

SENATE BILL 385

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B2

2001 Regular Session  
11r1109  
CF 11r1432

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By: **Senators Hoffman, Blount, Bromwell, Colburn, Conway, Currie, Della,  
Dorman, Hollinger, Hughes, Kasemeyer, Lawlah, Madden, McFadden,  
Mitchell, Munson, Ruben, Sfikas, Stone, and Van Hollen**

Introduced and read first time: February 2, 2001  
Assigned to: Budget and Taxation

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Committee Report: Favorable with amendments  
Senate action: Adopted  
Read second time: March 29, 2001

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Creation of a State Debt - ~~Baltimore City~~ - The Walters Art Museum**

3 FOR the purpose of authorizing the creation of a State Debt not to exceed ~~\$1,500,000~~  
4 \$250,000, the proceeds to be used as a grant to the Board of Trustees of The  
5 Walters Art Gallery for certain development or improvement purposes;  
6 providing for disbursement of the loan proceeds, subject to a requirement that  
7 the grantee provide and expend a matching fund; and providing generally for  
8 the issuance and sale of bonds evidencing the loan.

9 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
10 MARYLAND, That:

11 (1) The Board of Public Works may borrow money and incur indebtedness on  
12 behalf of the State of Maryland through a State loan to be known as the ~~Baltimore~~  
13 ~~City~~ - The Walters Art Museum Loan of 2001 in a total principal amount equal to the  
14 lesser of (i) ~~\$1,500,000~~ \$250,000 or (ii) the amount of the matching fund provided in  
15 accordance with Section 1(5) below. This loan shall be evidenced by the issuance, sale,  
16 and delivery of State general obligation bonds authorized by a resolution of the Board  
17 of Public Works and issued, sold, and delivered in accordance with §§ 8-117 through  
18 8-124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

19 (2) The bonds to evidence this loan or installments of this loan may be sold as  
20 a single issue or may be consolidated and sold as part of a single issue of bonds under  
21 § 8-122 of the State Finance and Procurement Article.

22 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer  
23 and first shall be applied to the payment of the expenses of issuing, selling, and

1 delivering the bonds, unless funds for this purpose are otherwise provided, and then  
2 shall be credited on the books of the Comptroller and expended, on approval by the  
3 Board of Public Works, for the following public purposes, including any applicable  
4 architects' and engineers' fees: as a grant to the Board of Trustees of The Walters Art  
5 Gallery (referred to hereafter in this Act as "the grantee") for the planning, design,  
6 construction, and capital equipping of a building, at the corner of Cathedral and  
7 Centre Streets in Baltimore, Maryland, for a new major exhibition space, a premier  
8 art conservation laboratory, art handling, and storage.

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

13 (5) Prior to the payment of any funds under the provisions of this Act for the  
14 purposes set forth in Section 1(3) above, the grantee shall provide and expend a  
15 matching fund. No part of the grantee's matching fund may be provided, either  
16 directly or indirectly, from funds of the State, whether appropriated or  
17 unappropriated. No part of the fund may consist of real property or in kind  
18 contributions. The fund may consist of funds expended prior to the effective date of  
19 this Act. In case of any dispute as to the amount of the matching fund or what money  
20 or assets may qualify as matching funds, the Board of Public Works shall determine  
21 the matter and the Board's decision is final. The grantee has until June 1, 2003, to  
22 present evidence satisfactory to the Board of Public Works that a matching fund will  
23 be provided. If satisfactory evidence is presented, the Board shall certify this fact and  
24 the amount of the matching fund to the State Treasurer, and the proceeds of the loan  
25 equal to the amount of the matching fund shall be expended for the purposes provided  
26 in this Act. Any amount of the loan in excess of the amount of the matching fund  
27 certified by the Board of Public Works shall be canceled and be of no further effect.

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