

SENATE BILL 749

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B2

2002 Regular Session  
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By: **Senator Mitchell**

Introduced and read first time: February 1, 2002

Assigned to: Budget and Taxation

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A BILL ENTITLED

1 AN ACT concerning

2                                   **Creation of a State Debt - Baltimore City - First Unitarian Church of**  
3                                   **Baltimore**

4 FOR the purpose of authorizing the creation of a State Debt not to exceed \$517,500,  
5 the proceeds to be used as a grant to the Board of Trustees of First Unitarian  
6 Church of Baltimore for certain development or improvement purposes;  
7 providing for disbursement of the loan proceeds, subject to a requirement that  
8 the grantee provide and expend a matching fund; requiring the grantee to grant  
9 and convey a certain easement to the Maryland Historical Trust; prohibiting the  
10 use of the proceeds of the sale of the bonds or the matching fund for sectarian  
11 religious purposes; and providing generally for the issuance and sale of bonds  
12 evidencing the loan.

13       SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
14 MARYLAND, That:

15       (1)       The Board of Public Works may borrow money and incur indebtedness on  
16 behalf of the State of Maryland through a State loan to be known as the Baltimore  
17 City - First Unitarian Church of Baltimore Loan of 2002 in a total principal amount  
18 equal to the lesser of (i) \$517,500 or (ii) the amount of the matching fund provided in  
19 accordance with Section 1(5) below. This loan shall be evidenced by the issuance, sale,  
20 and delivery of State general obligation bonds authorized by a resolution of the Board  
21 of Public Works and issued, sold, and delivered in accordance with §§ 8-117 through  
22 8-124 of the State Finance and 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.

26       (3)       The cash proceeds of the sale of the bonds shall be paid to the Treasurer  
27 and first shall be applied to the payment of the expenses of issuing, selling, and  
28 delivering the bonds, unless funds for this purpose are otherwise provided, and then  
29 shall be credited on the books of the Comptroller and expended, on approval by the  
30 Board of Public Works, for the following public purposes, including any applicable  
31 architects' and engineers' fees: as a grant to the Board of Trustees of First Unitarian  
32 Church of Baltimore (referred to hereafter in this Act as "the grantee") for the

1 renovation and restoration of the exterior of the church and the church's stained glass  
2 windows, which contain no religious iconography, located at Charles and Franklin  
3 Streets in Baltimore, and the renovation, restoration, and repair of the church's  
4 parish/community hall's windows, walls, disabled access area, and asbestos and lead  
5 abatement, located at Charles and Hamilton Streets in Baltimore.

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

10 (5) Prior to the payment of any funds under the provisions of this Act for the  
11 purposes set forth in Section 1(3) above, the grantee shall provide and expend a  
12 matching fund. No part of the grantee's matching fund may be provided, either  
13 directly or indirectly, from funds of the State, whether appropriated or  
14 unappropriated. No part of the fund may consist of real property or in kind  
15 contributions. The fund may consist of funds expended prior to the effective date of  
16 this Act. In case of any dispute as to the amount of the matching fund or what money  
17 or assets may qualify as matching funds, the Board of Public Works shall determine  
18 the matter and the Board's decision is final. The grantee has until June 1, 2004, to  
19 present evidence satisfactory to the Board of Public Works that a matching fund will  
20 be provided. If satisfactory evidence is presented, the Board shall certify this fact and  
21 the amount of the matching fund to the State Treasurer, and the proceeds of the loan  
22 equal to the amount of the matching fund shall be expended for the purposes provided  
23 in this Act. Any amount of the loan in excess of the amount of the matching fund  
24 certified by the Board of Public Works shall be canceled and be of no further effect.

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

28 (i) On the land or such portion of the land acceptable to the Trust;  
29 and

30 (ii) On the exterior and interior, where appropriate, of the historic  
31 structures.

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

34 (c) The easement must be in form and substance acceptable to the Trust  
35 and any liens or encumbrances against the land or the structures must be acceptable  
36 to the Trust.

37 (7) No portion of the proceeds of the loan or any of the matching funds may be  
38 used for the furtherance of sectarian religious instruction, or in connection with the  
39 design, acquisition, or construction of any building used or to be used as a place of  
40 sectarian religious worship or instruction, or in connection with any program or  
41 department of divinity for any religious denomination. Upon the request of the Board  
42 of Public Works, the grantee shall submit evidence satisfactory to the Board that none

1 of the proceeds of the loan or any matching funds have been or are being used for a  
2 purpose prohibited by this Act.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
4 June 1, 2002.