

SENATE BILL 409

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2001 Regular Session
11r1483
CF 11r1367

By: **Senators Mitchell and Blount**
Introduced and read first time: February 2, 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 - 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, the proceeds to be used as a grant to the Board of Directors of the
6 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
17 total principal amount equal to the lesser of (i) ~~\$800,000~~ \$400,000 or (ii) the amount
18 of the matching fund provided in accordance with Section 1(5) below. This loan shall
19 be 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 Eubie Blake
7 National Jazz Institute and Cultural Center, Inc. (referred to hereafter in this Act as
8 "the grantee") for the acquisition of a new building, and for the renovation, repair,
9 reconstruction, and capital equipping of the new building and the existing adjacent
10 building, for the Eubie Blake National Jazz Institute and Cultural Center, located on
11 North Howard Street in Baltimore, Maryland.

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

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

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

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

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

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

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

