
By: **Frederick County Delegation**
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Assigned to: Appropriations

Committee Report: Favorable with amendments
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CHAPTER _____

1 AN ACT concerning

2 **Creation of a State Debt - Frederick County - Weinberg Center for the Arts**

3 FOR the purpose of authorizing the creation of a State Debt not to exceed ~~\$450,000~~
4 \$200,000, the proceeds to be used as a grant to the Mayor and Board of
5 Aldermen of the City of Frederick for certain development or improvement
6 purposes; providing for disbursement of the loan proceeds, subject to a
7 requirement that the grantee provide and expend a matching fund; providing
8 that the grantee must grant and convey a certain ~~easement~~ covenant to the
9 Maryland Historical Trust; and providing generally for the issuance and sale of
10 bonds evidencing the loan.

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

13 (1) The Board of Public Works may borrow money and incur indebtedness on
14 behalf of the State of Maryland through a State loan to be known as the Frederick
15 County - Weinberg Center for the Arts Loan of 2000 in a total principal amount equal
16 to the lesser of (i) ~~\$450,000~~ \$200,000 or (ii) the amount of the matching fund provided
17 in accordance with Section 1(5) below. This loan shall be evidenced by the issuance,
18 sale, and delivery of State general obligation bonds authorized by a resolution of the
19 Board of Public Works and issued, sold, and delivered in accordance with §§ 8-117
20 through 8-124 of the State Finance and Procurement Article and Article 31, § 22 of
21 the Code.

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

1 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer
2 and first shall be applied to the payment of the expenses of issuing, selling, and
3 delivering the bonds, unless funds for this purpose are otherwise provided, and then
4 shall be credited on the books of the Comptroller and expended, on approval by the
5 Board of Public Works, for the following public purposes, including any applicable
6 architects' and engineers' fees: as a grant to the Mayor and Board of Aldermen of the
7 City of Frederick (referred to hereafter in this Act as "the grantee") for the
8 acquisition, renovation, repair, reconstruction, and capital equipping of a facility
9 located at 20 West Patrick Street in Frederick, Maryland, for the Weinberg Center for
10 the Arts.

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

15 (5) Prior to the payment of any funds under the provisions of this Act for the
16 purposes set forth in Section 1(3) above, the grantee shall provide and expend a
17 matching fund. No part of the grantee's matching fund may be provided, either
18 directly or indirectly, from funds of the State, whether appropriated or
19 unappropriated. No part of the fund may consist of real property, in kind
20 contributions, or funds expended prior to the effective date of this Act. In case of any
21 dispute as to the amount of the matching fund or what money or assets may qualify
22 as matching funds, the Board of Public Works shall determine the matter and the
23 Board's decision is final. The grantee has until June 1, 2002, to present evidence
24 satisfactory to the Board of Public Works that a matching fund will be provided. If
25 satisfactory evidence is presented, the Board shall certify this fact and the amount of
26 the matching fund to the State Treasurer, and the proceeds of the loan equal to the
27 amount of the matching fund shall be expended for the purposes provided in this Act.
28 Any amount of the loan in excess of the amount of the matching fund certified by the
29 Board of Public Works shall be canceled and be of no further effect.

30 (6) (a) Prior to the issuance of the bonds, the grantee shall grant and convey
31 to the Maryland Historical Trust a ~~perpetual~~ preservation ~~easement~~ covenant to the
32 extent of its interest:

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

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

37 (b) The ~~easement~~ covenant must be in form and substance acceptable to
38 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 effect
41 June 1, 2000.

