
By: Delegates Finifter, Frank, Morhaim, Campbell, McIntosh, and Rosenberg

Introduced and read first time: January 22, 1996

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Greater Baltimore Cultural Arts Foundation Loan of 1994**

3 FOR the purpose of amending Chapter 121 of the Acts of the General Assembly of 1994,
4 the Greater Baltimore Cultural Arts Foundation Loan of 1994, to extend the time
5 for the Board of Directors of the Greater Baltimore Cultural Arts Foundation, Inc.
6 to provide evidence of a matching fund to the Board of Public Works and to alter
7 the type of matching fund.

8 BY repealing and reenacting, with amendments,
9 Chapter 121 of the Acts of the General Assembly of 1994
10 Section 1

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

13 **Chapter 121 of the Acts of 1994**

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

16 (1) The Board of Public Works may borrow money and incur indebtedness on
17 behalf of the State of Maryland through a State loan to be known as the Greater
18 Baltimore Cultural Arts Foundation Loan of 1994 in a total principal amount equal to the
19 lesser of (i) \$500,000 or (ii) the amount of the matching fund provided in accordance with
20 Section 1(5) below. This loan shall be evidenced by the issuance, sale, and delivery of
21 State general obligation bonds authorized by a resolution of the Board of Public Works
22 and issued, sold, and delivered in accordance with §§ 8-117 through 8-124 of the State
23 Finance and Procurement Article and Article 31, § 22 of the Code.

24 (2) The bonds to evidence this loan or installments of this loan may be sold as a
25 single issue or may be consolidated and sold as part of a single issue of bonds under §
26 8-122 of the State Finance and Procurement Article.

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

2

1 as a grant to the Board of Directors of the Greater Baltimore Cultural Arts Foundation,
2 Inc. for the repair, renovation, rehabilitation, reconstruction, construction, and equipping
3 of the Pikes Theatre in Pikesville for use as a performing arts center.

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

8 (5) Prior to the payment of any funds under the provisions of this Act for the
9 purposes set forth in Section 1(3) above, the Board of Directors of the Greater Baltimore
10 Cultural Arts Foundation, Inc. shall provide and expend a matching fund. No part of an
11 applicant's matching fund may be provided, either directly or indirectly, from funds of the
12 State, whether appropriated or unappropriated. No part of the fund may consist of real
13 property[, in kind contributions,] or funds expended prior to the effective date of this
14 Act. **THE FUND MAY CONSIST OF IN KIND CONTRIBUTIONS.** In case of any dispute as to
15 the amount of the matching fund or what money or assets may qualify as matching funds,
16 the Board of Public Works shall determine the matter and the Board's decision is final.
17 The Board of Directors of the Greater Baltimore Cultural Arts Foundation, Inc. has until
18 June 1, [1996] 1997, to present evidence satisfactory to the Board of Public Works that a
19 matching fund will be provided. If satisfactory evidence is presented, the Board shall
20 certify this fact and the amount of the matching fund to the State Treasurer, and the
21 proceeds of the loan equal to the amount of the matching fund shall be expended for the
22 purposes provided in this Act. Any amount of the loan in excess of the amount of the
23 matching fund certified by the Board of Public Works shall be canceled and be of no
24 further effect.

25 (6) (a) Prior to the issuance of the bonds, the Board of Directors of the Greater
26 Baltimore Cultural Arts Foundation, Inc. shall grant and convey to the Maryland
27 Historical Trust a perpetual preservation easement to the extent of its interest:

28 (i) On the land or such portion of the land acceptable to the Trust;
29 and

30 (ii) On the exterior and interior, where appropriate, of the historic
31 structures.

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

34 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
35 June 1, 1996.