

CF 7r1638

By: Delegates McIntosh, Rosenberg, Curran, C. Davis, Doory, Dypski, Harrison, Kirk, Krysiak, McHale, Montague, T. Murphy, Nathan-Pulliam, Opara, Oaks, Boston, Watson, Hammen, and Branch

Introduced and read first time: January 27, 1997

Assigned to: Appropriations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 30, 1997

CHAPTER _____

1 AN ACT concerning

2 **Creation of a State Debt - Baltimore City - Walters Art Gallery**

3 FOR the purpose of authorizing the creation of a State Debt not to exceed ~~\$1,200,000~~
4 \$800,000, the proceeds to be used as a grant to the Board of Trustees of the Walters
5 Art Gallery, Inc. for certain acquisition, development, or improvement purposes;
6 providing for disbursement of the loan proceeds, subject to a requirement that the
7 grantee provide and expend a matching fund; and providing generally for the
8 issuance and sale of bonds evidencing the loan.

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

11 (1) The Board of Public Works may borrow money and incur indebtedness on
12 behalf of the State of Maryland through a State loan to be known as the Walters Art
13 Gallery Loan of 1997 in a total principal amount equal to the lesser of (i) ~~\$1,200,000~~
14 \$800,000 or (ii) the amount of the matching fund provided in accordance with Section
15 1(5) below. This loan shall be evidenced by the issuance, sale, and delivery of State
16 general obligation bonds authorized by a resolution of the Board of Public Works and
17 issued, sold, and delivered in accordance with §§ 8-117 through 8-124 of the State
18 Finance and Procurement Article and Article 31, § 22 of the Code.

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

22 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and
23 first shall be applied to the payment of the expenses of issuing, selling, and delivering the
24 bonds, unless funds for this purpose are otherwise provided, and then shall be credited on

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1 the books of the Comptroller and expended, on approval by the Board of Public Works,
2 for the following public purposes, including any applicable architects' and engineers' fees:
3 as a grant to the Board of Trustees of the Walters Art Gallery, Inc. (referred to hereafter
4 in this Act as "the grantee") for the repair, renovation, restoration, and improvement of,
5 and for the provision of capital equipment for, the Walters Art Gallery in Baltimore City.

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

10 (5) Prior to the payment of any funds under the provisions of this Act for the
11 purposes set forth in Section 1(3) above, the grantee shall provide and expend a matching
12 fund. No part of the grantee's matching fund may be provided, either directly or
13 indirectly, from funds of the State, whether appropriated or unappropriated. No part of
14 the fund may consist of real property, in kind contributions, or funds expended prior to
15 the effective date of this Act. In case of any dispute as to the amount of the matching
16 fund or what money or assets may qualify as matching funds, the Board of Public Works
17 shall determine the matter and the Board's decision is final. The grantee has until June 1,
18 1999, to present evidence satisfactory to the Board of Public Works that a matching fund
19 will be provided. If satisfactory evidence is presented, the Board shall certify this fact and
20 the amount of the matching fund to the State Treasurer, and the proceeds of the loan
21 equal to the amount of the matching fund shall be expended for the purposes provided in
22 this Act. Any amount of the loan in excess of the amount of the matching fund certified
23 by the Board of Public Works shall be canceled and be of no further effect.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 June 1, 1997.