

SENATE BILL 693

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B2

1999 Regular Session  
9lr2329  
CF 9lr2033

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By: **Senators Blount, Kelley, and Mitchell Mitchell, and Munson**

Introduced and read first time: February 18, 1999

Assigned to: Rules

Re-referred to: Budget and Taxation, February 22, 1999

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: April 1, 1999

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Creation of a State Debt - Baltimore City - The Eubie Blake National Jazz**  
3 **Institute and Cultural Center**

4 FOR the purpose of authorizing the creation of a State Debt not to exceed ~~\$1,200,000~~  
5 \$500,000, the proceeds to be used as a grant to the Board of Directors of The  
6 Eubie Blake National Jazz Institute and Cultural Center for certain  
7 development or improvement purposes; providing for disbursement of the loan  
8 proceeds, subject to a requirement that the grantee provide and expend a  
9 matching fund; requiring the grantee to grant and convey a certain easement to  
10 the Maryland Historical Trust; and providing generally for the issuance and sale  
11 of bonds evidencing the loan.

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
13 MARYLAND, 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 Baltimore  
16 City - The Eubie Blake National Jazz Institute and Cultural Center Loan of 1999 in  
17 a total principal amount equal to the lesser of (i) ~~\$1,200,000~~ \$500,000 or (ii) the  
18 amount of the matching fund provided in accordance with Section 1(5) below. This  
19 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  
24 a 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.

1 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer  
2 and first shall be applied to the payment of the expenses of issuing, selling, and  
3 delivering the bonds, unless funds for this purpose are otherwise provided, and then  
4 shall be credited on the books of the Comptroller and expended, on approval by the  
5 Board of Public Works, for the following public purposes, including any applicable  
6 architects' and engineers' fees: as a grant to the Board of Directors of The Eubie Blake  
7 National Jazz Institute and Cultural Center (referred to hereafter in this Act as "the  
8 grantee") for the repair, renovation, reconstruction, construction, and capital  
9 equipping of a building on North Howard Street in Baltimore City to be named in  
10 honor of Eubie Blake and to be used as a modern performing arts center that would be  
11 a home for the work of minority artists and would provide area residents with classes  
12 and activities in the arts.

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

17 (5) Prior to the payment of any funds under the provisions of this Act for the  
18 purposes set forth in Section 1(3) above, the grantee shall provide and expend a  
19 matching fund. No part of the grantee's matching fund may be provided, either  
20 directly or indirectly, from funds of the State, whether appropriated or  
21 unappropriated. No part of the fund may consist of in kind contributions or funds  
22 expended prior to the effective date of this Act. The matching fund may consist of real  
23 property. In case of any dispute as to the amount of the matching fund or what money  
24 or assets may qualify as matching funds, the Board of Public Works shall determine  
25 the matter and the Board's decision is final. The grantee has until June 1, 2001, to  
26 present evidence satisfactory to the Board of Public Works that a matching fund will  
27 be provided. If satisfactory evidence is presented, the Board shall certify this fact and  
28 the amount of the matching fund to the State Treasurer, and the proceeds of the loan  
29 equal to the amount of the matching fund shall be expended for the purposes provided  
30 in this Act. Any amount of the loan in excess of the amount of the matching fund  
31 certified by the Board of Public Works shall be canceled and be of no further effect.

32 (6) (a) Prior to the issuance of the bonds, the grantee shall grant and convey  
33 to the Maryland Historical Trust a perpetual preservation easement to the extent of  
34 its interest:

35 (i) On the land or such portion of the land acceptable to the Trust;  
36 and

37 (ii) On the exterior and interior, where appropriate, of the historic  
38 structures.

39 (b) The easement must be in form and substance acceptable to the Trust  
40 and the extent of the interest to be encumbered must be acceptable to the Trust.

41 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
42 June 1, 1999.

