

HOUSE BILL 1118

Unofficial Copy
B2
SB 762/98 - B&T

1999 Regular Session
9lr2506
CF SB 495

By: **Delegates Gladden, Phillips, Kirk, Marriott, Dypski, C. Davis, Hammen,
Rawlings, Oaks, Cole, and McHale**

Introduced and read first time: February 24, 1999
Assigned to: Rules and Executive Nominations
Re-referred to: Appropriations, March 1, 1999

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 29, 1999

CHAPTER _____

1 AN ACT concerning

2 **Creation of a State Debt - Baltimore City - West Arlington Planetarium and**
3 **Multipurpose Center**

4 FOR the purpose of authorizing the creation of a State Debt not to exceed ~~\$750,000~~
5 \$150,000, the proceeds to be used as a grant to the Board of Directors of the
6 West Arlington Improvement Association of Baltimore City, Inc. for certain
7 acquisition, development, or improvement purposes; providing for disbursement
8 of the loan proceeds, subject to a requirement that the grantee provide and
9 expend a matching fund; requiring the grantee to grant and convey to the
10 Maryland Historical Trust a certain kind of easement; and providing generally
11 for the issuance and sale of bonds evidencing the loan.

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

14 (1) The Board of Public Works may borrow money and incur indebtedness on
15 behalf of the State of Maryland through a State loan to be known as the Baltimore
16 City - West Arlington Planetarium and Multipurpose Center Loan of 1999 in a total
17 principal amount equal to the lesser of (i) ~~\$750,000~~ \$150,000 or (ii) the amount of the
18 matching fund provided in accordance with Section 1(5) below. This loan shall be
19 evidenced by the issuance, sale, and delivery of State general obligation bonds
20 authorized by a resolution of the Board of Public Works and issued, sold, and
21 delivered in accordance with §§ 8-117 through 8-124 of the State Finance and
22 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 Board of Directors of the West
10 Arlington Improvement Association of Baltimore City, Inc. (referred to hereafter in
11 this Act as "the grantee") for the planning, design, repair, renovation, rehabilitation
12 and capital equipping of the historic water tower in the West Arlington neighborhood
13 of Baltimore City, the facility to be used as a planetarium and sky theater, and for the
14 planning, design, construction, and capital equipping of a multipurpose center at the
15 same site, the center to contain a swimming pool, community room, arts and crafts
16 room, offices, and other appropriate facilities.

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

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

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

39 (i) On the land or such portion of the land acceptable to the Trust;
40 and

41 (ii) On the exterior and interior, where appropriate, of the historic
42 structures.

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

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