

HOUSE BILL 389

Unofficial Copy  
B2

1999 Regular Session  
(9lr1585)

*ENROLLED BILL*  
*-- Appropriations/Budget and Taxation --*

Introduced by **Delegates Dypski, Rawlings, Krysiak, Hammen, Oaks,  
Montague, V. Jones, Hubers, Proctor, Phillips, A. Jones, Burns,  
Rosenberg, Branch, Kopp, Paige, C. Davis, McIntosh, Marriott, McHale,  
Kirk, Doory, Campbell, Redmer, Dobson, Fulton, and Nathan-Pulliam**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this  
\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_ M.

\_\_\_\_\_  
Speaker.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Creation of a State Debt - Baltimore City - Frederick Douglass-Isaac Myers**  
3 **Maritime Park**

4 FOR the purpose of authorizing the creation of a State Debt not to exceed ~~\$3,000,000~~  
5 ~~\$600,000~~ \$250,000, the proceeds to be used as a grant to the Board of Trustees of  
6 the Living Classrooms Foundation for certain development or improvement  
7 purposes; providing for disbursement of the loan proceeds, subject to a  
8 requirement that the grantee provide and expend a matching fund; requiring  
9 the grantee to grant and convey a certain easement to the Maryland Historical  
10 Trust; and providing generally for the issuance and sale of bonds evidencing the  
11 loan.

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

1 (1) The Board of Public Works may borrow money and incur indebtedness on  
2 behalf of the State of Maryland through a State loan to be known as the Baltimore  
3 City - Frederick Douglass-Isaac Myers Maritime Park Loan of 1999 in a total  
4 principal amount equal to the lesser of (i) ~~\$3,000,000~~ ~~\$600,000~~ \$250,000 or (ii) the  
5 amount of the matching fund provided in accordance with Section 1(5) below. This  
6 loan shall be evidenced by the issuance, sale, and delivery of State general obligation  
7 bonds authorized by a resolution of the Board of Public Works and issued, sold, and  
8 delivered in accordance with §§ 8-117 through 8-124 of the State Finance and  
9 Procurement Article and Article 31, § 22 of the Code.

10 (2) The bonds to evidence this loan or installments of this loan may be sold as  
11 a single issue or may be consolidated and sold as part of a single issue of bonds under  
12 § 8-122 of the State Finance and Procurement Article.

13 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer  
14 and first shall be applied to the payment of the expenses of issuing, selling, and  
15 delivering the bonds, unless funds for this purpose are otherwise provided, and then  
16 shall be credited on the books of the Comptroller and expended, on approval by the  
17 Board of Public Works, for the following public purposes, including any applicable  
18 architects' and engineers' fees: as a grant to the Board of Trustees of the Living  
19 Classrooms Foundation (referred to hereafter in this Act as "the grantee") for the  
20 construction, reconstruction, development, redevelopment, renovation, restoration,  
21 and improvement of the foundation's property to be known as the Frederick  
22 Douglass-Isaac Myers Maritime Park and located at Chase's Wharf in Baltimore City.

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

27 (5) Prior to the payment of any funds under the provisions of this Act for the  
28 purposes set forth in Section 1(3) above, the grantee shall provide and expend a  
29 matching fund. No part of the grantee's matching fund may be provided, either  
30 directly or indirectly, from funds of the State, whether appropriated or  
31 unappropriated. No part of the fund may consist of real property, in kind  
32 contributions, or funds expended prior to the effective date of this Act. In case of any  
33 dispute as to the amount of the matching fund or what money or assets may qualify  
34 as matching funds, the Board of Public Works shall determine the matter and the  
35 Board's decision is final. The grantee has until June 1, 2001, to present evidence  
36 satisfactory to the Board of Public Works that a matching fund will be provided. If  
37 satisfactory evidence is presented, the Board shall certify this fact and the amount of  
38 the matching fund to the State Treasurer, and the proceeds of the loan equal to the  
39 amount of the matching fund shall be expended for the purposes provided in this Act.  
40 Any amount of the loan in excess of the amount of the matching fund certified by the  
41 Board of Public Works shall be canceled and be of no further effect.

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

- 1 (i) On the land or such portion of the land acceptable to the Trust;
- 2 and
- 3 (ii) On the exterior and interior, where appropriate, of the historic
- 4 structures.
- 5 (b) The easement must be in form and substance acceptable to the Trust
- 6 and the extent of the interest to be encumbered must be acceptable to the Trust.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
8 June 1, 1999.