

HOUSE BILL 495

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SB 117/99 - B&T

2000 Regular Session  
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By: **Delegates Dypski, Rosenberg, Cole, C. Davis, Dobson, Doory, Gladden,  
Hammen, Harrison, Kirk, Krysiak, Marriott, Montague, McHale,  
McIntosh, Oaks, Paige, and Phillips**

Introduced and read first time: February 4, 2000  
Assigned to: Appropriations

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Committee Report: Favorable  
House action: Adopted  
Read second time: April 1, 2000

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Creation of a State Debt - Baltimore City - U.S.S. Constellation**

3 FOR the purpose of authorizing the creation of a State Debt not to exceed \$475,000,  
4 the proceeds to be used as a grant to the Board of Directors of the Constellation  
5 Foundation, Inc. for certain development or improvement purposes; providing  
6 for disbursement of the loan proceeds, subject to a requirement that the grantee  
7 provide and expend a matching fund; and providing generally for the issuance  
8 and sale of bonds evidencing the loan.

9 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
10 MARYLAND, That:

11 (1) The Board of Public Works may borrow money and incur indebtedness on  
12 behalf of the State of Maryland through a State loan to be known as the Baltimore  
13 City - U.S.S. Constellation Loan of 2000 in a total principal amount equal to the  
14 lesser of (i) \$475,000 or (ii) the amount of the matching fund provided in accordance  
15 with Section 1(5) below. This loan shall be evidenced by the issuance, sale, and  
16 delivery of State general obligation bonds authorized by a resolution of the Board of  
17 Public Works and issued, sold, and delivered in accordance with §§ 8-117 through  
18 8-124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

19 (2) The bonds to evidence this loan or installments of this loan may be sold as  
20 a single issue or may be consolidated and sold as part of a single issue of bonds under  
21 § 8-122 of the State Finance and Procurement Article.

22 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer  
23 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 Directors of the  
5 Constellation Foundation, Inc. (referred to hereafter in this Act as "the grantee") for  
6 the design, repair, restoration, improvement, and preservation of the U.S.S.  
7 Constellation.

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

12 (5) (a) The grantee shall provide and expend a matching fund.

13 (b) No part of the grantee's matching fund may be provided, either  
14 directly or indirectly, from funds of the State, whether appropriated or  
15 unappropriated. No part of the fund may consist of real property. The fund may  
16 consist of in kind contributions made after January 1, 1993 or funds expended prior to  
17 the effective date of this Act and after January 1, 1993. The matching fund, including  
18 in kind contributions, may consist of items that are necessary to the renovation of the  
19 ship, including but not limited to tools and tooling, utilities, and the rental and repair  
20 of facilities. In case of any dispute as to the amount of the matching fund or what  
21 money or assets may qualify as matching funds, the Board of Public Works shall  
22 determine the matter and the Board's decision is final.

23 (c) The grantee shall present evidence to the satisfaction of the Board of  
24 Public Works of the provision and expenditure of the matching fund, and the Board of  
25 Public Works shall disburse the proceeds of the grant under the provisions of this Act  
26 for the purposes set forth in Section 1(3) above, both to be done in installments.

27 (d) As the grantee provides and expends an installment of the matching  
28 fund, which shall be equal to at least 25% of the grant amount authorized in Section  
29 1(1) above, the Board of Public Works shall disburse an installment of the proceeds of  
30 the grant equal to the portion of the matching fund presented at that time by the  
31 grantee.

32 (e) This method of presentation of the matching fund in installments and  
33 of the disbursement of the proceeds of the loan in installments that are equal to each  
34 presentation of the matching fund shall continue until the first to occur of the  
35 disbursement of the total amount of the grant or June 1, 2002.

36 (f) The grantee has until June 1, 2002, to present the final evidence  
37 satisfactory to the Board of Public Works that the total matching fund will be  
38 provided. If satisfactory evidence is presented, the Board shall certify this fact, the  
39 amount of the final installment of the matching fund, and the amount of the total  
40 matching fund to the State Treasurer, and the final proceeds of the loan equal to the  
41 final installment of the matching fund shall be expended for the purposes provided in  
42 this Act. After June 1, 2002, any amount of the loan in excess of the amount of the

1 matching fund certified by the Board of Public Works shall be canceled and be of no  
2 further effect.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
4 effect June 1, 2000.