

SENATE BILL 319

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2001 Regular Session
1lr1108
CF 1lr2185

By: **Senators Hoffman, Mitchell, Munson, and Van Hollen**

Introduced and read first time: January 30, 2001

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 29, 2001

CHAPTER _____

1 AN ACT concerning

2 **Creation of a State Debt - ~~Baltimore City~~ Star Spangled Banner Flag House**
3 **and 1812 Museum**

4 FOR the purpose of authorizing the creation of a State Debt not to exceed ~~\$900,000~~
5 \$750,000, the proceeds to be used as a grant to the Board of Directors of the Star
6 Spangled Banner Flag House Association, Inc. for certain development or
7 improvement purposes; providing for disbursement of the loan proceeds, subject
8 to a requirement that the grantee provide and expend a matching fund;
9 providing that the grantee will grant and convey a certain easement to the
10 Maryland Historical Trust; and providing generally for the issuance and sale of
11 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~~ Star Spangled Banner Flag House and 1812 Museum Loan of 2001 in a total
17 principal amount equal to the lesser of (i) ~~\$900,000~~ \$750,000 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.

23 (2) The bonds to evidence this loan or installments of this loan may be sold as
24 a single issue or may be consolidated and sold as part of a single issue of bonds under
25 § 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 Board of Directors of the Star
7 Spangled Banner Flag House Association, Inc. (referred to hereafter in this Act as
8 "the grantee") for the construction and capital equipping of a new museum, to be
9 known as the 1812 Museum, and for the repair, renovation, and reconstruction of the
10 Star Spangled Banner Flag House, located in Baltimore, Maryland.

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, 2003, 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 to the extent of
32 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 must be in form and substance acceptable to the Trust
38 and the extent of the interest to be encumbered must be acceptable to the Trust.

39 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
40 June 1, 2001.

