

SENATE BILL 319

Unofficial Copy  
B2

2001 Regular Session  
(11r1108)

*ENROLLED BILL*  
*-- Budget and Taxation/Appropriations --*

Introduced by **Senators Hoffman, Mitchell, Munson, and Van Hollen**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this  
\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_ M.

\_\_\_\_\_  
President.

CHAPTER 374

1 AN ACT concerning

2 **Creation of a State Debt - ~~Baltimore City~~ Star Spangled Banner Flag House**  
3 **and 1812 Museum**

4 FOR the purpose of authorizing the creation of a State Debt not to exceed ~~\$900,000~~  
5 \$750,000 ~~\$700,000~~, the proceeds to be used as a grant to the Board of Directors  
6 of the Star Spangled Banner Flag House Association, Inc. 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; providing that the grantee will grant and convey a certain  
10 easement to the Maryland Historical Trust; and providing generally for the  
11 issuance and sale 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~~ Star Spangled Banner Flag House and 1812 Museum Loan of 2001 in a total

1 principal amount equal to the lesser of (i) ~~\$900,000~~ ~~\$750,000~~ \$700,000 or (ii) the  
2 amount of the matching fund provided in accordance with Section 1(5) below. This  
3 loan shall be evidenced by the issuance, sale, and delivery of State general obligation  
4 bonds authorized by a resolution of the Board of Public Works and issued, sold, and  
5 delivered in accordance with §§ 8-117 through 8-124 of the State Finance and  
6 Procurement Article and Article 31, § 22 of the Code.

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

10 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer  
11 and first shall be applied to the payment of the expenses of issuing, selling, and  
12 delivering the bonds, unless funds for this purpose are otherwise provided, and then  
13 shall be credited on the books of the Comptroller and expended, on approval by the  
14 Board of Public Works, for the following public purposes, including any applicable  
15 architects' and engineers' fees: as a grant to the Board of Directors of the Star  
16 Spangled Banner Flag House Association, Inc. (referred to hereafter in this Act as  
17 "the grantee") for the construction and capital equipping of a new museum, to be  
18 known as the 1812 Museum, and for the repair, renovation, and reconstruction of the  
19 Star Spangled Banner Flag House, located in Baltimore, Maryland.

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

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

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

42 (i) On the land or such portion of the land acceptable to the Trust;  
43 and

1 (ii) On the exterior and interior, where appropriate, of the historic  
2 structures.

3 (b) If the grantee or beneficiary of the grant holds a lease on the land and  
4 structures, the Trust may accept an easement on the leasehold interest.

5 ~~(b)~~ (c) The easement must be in form and substance acceptable to the  
6 Trust and the extent of the interest to be encumbered must be acceptable to the Trust.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
8 June 1, 2001.