

By: Senator Hoffman

Introduced and read first time: February 2, 1996

Assigned to: Budget and Taxation

Committee Report: Favorable

Senate action: Adopted

Read second time: March 27, 1996

CHAPTER _____

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

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1 accordance with §§ 8-117 through 8-124 of the State Finance and Procurement Article
2 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 issueof 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 Baltimore City Life Museums for the purpose of the planning, design, site
12 preparation, construction, and equipping of an Exhibition Center on Museum Row in the
13 Jonestown neighborhood of Baltimore City to provide areas for educational programs,
14 comprehensive historical exhibits, and collection storage.

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

19 (5) Prior to the payment of any funds under the provisions of this Act for the
20 purposes set forth in Section 1(3) above, Baltimore City Life Museums shall provide at
21 least an equal and matching fund of \$750,000. No part of an applicant'smatching fund
22 may be provided, either directly or indirectly, from funds of the State, whether
23 appropriated or unappropriated. No part of the fund may consist of realproperty, in kind
24 contributions, or funds expended prior to the effective date of this Act. In case of any
25 dispute as to what money or assets may qualify as matching funds, the Board of Public
26 Works shall determine the matter, and the Board's decision is final. Baltimore City Life
27 Museums has until June 1, 1991, to present evidence satisfactory to theBoard of Public
28 Works that the matching fund will be provided. If satisfactory evidenceis presented, the
29 Board shall certify this fact to the State Treasurer and the proceeds of the loan shall be
30 expended for the purposes provided in this Act. If this evidence is notpresented by June
31 1, 1991, the proceeds of the loan shall be applied to the purposes authorized in § 8-129 of
32 the State Finance and Procurement Article.

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

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

39 **Chapter 475 of the Acts of 1993**

40 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
41 MARYLAND, That:

42 (1) The Board of Public Works may borrow money and incur indebtedness on
43 behalf of the State of Maryland through a State loan to be known as theBaltimore City

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1 Life Museums Loan of 1993 in a total principal amount equal to the lesser of (i) \$500,000
2 or (ii) the amount of the matching fund provided in accordance with Section 1(5) below.
3 This loan shall be evidenced by the issuance, sale, and delivery of State general obligation
4 bonds 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 maybe sold as a
8 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 and
11 first shall be applied to the payment of the expenses of issuing, selling, and delivering the
12 bonds, unless funds for this purpose are otherwise provided, and then shall be credited on
13 the books of the Comptroller and expended, on approval by the Board of Public Works,
14 for the following public purposes, including any applicable architects'and engineers' fees:
15 as a grant to the Board of Trustees of the Baltimore City Life Museums,Inc. for the
16 planning, design, site preparation, construction and equipping of an exhibition center, an
17 admissions kiosk, and pathways, and for the landscaping of the surrounding property on
18 Museum Row in the Jonestown area of Baltimore City.

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

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

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

42 (i) On the land or such portion of the land acceptable to the Trust;
43 and

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1 (ii) On the exterior and interior, where appropriate, of the historic
2 structures.

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

5 SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency
6 measure, is necessary for the immediate preservation of the public health and safety, has
7 been passed by a yea and nay vote supported by three-fifths of all the members elected to
8 each of the two Houses of the General Assembly, and shall take effect from the date it is
9 enacted.