

SENATE BILL 409

Unofficial Copy  
B2

2001 Regular Session  
(11r1483)

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

Introduced by **Senators Mitchell and Blount**

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.

\_\_\_\_\_  
President.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Creation of a State Debt - Baltimore City - Eubie Blake National Jazz**  
3 **Institute and Cultural Center**

4 FOR the purpose of authorizing the creation of a State Debt not to exceed ~~\$800,000~~  
5 ~~\$400,000~~ \$75,000, the proceeds to be used as a grant to the Board of Directors of  
6 the Eubie Blake National Jazz Institute and Cultural Center, Inc. for certain  
7 development or improvement purposes; providing for disbursement of the loan  
8 proceeds, subject to a requirement that the grantee provide and expend a  
9 matching fund; requiring the grantee to grant and convey a certain easement to  
10 the Maryland Historical Trust; and providing generally for the issuance and sale  
11 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 - Eubie Blake National Jazz Institute and Cultural Center Loan of 2001 in a

1 total principal amount equal to the lesser of (i) ~~\$800,000~~ ~~\$400,000~~ \$75,000 or (ii) the  
2 amount of the matching fund provided in accordance with Section 1(5) below. This  
3 loan shall be evidenced by the issuance, sale, and delivery of State general obligation  
4 bonds authorized by a resolution of the Board of Public Works and issued, sold, and  
5 delivered in accordance with §§ 8-117 through 8-124 of the State Finance and  
6 Procurement Article and Article 31, § 22 of the Code.

7 (2) The bonds to evidence this loan or installments of this loan may be sold as  
8 a single issue or may be consolidated and sold as part of a single issue of bonds under  
9 § 8-122 of the State Finance and Procurement Article.

10 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer  
11 and first shall be applied to the payment of the expenses of issuing, selling, and  
12 delivering the bonds, unless funds for this purpose are otherwise provided, and then  
13 shall be credited on the books of the Comptroller and expended, on approval by the  
14 Board of Public Works, for the following public purposes, including any applicable  
15 architects' and engineers' fees: as a grant to the Board of Directors of the Eubie Blake  
16 National Jazz Institute and Cultural Center, Inc. (referred to hereafter in this Act as  
17 "the grantee") for the acquisition of a new building, and for the renovation, repair,  
18 reconstruction, and capital equipping of the new building and the existing adjacent  
19 building, for the Eubie Blake National Jazz Institute and Cultural Center, located on  
20 North Howard Street in Baltimore, Maryland.

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

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

40 (6) (a) Prior to the issuance of the bonds, the grantee shall grant and convey  
41 to the Maryland Historical Trust a perpetual preservation easement to the extent of  
42 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) If the grantee or beneficiary of the grant holds a lease on the land and  
6 structures, the Trust may accept an easement on the leasehold interest.

7 ~~(b)~~ (c) The easement must be in form and substance acceptable to the  
8 Trust and the extent of the interest to be encumbered must be acceptable to the Trust.

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