

CF 7r1473

By: Delegates McIntosh, Rawlings, Rosenberg, Holt, Kopp, Parker, Branch, W. Baker, Conway, and Kirk

Introduced and read first time: February 3, 1997

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Creation of a State Debt - National Aquarium in Baltimore**

3 FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the
4 proceeds to be used as a grant to the Board of Directors of the National Aquarium
5 in Baltimore 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
12 on behalf of the State of Maryland through a State loan to be known as the National
13 Aquarium in Baltimore Loan of 1997 in a total principal amount equal to the lesser of (i)
14 \$250,000 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
20 as a 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
23 and first shall be applied to the payment of the expenses of issuing, selling, and delivering
24 the bonds, unless funds for this purpose are otherwise provided, and then shall be
25 credited on the books of the Comptroller and expended, on approval by the Board of
26 Public Works, for the following public purposes, including any applicable architects' and
27 engineers' fees: as a grant to the Board of Directors of the National Aquarium in
28 Baltimore (referred to hereafter in this Act as "the grantee") for the development,
29 improvement, renovation, reconstruction, repair, expansion, and construction of, and the
30 provision of capital equipment for, the National Aquarium in Baltimore.

31 (4) An annual State tax is imposed on all assessable property in the State in
32 rate and amount sufficient to pay the principal of and interest on the bonds as and when

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1 due and until paid in full. The principal shall be discharged within 15 years after the date
2 of issuance of the bonds.

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

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