

SENATE BILL 623

Unofficial Copy  
B2

2001 Regular Session  
(11r1867)

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

Introduced by **Senator Hughes**

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 411

1 AN ACT concerning

2 **Creation of a State Debt - Baltimore City - Pimlico Road Arts and**  
3 **Community Center**

4 FOR the purpose of authorizing the creation of a State Debt not to exceed ~~\$1,000,000~~  
5 \$500,000 \$750,000, the proceeds to be used as a grant to the Board of Directors  
6 of Holy Nativity and St. John's Development Corporation 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; prohibiting the use of the proceeds of the sale of the bonds and  
10 the matching fund for sectarian religious purposes; and providing generally for  
11 the 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 - Pimlico Road Arts and Community Center Loan of 2001 in a total principal

1 amount equal to the lesser of (i) ~~\$1,000,000~~ ~~\$500,000~~ \$750,000 or (ii) the amount of  
2 the matching fund provided in accordance with Section 1(5) below. This loan shall be  
3 evidenced by the issuance, sale, and delivery of State general obligation bonds  
4 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 Holy Nativity  
16 and St. John's Development Corporation (referred to hereafter in this Act as "the  
17 grantee") for the acquisition of the property located at 4403 Pimlico Road in Baltimore  
18 and for the design and construction of a facility to provide community activities,  
19 programs, and functions.

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) No portion of the proceeds of the loan or any of the matching funds may be  
40 used for the furtherance of sectarian religious instruction, or in connection with the  
41 design, acquisition, or construction of any building used or to be used as a place of  
42 sectarian religious worship or instruction, or in connection with any program or  
43 department of divinity for any religious denomination. Upon the request of the Board  
44 of Public Works, the grantee shall submit evidence satisfactory to the Board that none

1 of the proceeds of the loan or any matching funds have been or are being used for a  
2 purpose prohibited by this Act.

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