
By: Senators Pica, Young, Hoffman, and Blount ~~Blount~~ Blount, Van Hollen, and Kasemeyer

Introduced and read first time: March 1, 1996

Assigned to: Rules

Re-referred to: Budget and Taxation, March 8, 1996

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 27, 1996

CHAPTER _____

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

2

1 [TAG cap](D) (1) Baltimore Children's Museum, Inc. Provide a grant to the
2 Baltimore Children's Museum, Inc. [to assist in the acquisition,
3 design, construction, and equipping of the Baltimore Children's
4 Museum, Inc.,] (REFERRED TO HEREAFTER IN THIS ACT AS
5 "THE GRANTEE") FOR THE ACQUISITION OF REAL PROPERTY
6 AND FOR THE PLANNING, DESIGN, CONSTRUCTION,
7 ALTERATION, ~~AND RENOVATION OF, FOR THE PROVISION OF~~
8 ~~EQUIPMENT AND FURNISHINGS FOR, AND FOR THE~~
9 ~~INSTALLATION OF EXHIBITS AT, RENOVATION, FURNISHING,~~
10 AND EQUIPPING OF THE BALTIMORE CHILDREN'S MUSEUM, TO
11 BE LOCATED AT MARKET PLACE IN BALTIMORE CITY,
12 ADJACENT TO AND INCLUDING AN EXISTING OPEN-AIR PLAZA,
13 ~~THE GRANT TO INCLUDE~~ INCLUDING EXPENSES INCURRED BY
14 THE GRANTEE FOR:
15 [TAG cap](I) THE PREPARATION OF A MASTER PLAN FOR THE AREA
16 IMMEDIATELY SURROUNDING AND RELATED TO THE
17 CHILDREN'S MUSEUM;
18 [TAG cap](II) THE SECURING OF THIRD PARTY CONSTRUCTION; AND
19 DEVELOPMENT ~~AND~~ MANAGEMENT SERVICES IN CONNECTION
20 WITH THE PLANNING, DESIGN, CONSTRUCTION, ALTERATION,
21 RENOVATION, EQUIPPING, AND FURNISHING OF THE
22 CHILDREN'S MUSEUM; AND
23 [TAG cap](III) THE PLANNING, DESIGN, CONSTRUCTION, AND PURCHASE OF
24 ~~EXHIBITS FURNISHINGS, FIXTURES, AND CAPITAL EQUIPMENT~~
25 FOR THE CHILDREN'S MUSEUM.
26 [TAG cap](2) ~~(H)~~ AS PROVIDED IN § 8-127(B)(1)~~(H)(I)~~ OF THE STATE FINANCE
27 AND PROCUREMENT ARTICLE, THE GRANTEE MAY EXPEND
28 THE PROCEEDS OF THE GRANT FOR EXPENSES INCURRED BY
29 THE GRANTEE IN CONNECTION WITH THE PLANNING, DESIGN,
30 CONSTRUCTION, ~~AND PURCHASE OF EQUIPMENT, EXHIBITS,~~
31 ~~AND FURNISHINGS~~ ALTERATION, RENOVATION, EQUIPPING,
32 AND FURNISHING, AS PERMITTED IN THIS ACT.
33 [TAG cap]~~(H)~~ ~~THE IMPROVEMENTS FOR WHICH THE FUNDS ARE EXPENDED~~
34 ~~ARE NOT REQUIRED TO BE CAPITAL IMPROVEMENTS WITHIN~~
35 ~~THE MEANING OF § 8-127(B)(2) OF THE STATE FINANCE AND~~
36 ~~PROCUREMENT ARTICLE OR THE REGULATIONS OR~~
37 ~~GUIDELINES OF THE BOARD OF PUBLIC WORKS.~~
38 [TAG cap](3) THIS GRANT IS subject to the requirement that the grantee and/or
39 the Mayor and City Council of Baltimore provide an equal and
40 matching fund for this purpose; and MAY INCLUDE GRANT
41 FUNDS RECEIVED FROM THE MAYOR AND CITY COUNCIL OF
42 BALTIMORE OR FUNDS RECEIVED FROM PRIVATE SOURCES,
43 ALL OF WHICH THE GRANTEE HAS EXPENDED FOR USES
44 PERMITTED UNDER THIS ACT OR FOR OTHER COSTS AND
45 EXPENSES INCURRED BY THE GRANTEE IN THE PLANNING,

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1 DESIGN, CONSTRUCTION, ALTERATION, RENOVATION,
2 FURNISHING, AND EQUIPPING OF THE CHILDREN'S MUSEUM
3 AND IN THE PLANNING, DESIGN, ACQUISITION, FABRICATION,
4 AND INSTALLATION OF EXHIBITS TO BE DISPLAYED IN THE
5 CHILDREN'S MUSEUM. THE GRANT IS further subject to the
6 requirement that the Mayor and City Council of Baltimore provide
7 assurances satisfactory to the Board of Public Works that
8 additional funds will be made available in the amount necessary to
9 complete this project. Further provided that no funds may be
10 expended until a complete Board of Directors and a Chairman of
11 the Board of Directors have been selected (Baltimore City).... 2,000,00

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12 **Chapter 183 of the Acts of 1995**

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That:

15 (1) The Board of Public Works may borrow money and incur indebtedness on
16 behalf of the State of Maryland through a State loan to be known as theBaltimore
17 Children's Museum Loan of 1995 in a total principal amount equal to the lesser of (i)
18 \$1,000,000 or (ii) the amount of the matching fund provided in accordance with Section
19 1(5) below. This loan shall be evidenced by the issuance, sale, and delivery of State
20 general obligation bonds authorized by a resolution of the Board of Public Works and
21 issued, sold, and delivered in accordance with §§ 8-117 through 8-124 of the State
22 Finance and Procurement Article and Article 31, § 22 of the Code.

23 (2) The bonds to evidence this loan or installments of this loan maybe sold as a
24 single issue or may be consolidated and sold as part of a single issue of bonds under §
25 8-122 of the State Finance and Procurement Article.

26 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and
27 first shall be applied to the payment of the expenses of issuing, selling, and delivering the
28 bonds, unless funds for this purpose are otherwise provided, and then shall be credited on
29 the books of the Comptroller and expended, on approval by the Board of Public Works,
30 for the following public purposes, including any applicable architects'and engineers' fees:
31 as a grant to the Baltimore Children's Museum, Inc. (referred to hereafter in this Act as
32 "the grantee") for the acquisition of real property and for the planning, design,
33 construction, alteration, ~~AND renovation OF, [and equipping of]~~ ~~FOR THE PROVISION~~
34 ~~OF EQUIPMENT AND FURNISHINGS FOR, AND FOR THE INSTALLATION OF EXHIBITS~~
35 AT RENOVATION, FURNISHING, AND EQUIPPING OF the Baltimore Children's Museum,
36 TO BE LOCATED AT MARKET PLACE IN BALTIMORE CITY, ADJACENT TO AND
37 INCLUDING AN EXISTING OPEN-AIR PLAZA, ~~THE GRANT TO INCLUDE~~ INCLUDING
38 EXPENSES INCURRED BY THE GRANTEE FOR:

39 (A) THE PREPARATION OF A MASTER PLAN FOR THE AREA
40 IMMEDIATELY SURROUNDING AND RELATED TO THE CHILDREN'S MUSEUM;

41 (B) THE SECURING OF THIRD PARTY CONSTRUCTION; AND
42 DEVELOPMENT; ~~AND~~ MANAGEMENT ~~OF~~ SERVICES IN CONNECTION WITH THE
43 PLANNING, DESIGN, CONSTRUCTION, ALTERATION, RENOVATION, EQUIPPING, AND
44 FURNISHING OF THE CHILDREN'S MUSEUM; AND

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1 (C) THE PLANNING, DESIGN, CONSTRUCTION, AND PURCHASE OF
2 ~~EXHIBITS FURNISHINGS, FIXTURES, AND CAPITAL EQUIPMENT~~ FOR THE CHILDREN'S
3 MUSEUM.

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

8 (5) Prior to the payment of any funds under the provisions of this Act for the
9 purposes set forth in Section 1(3) above, the grantee shall provide and expend a matching
10 fund. No part of the grantee's matching fund may be provided, either directly or
11 indirectly, from funds of the State, whether appropriated or unappropriated. No part of
12 the fund may consist of real property, ~~in kind contributions, or funds expended prior to~~
13 ~~the effective date of this Act.~~ OR IN KIND CONTRIBUTIONS. THE FUND MAY CONSIST
14 OF FUNDS EXPENDED PRIOR TO THE EFFECTIVE DATE OF THIS ACT. THE MATCHING
15 FUND MAY INCLUDE GRANT FUNDS RECEIVED FROM THE MAYOR AND CITY
16 COUNCIL OF BALTIMORE OR FUNDS RECEIVED FROM PRIVATE SOURCES, ALL OF
17 WHICH THE GRANTEE HAS EXPENDED FOR USES PERMITTED UNDER THIS ACT OR
18 FOR OTHER COSTS AND EXPENSES INCURRED BY THE GRANTEE IN THE PLANNING,
19 DESIGN, CONSTRUCTION, ALTERATION, RENOVATION, FURNISHING, AND
20 EQUIPPING OF THE CHILDREN'S MUSEUM AND IN THE PLANNING, DESIGN,
21 ACQUISITION, FABRICATION, AND INSTALLATION OF EXHIBITS TO BE DISPLAYED IN
22 THE CHILDREN'S MUSEUM. In case of any dispute as to the amount of the matching fund
23 or what money or assets may qualify as matching funds, the Board of Public Works shall
24 determine the matter and the Board's decision is final. The grantee has until June 1,
25 1997, to present evidence satisfactory to the Board of Public Works that a matching fund
26 will be provided. If satisfactory evidence is presented, the Board shall certify this fact and
27 the amount of the matching fund to the State Treasurer, and the proceeds of the loan
28 equal to the amount of the matching fund shall be expended for the purposes provided in
29 this Act. Any amount of the loan in excess of the amount of the matching fund certified
30 by the Board of Public Works shall be canceled and be of no further effect.

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

34 (i) On the land or such portion of the land acceptable to the Trust;
35 and

36 (ii) On the exterior and interior, where appropriate, of the historic
37 structures.

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

40 (7) ~~(A) AS PROVIDED IN § 8-127(B)(1)(H)(I) OF THE STATE FINANCE AND~~
41 ~~PROCUREMENT ARTICLE, THE GRANTEE MAY EXPEND THE PROCEEDS OF THE~~
42 ~~GRANT FOR EXPENSES INCURRED BY THE GRANTEE IN CONNECTION WITH THE~~
43 ~~PLANNING, DESIGN, CONSTRUCTION, AND PURCHASE OF EQUIPMENT, EXHIBITS,~~

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1 ~~AND FURNISHINGS ALTERATION, RENOVATION, EQUIPPING, AND FURNISHING, AS~~
2 ~~PERMITTED IN THIS ACT.~~

3 ~~(B) THE IMPROVEMENTS FOR WHICH THE FUNDS ARE EXPENDED ARE~~
4 ~~NOT REQUIRED TO BE CAPITAL IMPROVEMENTS WITHIN THE MEANING OF §~~
5 ~~8-127(B)(2) OF THE STATE FINANCE AND PROCUREMENT ARTICLE OR THE~~
6 ~~REGULATIONS OR GUIDELINES OF THE BOARD OF PUBLIC WORKS.~~

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