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**By: Delegate Boston**

Introduced and read first time: February 26, 1996

Assigned to: Rules and Executive Nominations

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A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Consolidated Capital Bond Loan of 1994 and Baltimore Children's Museum**  
3 **Loan of 1995**

4 FOR the purpose of amending Chapter 115 of the Acts of the General Assembly of 1994,  
5 the Maryland Consolidated Capital Bond Loan of 1994, as amended by Chapter 131  
6 of the Acts of the General Assembly of 1995, to alter the purposes of the grant to  
7 the Baltimore Children's Museum and to clarify the use of the proceeds of the  
8 grant; and amending Chapter 183 of the Acts of the General Assembly of 1995, the  
9 Baltimore Children's Museum Loan of 1995, to alter the purposes of the grant and  
10 to clarify the use of the proceeds of the grant.

11 BY repealing and reenacting, with amendments,  
12 Chapter 115 of the Acts of the General Assembly of 1994, as amended by Chapter  
13 131 of the Acts of the General Assembly of 1995  
14 Section 1(3) Item 50.01.00(D)

15 BY repealing and reenacting, with amendments,  
16 Chapter 183 of the Acts of the General Assembly of 1995  
17 Section 1

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

20 **Chapter 115 of the Acts of 1994, as amended by Chapter 131 of the Acts of 1995**

21 Section 1(3)

22 50.01.00  
23 MISCELLANEOUS GRANT PROGRAMS  
24 [TAG cap](D) (1) Baltimore Children's Museum, Inc. Provide a grant to the  
25 Baltimore Children's Museum, Inc. [to assist in the acquisition,  
26 design, construction, and equipping of the Baltimore Children's  
27 Museum, Inc.,] (REFERRED TO HEREAFTER IN THIS ACT AS  
28 "THE GRANTEE") FOR THE ACQUISITION OF REAL PROPERTY  
29 AND FOR THE PLANNING, DESIGN, CONSTRUCTION,  
30 ALTERATION, AND RENOVATION OF, FOR THE PROVISION OF  
31 EQUIPMENT AND FURNISHINGS FOR, AND FOR THE  
32 INSTALLATION OF EXHIBITS AT, THE BALTIMORE CHILDREN'S

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1 MUSEUM, TO BE LOCATED AT MARKET PLACE IN BALTIMORE  
2 CITY, ADJACENT TO AND INCLUDING AN EXISTING OPEN-AIR  
3 PLAZA, THE GRANT TO INCLUDE EXPENSES INCURRED BY THE  
4 GRANTEE FOR:  
5 [TAG cap](I) THE PREPARATION OF A MASTER PLAN FOR THE AREA  
6 IMMEDIATELY SURROUNDING THE CHILDREN'S MUSEUM;  
7 [TAG cap](II) THE SECURING OF THIRD PARTY CONSTRUCTION,  
8 DEVELOPMENT AND MANAGEMENT SERVICES IN CONNECTION  
9 WITH THE PLANNING, DESIGN, CONSTRUCTION, ALTERATION,  
10 RENOVATION, EQUIPPING, AND FURNISHING OF THE  
11 CHILDREN'S MUSEUM; AND  
12 [TAG cap](III) THE PLANNING, DESIGN, CONSTRUCTION, AND PURCHASE OF  
13 EXHIBITS FOR THE CHILDREN'S MUSEUM.  
14 [TAG cap](2) (I) AS PROVIDED IN § 8-127(B)(1)(II) OF THE STATE FINANCE  
15 AND PROCUREMENT ARTICLE, THE GRANTEE MAY EXPEND  
16 THE PROCEEDS OF THE GRANT FOR EXPENSES INCURRED BY  
17 THE GRANTEE IN CONNECTION WITH THE PLANNING, DESIGN,  
18 CONSTRUCTION, AND PURCHASE OF EQUIPMENT, EXHIBITS,  
19 AND FURNISHINGS.  
20 [TAG cap](II) THE IMPROVEMENTS FOR WHICH THE FUNDS ARE EXPENDED  
21 ARE NOT REQUIRED TO BE CAPITAL IMPROVEMENTS WITHIN  
22 THE MEANING OF § 8-127(B)(2) OF THE STATE FINANCE AND  
23 PROCUREMENT ARTICLE OR THE REGULATIONS OR  
24 GUIDELINES OF THE BOARD OF PUBLIC WORKS.  
25 [TAG cap](3) THIS GRANT IS subject to the requirement that the grantee and/or  
26 the Mayor and City Council of Baltimore provide an equal and  
27 matching fund for this purpose, and further subject to the  
28 requirement that the Mayor and City Council of Baltimore provide  
29 assurances satisfactory to the Board of Public Works that  
30 additional funds will be made available in the amount necessary to  
31 complete this project. Further provided that no funds may be  
32 expended until a complete Board of Directors and a Chairman of  
33 the Board of Directors have been selected (Baltimore City)... 2,000,00

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34 **Chapter 183 of the Acts of 1995**

35 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
36 MARYLAND, That:

37 (1) The Board of Public Works may borrow money and incur indebtedness on  
38 behalf of the State of Maryland through a State loan to be known as the Baltimore  
39 Children's Museum Loan of 1995 in a total principal amount equal to the lesser of (i)  
40 \$1,000,000 or (ii) the amount of the matching fund provided in accordance with Section  
41 1(5) below. This loan shall be evidenced by the issuance, sale, and delivery of State  
42 general obligation bonds authorized by a resolution of the Board of Public Works and

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1 issued, sold, and delivered in accordance with §§ 8-117 through 8-124 of the State  
2 Finance and Procurement Article and Article 31, § 22 of the Code.

3 (2) The bonds to evidence this loan or installments of this loan maybe sold as a  
4 single issue or may be consolidated and sold as part of a single issue of bonds under §  
5 8-122 of the State Finance and Procurement Article.

6 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and  
7 first shall be applied to the payment of the expenses of issuing, selling, and delivering the  
8 bonds, unless funds for this purpose are otherwise provided, and then shall be credited on  
9 the books of the Comptroller and expended, on approval by the Board of Public Works,  
10 for the following public purposes, including any applicable architects'and engineers' fees:  
11 as a grant to the Baltimore Children's Museum, Inc. (referred to hereafter in this Act as  
12 "the grantee") for the acquisition of real property and for the planning, design,  
13 construction, alteration, AND renovation OF, [and equipping of] FOR THEPROVISION  
14 OF EQUIPMENT AND FURNISHINGS FOR, AND FOR THE INSTALLATION OF EXHIBITS  
15 AT the Baltimore Children's Museum, TO BE LOCATED AT MARKET PLACE IN  
16 BALTIMORE CITY, ADJACENT TO AND INCLUDING AN EXISTING OPEN-AIR PLAZA,  
17 THE GRANT TO INCLUDE EXPENSES INCURRED BY THE GRANTEE FOR:

18 (A) THE PREPARATION OF A MASTER PLAN FOR THE AREA  
19 IMMEDIATELY SURROUNDING THE CHILDREN'S MUSEUM;

20 (B) THE SECURING OF THIRD PARTY CONSTRUCTION, DEVELOPMENT,  
21 AND MANAGEMENT OF SERVICES IN CONNECTION WITH THE PLANNING, DESIGN,  
22 CONSTRUCTION, ALTERATION, RENOVATION, EQUIPPING, AND FURNISHING OF THE  
23 CHILDREN'S MUSEUM; AND

24 (C) THE PLANNING, DESIGN, CONSTRUCTION, AND PURCHASE OF  
25 EXHIBITS FOR THE CHILDREN'S MUSEUM.

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

30 (5) Prior to the payment of any funds under the provisions of this Act for the  
31 purposes set forth in Section 1(3) above, the grantee shall provide andexpend a matching  
32 fund. No part of the grantee's matching fund may be provided, either directly or  
33 indirectly, from funds of the State, whether appropriated or unappropriated. No part of  
34 the fund may consist of real property, in kind contributions, or funds expended prior to  
35 the effective date of this Act. In case of any dispute as to the amountof the matching  
36 fund or what money or assets may qualify as matching funds, the Board of Public Works  
37 shall determine the matter and the Board's decision is final. The grantee has until June 1,  
38 1997, to present evidence satisfactory to the Board of Public Works that a matching fund  
39 will be provided. If satisfactory evidence is presented, the Board shall certify this fact and  
40 the amount of the matching fund to the State Treasurer, and the proceeds of the loan  
41 equal to the amount of the matching fund shall be expended for the purposes provided in  
42 this Act. Any amount of the loan in excess of the amount of the matching fund certified  
43 by the Board of Public Works shall be canceled and be of no further effect.

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

4                           (i) On the land or such portion of the land acceptable to the Trust;  
5 and

6                           (ii) On the exterior and interior, where appropriate, of the historic  
7 structures.

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

10           (7) (A) AS PROVIDED IN § 8-127(B)(1)(II) OF THE STATE FINANCE AND  
11 PROCUREMENT ARTICLE, THE GRANTEE MAY EXPEND THE PROCEEDS OF THE  
12 GRANT FOR EXPENSES INCURRED BY THE GRANTEE IN CONNECTION WITH THE  
13 PLANNING, DESIGN, CONSTRUCTION, AND PURCHASE OF EQUIPMENT, EXHIBITS,  
14 AND FURNISHINGS.

15                           (B) THE IMPROVEMENTS FOR WHICH THE FUNDS ARE EXPENDED ARE  
16 NOT REQUIRED TO BE CAPITAL IMPROVEMENTS WITHIN THE MEANING OF §  
17 8-127(B)(2) OF THE STATE FINANCE AND PROCUREMENT ARTICLE OR THE  
18 REGULATIONS OR GUIDELINES OF THE BOARD OF PUBLIC WORKS.

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