

SENATE BILL 845

Unofficial Copy
B2

2001 Regular Session
11r2814
CF 11r2815

By: **Senator Sfikas**
Introduced and read first time: February 19, 2001
Assigned to: Rules
Re-referred to: Budget and Taxation, February 22, 2001

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 - Chase Brexton Health Center**

3 FOR the purpose of authorizing the creation of a State Debt not to exceed ~~\$400,000~~
4 \$200,000, the proceeds to be used as a grant to the Board of Directors of Chase
5 Brexton Health Services, Inc. for certain development or improvement purposes;
6 requiring the grantee to grant and convey a certain easement to the Maryland
7 Historical Trust; providing for disbursement of the loan proceeds, subject to a
8 requirement that the grantee provide and expend a matching fund; and
9 providing generally for the issuance and sale of bonds evidencing the loan.

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

12 (1) The Board of Public Works may borrow money and incur indebtedness on
13 behalf of the State of Maryland through a State loan to be known as the Baltimore
14 City - Chase Brexton Health Center Loan of 2001 in a total principal amount equal to
15 the lesser of (i) ~~\$400,000~~ \$200,000 or (ii) the amount of the matching fund provided in
16 accordance with Section 1(5) below. This loan shall be evidenced by the issuance, sale,
17 and delivery of State general obligation bonds authorized by a resolution of the Board
18 of Public Works and issued, sold, and delivered in accordance with §§ 8-117 through
19 8-124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

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

23 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer
24 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 Directors of Chase Brexton
5 Health Services, Inc. (referred to hereafter in this Act as "the grantee") for the
6 acquisition of an existing building for, and for the expansion and capital equipping of
7 the building for, a health center to be located at 1009 Cathedral Street in Baltimore,
8 Maryland.

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, in kind
18 contributions, or funds expended prior to the effective date of this Act. In case of any
19 dispute as to the amount of the matching fund or what money or assets may qualify
20 as matching funds, the Board of Public Works shall determine the matter and the
21 Board's decision is final. The grantee has until June 1, 2003, to present evidence
22 satisfactory to the Board of Public Works that a matching fund will be provided. If
23 satisfactory evidence is presented, the Board shall certify this fact and the amount of
24 the matching fund to the State Treasurer, and the proceeds of the loan equal to the
25 amount of the matching fund shall be expended for the purposes provided in this Act.
26 Any amount of the loan in excess of the amount of the matching fund certified by the
27 Board of Public Works shall be canceled and be of no further effect.

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

31 (i) On the land or such portion of the land acceptable to the Trust;
32 and

33 (ii) On the exterior and interior, where appropriate, of the historic
34 structures.

35 (b) If the grantee or beneficiary of the grant holds a lease on the land
36 and structures, the Trust may accept an easement on the leasehold interest.

37 (c) The easement must be in form and substance acceptable to the Trust
38 and any liens or encumbrances against the land or the structures must be acceptable
39 to the Trust.

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

