

---

**By: Senator Young**

Introduced and read first time: February 9, 1996

Assigned to: Rules

---

A BILL ENTITLED

1 AN ACT concerning

2 **Creation of a State Debt - Baltimore City - St. James Academy**

3 FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the  
4 proceeds to be used as a grant to the Board of Directors of St. James Academy, Inc.  
5 for certain acquisition, development, or improvement purposes; providing for  
6 disbursement of the loan proceeds, subject to a requirement that the Mayor and  
7 City Council of Baltimore provide and expend a matching fund; requiring the  
8 granting of a historic easement; prohibiting the use of funds for sectarian religious  
9 purposes; and providing generally for the issuance and sale of bondsevidencing the  
10 loan.

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

13 (1) The Board of Public Works may borrow money and incur indebtedness on  
14 behalf of the State of Maryland through a State loan to be known as theBaltimore City  
15 - St. James Academy Loan of 1996 in a total principal amount equal to the lesser of (i)  
16 \$300,000 or (ii) the amount of the matching fund provided in accordancewith Section  
17 1(5) below. This loan shall be evidenced by the issuance, sale, and delivery of State  
18 general obligation bonds authorized by a resolution of the Board of Public Works and  
19 issued, sold, and delivered in accordance with §§ 8-117 through 8-124 of the State  
20 Finance and Procurement Article and Article 31, § 22 of the Code.

21 (2) The bonds to evidence this loan or installments of this loan maybe sold as a  
22 single issue or may be consolidated and sold as part of a single issue of bonds under §  
23 8-122 of the State Finance and Procurement Article.

24 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and  
25 first shall be applied to the payment of the expenses of issuing, selling, and delivering the  
26 bonds, unless funds for this purpose are otherwise provided, and then shall be credited on  
27 the books of the Comptroller and expended, on approval by the Board of Public Works,  
28 for the following public purposes, including any applicable architects'and engineers' fees:  
29 as a grant to the Board of Directors of St. James Academy, Inc. (referred to hereafter in  
30 this Act as "the grantee") for the repair, renovation, reconstruction, expansion, and  
31 equipping of a building located at 1008 West Lafayette Avenue in Baltimore City, the  
32 building to be used as a school for a diverse group of children from ages four through ten  
33 years, in kindergarten through fifth grade, and for the continuance of the current services

2

1 of after school tutorials and creative arts programs that are offered by the Academy for  
2 children who live in the surrounding communities.

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

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

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

25 (i) On the land or such portion of the land acceptable to the Trust;  
26 and

27 (ii) On the exterior and interior, where appropriate, of the historic  
28 structures.

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

31 (7) No portion of the proceeds of the loan or any of the matching funds may be  
32 used for the furtherance of sectarian religious instruction, or in connection with the  
33 design, acquisition, or construction of any building used or to be used as a place of  
34 sectarian religious worship or instruction, or in connection with any program or  
35 department of divinity for any religious denomination. Upon the request of the Board of  
36 Public Works, the grantee shall submit evidence satisfactory to the Board that none of the  
37 proceeds of the loan or any matching funds have been or are being used for a purpose  
38 prohibited by this Act.

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