
By: Senators Hughes, Hoffman, and Cade

Introduced and read first time: February 2, 1996

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 27, 1996

CHAPTER ____

1 AN ACT concerning

2 Creation of a State Debt - Baltimore City - Clipper Park Arts Center

3 FOR the purpose of authorizing the creation of a State Debt not to exceed ~~\$800,000~~
 4 \$200,000, the proceeds to be used as a grant to the Board of Directors of the
 5 Clipper Park Arts Center, Inc. for certain acquisition, development, or
 6 improvement purposes; providing for disbursement of the loan proceeds, subject to
 7 a requirement that the grantee provide and expend a matching fund; requiring the
 8 grantee to grant and convey a certain historic easement; and providing generally for
 9 the issuance and sale of bonds evidencing the loan.

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

12 (1) The Board of Public Works may borrow money and incur indebtedness on
 13 behalf of the State of Maryland through a State loan to be known as the Baltimore City
 14 - Clipper Park Arts Center Loan of 1996 in a total principal amount equal to the lesser of
 15 (i) ~~\$800,000~~ \$200,000 or (ii) the amount of the matching fund provided in accordance with
 16 Section 1(5) below. This loan shall be evidenced by the issuance, sale, and delivery of
 17 State general obligation bonds authorized by a resolution of the Board of Public Works
 18 and issued, sold, and delivered in accordance with §§ 8-117 through 8-124 of the State
 19 Finance and Procurement Article and Article 31, § 22 of the Code.

20 (2) The bonds to evidence this loan or installments of this loan may be sold as a
 21 single issue or may be consolidated and sold as part of a single issue of bonds under §
 22 8-122 of the State Finance and Procurement Article.

23 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and
 24 first shall be applied to the payment of the expenses of issuing, selling, and delivering the
 25 bonds, unless funds for this purpose are otherwise provided, and then shall be credited on
 26 the books of the Comptroller and expended, on approval by the Board of Public Works,

2

1 for the following public purposes, including any applicable architects' and engineers' fees:
2 as a grant to the Board of Directors of the Clipper Park Arts Center, Inc. (referred to
3 hereafter in this Act as "the grantee") for the construction of a replacement building and
4 the repair and renovation of an existing building buildings in the historic Clipper
5 Industrial Park, for the purpose of providing affordable studios for artists and craftsmen
6 and their apprentices, as well as educational areas, galleries, and meeting space.

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

11 (5) Prior to the payment of any funds under the provisions of this Act for the
12 purposes set forth in Section 1(3) above, the grantee shall provide and expend a matching
13 fund. No part of the grantee's matching fund may be provided, either directly or
14 indirectly, from funds of the State, whether appropriated or unappropriated. No part of
15 the fund may consist of real property, in kind contributions, or funds expended prior to
16 the effective date of this Act. In case of any dispute as to the amount of the matching
17 fund or what money or assets may qualify as matching funds, the Board of Public Works
18 shall determine the matter and the Board's decision is final. The grantee has until June 1,
19 1998, to present evidence satisfactory to the Board of Public Works that a matching fund
20 will be provided. If satisfactory evidence is presented, the Board shall certify this fact and
21 the amount of the matching fund to the State Treasurer, and the proceeds of the loan
22 equal to the amount of the matching fund shall be expended for the purposes provided in
23 this Act. Any amount of the loan in excess of the amount of the matching fund certified
24 by the Board of Public Works shall be canceled and be of no further effect.

25 (6) (a) Prior to the issuance of the bonds, the grantee shall grant and convey to
26 the Maryland Historical Trust a perpetual preservation easement to the extent of its
27 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.

