

SENATE BILL 503

Unofficial Copy  
B2

1998 Regular Session  
8lr2043

---

By: **Senator Derr**

Introduced and read first time: February 6, 1998

Assigned to: Budget and Taxation

---

A BILL ENTITLED

1 AN ACT concerning

2 **Weinberg Center for the Arts Loan of 1989**

3 FOR the purpose of amending Chapter 162 of the Acts of the General Assembly of  
4 1989, the Weinberg Center for the Arts Loan of 1989, as amended by Chapter  
5 205 of the Acts of the General Assembly of 1995, to alter the nature of the  
6 easement conveyed to the Maryland Historical Trust.

7 BY repealing and reenacting, with amendments,  
8 Chapter 162 of the Acts of the General Assembly of 1989, as amended by  
9 Chapter 205 of the Acts of the General Assembly of 1995  
10 Section 1

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Chapter 162 of the Acts of 1989, as amended by Chapter 205 of the Acts of**  
14 **1995**

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
16 MARYLAND, That:

17 (1) The Board of Public Works may borrow money and incur indebtedness on  
18 behalf of the State of Maryland through a State loan to be known as the Weinberg  
19 Center for the Arts Loan of 1989 in the total principal amount of \$150,000. This loan  
20 shall be evidenced by the issuance, sale, and delivery of State general obligation  
21 bonds authorized by a resolution of the Board of Public Works and issued, sold, and  
22 delivered in accordance with §§ 8-117 through 8-124 of the State Finance and  
23 Procurement Article and Article 31, § 22 of the Code.

24 (2) The bonds to evidence this loan or installments of this loan may be sold as  
25 a single issue or may be consolidated and sold as part of a single issue of bonds under  
26 § 8-122 of the State Finance and Procurement Article.

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

1 shall be credited on the books of the Comptroller and expended, on approval by the  
2 Board of Public Works, for the following public purposes, including any applicable  
3 architects' and engineers' fees: as a grant to the City of Frederick for the purpose of  
4 improving and equipping the interior of the Weinberg Center for the Arts in the City  
5 of Frederick, Frederick County.

6 (4) An annual State tax is imposed on all assessable property in the State in  
7 rate and amount sufficient to pay the principal of and interest on the bonds, as and  
8 when due and until paid in full. The principal shall be discharged within 15 years  
9 after the date of issue 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 City of Frederick shall provide at least an  
12 equal and matching fund of \$150,000. No part of an applicant's matching fund may be  
13 provided, either directly or indirectly, from funds of the State, whether appropriated  
14 or unappropriated. No part of the fund may consist of real property, in kind  
15 contributions, or funds expended prior to the effective date of this Act. In case of any  
16 dispute as to what money or assets may qualify as matching funds, the Board of  
17 Public Works shall determine the matter, and the Board's decision is final. The City of  
18 Frederick has until June 1, 1991 to present evidence satisfactory to the Board of  
19 Public Works that the matching fund will be provided. If satisfactory evidence is  
20 presented, the Board shall certify this fact to the State Treasurer and the proceeds of  
21 the loan shall be expended for the purposes provided in this Act. If this evidence is not  
22 presented by June 1, 1991, the proceeds of the loan shall be applied to the purposes  
23 authorized in § 8-129 of the State Finance and Procurement Article.

24 (6) (a) Prior to the issuance of the bonds, the Weinberg Center for the Arts  
25 shall grant and convey to the Maryland Historical Trust a [perpetual] preservation  
26 easement to the extent of its interest:

27 (i) On the land or such portion of the land acceptable to the Trust;  
28 and

29 (ii) On the exterior and interior, where appropriate, of the historic  
30 structures.

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

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
34 effect June 1, 1998.