

EMERGENCY BILL

B2

6lr1719

CF 6lr1162

By: Senator Hoffman

Introduced and read first time: February 2, 1996

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City Life Museums Loans of 1989 and 1993**

3 FOR the purpose of amending Chapter 237 of the Acts of the General Assembly of 1989,
4 the Baltimore City Life Museums Loan of 1989 and Chapter 475 of the Acts of the
5 General Assembly of 1993, the Baltimore City Life Museums Loan of 1993, to alter
6 the kind of historic easement granted by the Museums; and making this Act an
7 emergency measure.

8 BY repealing and reenacting, with amendments,
9 Chapter 237 of the Acts of the General Assembly of 1989
10 Section 1

11 BY repealing and reenacting, with amendments,
12 Chapter 475 of the Acts of the General Assembly of 1993
13 Section 1

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

16 **Chapter 237 of the Acts of 1989**

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That:

19 (1) The Board of Public Works may borrow money and incur indebtedness on
20 behalf of the State of Maryland through a State loan to be known as the Baltimore City
21 Life Museums Loan of 1989 in the total principal amount of \$750,000. This loan shall be
22 evidenced by the issuance, sale, and delivery of State general obligation bonds authorized
23 by a resolution of the Board of Public Works and issued, sold, and delivered in
24 accordance with §§ 8-117 through 8-124 of the State Finance and Procurement Article
25 and Article 31, § 22 of the Code.

26 (2) The bonds to evidence this loan or installments of this loan maybe sold as a
27 single issue, or may be consolidated and sold as part of a single issue of bonds under §
28 8-122 of the State Finance and Procurement Article.

29 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and
30 first shall be applied to the payment of the expenses of issuing, selling, and delivering the

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1 bonds, unless funds for this purpose are otherwise provided, and then shall be credited on
2 the books of the Comptroller and expended, on approval by the Board of Public Works,
3 for the following public purposes, including any applicable architects'and engineers' fees:
4 as a grant to Baltimore City Life Museums for the purpose of the planning, design, site
5 preparation, construction, and equipping of an Exhibition Center on Museum Row in the
6 Jonestown neighborhood of Baltimore City to provide areas for educational programs,
7 comprehensive historical exhibits, and collection storage.

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

12 (5) Prior to the payment of any funds under the provisions of this Act for the
13 purposes set forth in Section 1(3) above, Baltimore City Life Museums shall provide at
14 least an equal and matching fund of \$750,000. No part of an applicant's matching fund
15 may be provided, either directly or indirectly, from funds of the State, whether
16 appropriated or unappropriated. No part of the fund may consist of real property, in kind
17 contributions, or funds expended prior to the effective date of this Act. In case of any
18 dispute as to what money or assets may qualify as matching funds, the Board of Public
19 Works shall determine the matter, and the Board's decision is final. Baltimore City Life
20 Museums has until June 1, 1991, to present evidence satisfactory to the Board of Public
21 Works that the matching fund will be provided. If satisfactory evidence is presented, the
22 Board shall certify this fact to the State Treasurer and the proceeds of the loan shall be
23 expended for the purposes provided in this Act. If this evidence is not presented by June
24 1, 1991, the proceeds of the loan shall be applied to the purposes authorized in § 8-129 of
25 the State Finance and Procurement Article.

26 (6) The Baltimore City Life Museums shall grant and convey a [perpetual]
27 preservation easement on the exterior and interior of the improvements, where
28 appropriate, and on the land to the Maryland Historical Trust, in form and substance
29 acceptable to the Trust.

30 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
31 read as follows:

32 **Chapter 475 of the Acts of 1993**

33 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
34 MARYLAND, That:

35 (1) The Board of Public Works may borrow money and incur indebtedness on
36 behalf of the State of Maryland through a State loan to be known as the Baltimore City
37 Life Museums Loan of 1993 in a total principal amount equal to the lesser of (i) \$500,000
38 or (ii) the amount of the matching fund provided in accordance with Section 1(5) below.
39 This loan shall be evidenced by the issuance, sale, and delivery of State general obligation
40 bonds authorized by a resolution of the Board of Public Works and issued, sold, and
41 delivered in accordance with §§ 8-117 through 8-124 of the State Finance and
42 Procurement Article and Article 31, § 22 of the Code.

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

4 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and
5 first shall be applied to the payment of the expenses of issuing, selling, and delivering the
6 bonds, unless funds for this purpose are otherwise provided, and then shall be credited on
7 the books of the Comptroller and expended, on approval by the Board of Public Works,
8 for the following public purposes, including any applicable architects'and engineers' fees:
9 as a grant to the Board of Trustees of the Baltimore City Life Museums,Inc. for the
10 planning, design, site preparation, construction and equipping of an exhibition center, an
11 admissions kiosk, and pathways, and for the landscaping of the surrounding property on
12 Museum Row in the Jonestown area of Baltimore City.

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

17 (5) Prior to the payment of any funds under the provisions of this Act for the
18 purposes set forth in Section 1(3)above, the Board of Directors of the Baltimore City Life
19 Museums, Inc. shall provide and expend a matching fund. No part of an applicant's
20 matching fund may be provided, either directly or indirectly, from funds of the State,
21 whether appropriated or unappropriated. No part of the fund may consistof in kind
22 contributions. The fund may consist of funds expended prior to the effective date of this
23 Act or real property. In case of any dispute as to the amount of the matching fund or what
24 money or assets may qualify as matching funds, the Board of Public Works shall
25 determine the matter and the Board's decision is final. The Board of Directors of the
26 Baltimore City Life Museums, Inc. has until June 1, 1995, to present evidence satisfactory
27 to the Board of Public Works that a matching fund will be provided. If satisfactory
28 evidence is presented, the Board shall certify this fact and the amountof the matching
29 fund to the State Treasurer, and the proceeds of the loan equal to the amount of the
30 matching fund shall be expended for the purposes provided in this Act. Any amount of
31 the loan in excess of the amount of the matching fund certified by the Board of Public
32 Works shall be canceled and be of no further effect.

33 (6) (a) Prior to the issuance of the bond, the Board of Directors ofthe
34 Baltimore City Life Museums, Inc. shall grant and convey to the Maryland Historical
35 Trust a [perpetual] preservation easement to the extent of its interest:

36 (i) On the land or such portion of the land acceptable to the Trust;
37 and

38 (ii) On the exterior and interior, where appropriate, of the historic
39 structures.

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

42 SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency
43 measure, is necessary for the immediate preservation of the public health and safety, has

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1 been passed by a ye and nay vote supported by three-fifths of all the members elected to
2 each of the two Houses of the General Assembly, and shall take effect from the date it is
3 enacted.