching fund . No part of an  
 13 applicant's matching fund may be provided, either directly or indirectly, from funds of the  
 14 State, whether appropriated or unappropriated. No part of the fund may consist of real  
 15 property, in kind contributions, or funds expended prior to the effective date of this Act.  
 16 In case of any dispute as to the amount of the matching fund or what money or assets may  
 17 qualify as matching funds, the Board of Public Works shall determine the matter and the  
 18 Board's decision is final. The Board of Directors of Clergy United for Renewal of East  
 19 Baltimore, Inc. has until June 1, 1996, to present evidence satisfactory to the Board of  
 20 Public Works that a matching fund will be provided. If satisfactory evidence is presented,  
 21 the Board shall certify this fact and the amount of the matching fund to the State  
 22 Treasurer, and the proceeds of the loan equal to the amount of the matching fund shall  
 23 be expended for the purposes provided in this Act. Any amount of the loan in excess of  
 24 the amount of the matching fund certified by the Board of Public Works shall be canceled  
 25 and be of no further effect.

26 (6) No portion of the proceeds of the loan or any of the matching funds may be  
 27 used for the furtherance of sectarian religious instruction, or in connection with the  
 28 design, acquisition, or construction of any building used or to be used as a place of  
 29 sectarian religious worship or instruction, or in connection with any program or  
 30 department of divinity for any religious denomination. Upon the request of the Board of  
 31 Public Works, the Board of Directors of Clergy United for Renewal of East Baltimore,  
 32 Inc. shall submit evidence satisfactory to the Board that none of the proceeds of the loan  
 33 or any matching funds has been or is being used for a purpose prohibited by this Act.

34 (7) (a) Prior to the issuance of the bonds, the Board of Directors of Clergy  
 35 United for Renewal of East Baltimore, Inc. shall grant and convey to the Maryland  
 36 Historical Trust perpetual preservation easements to the extent of its interest:

37 (i) On the land or such portion of the land acceptable to the Trust;  
 38 and

39 (ii) On the exterior and interior, where appropriate, of the historic  
 40 structures.

41 (b) The easements must be in form and substance acceptable to the Trust  
 42 and the extent of the interest to be encumbered must be acceptable to the Trust.

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency  
2 measure, is necessary for the immediate preservation of the public health and safety, has  
3 been passed by a yea and nay vote supported by three-fifths of all the members elected to  
4 each of the two Houses of the General Assembly, and shall take effect from the date it is  
5 enacted.