

SENATE BILL 503

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B2

1998 Regular Session  
8r2043

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By: **Senator Derr**

Introduced and read first time: February 6, 1998

Assigned to: Budget and Taxation

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 23, 1998

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CHAPTER \_\_\_\_\_

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~~ agreements made with 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.

1 (2) The bonds to evidence this loan or installments of this loan may be sold as  
 2 a single issue or may be consolidated and sold as part of a single issue of bonds under  
 3 § 8-122 of the State Finance and Procurement Article.

4 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer  
 5 and first shall be applied to the payment of the expenses of issuing, selling, and  
 6 delivering the bonds, unless funds for this purpose are otherwise provided, and then  
 7 shall be credited on the books of the Comptroller and expended, on approval by the  
 8 Board of Public Works, for the following public purposes, including any applicable  
 9 architects' and engineers' fees: as a grant to the City of Frederick for the purpose of  
 10 improving and equipping the interior of the Weinberg Center for the Arts in the City  
 11 of Frederick, Frederick County.

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

16 (5) Prior to the payment of any funds under the provisions of this Act for the  
 17 purposes set forth in Section 1(3) above, the City of Frederick shall provide at least an  
 18 equal and matching fund of \$150,000. No part of an applicant's matching fund may be  
 19 provided, either directly or indirectly, from funds of the State, whether appropriated  
 20 or unappropriated. No part of the fund may consist of real property, in kind  
 21 contributions, or funds expended prior to the effective date of this Act. In case of any  
 22 dispute as to what money or assets may qualify as matching funds, the Board of  
 23 Public Works shall determine the matter, and the Board's decision is final. The City of  
 24 Frederick has until June 1, 1991 to present evidence satisfactory to the Board of  
 25 Public Works that the matching fund will be provided. If satisfactory evidence is  
 26 presented, the Board shall certify this fact to the State Treasurer and the proceeds of  
 27 the loan shall be expended for the purposes provided in this Act. If this evidence is not  
 28 presented by June 1, 1991, the proceeds of the loan shall be applied to the purposes  
 29 authorized in § 8-129 of the State Finance and Procurement Article.

30 (6) (a) Prior to the issuance of the bonds, the Weinberg Center for the Arts  
 31 shall grant and convey to the Maryland Historical Trust a [perpetual] preservation  
 32 ~~easement~~ COVENANTS to the extent of its interest:

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

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

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

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

