
By: **Senators McFadden, Bromwell, Conway, Della, and Mitchell**
Introduced and read first time: February 19, 2002
Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Creation of a State Debt - Baltimore City - Mr. Mack's Gym**

3 FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000,
4 the proceeds to be used as a grant to the Board of Directors of the Mack Lewis
5 Foundation, Inc. for certain development or improvement purposes; providing
6 for disbursement of the loan proceeds, subject to a requirement that the grantee
7 provide and expend a matching fund; and providing generally for the issuance
8 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 - Mr. Mack's Gym Loan of 2002 in a total principal amount equal to the lesser of
14 (i) \$200,000 or (ii) the amount of the matching fund provided in accordance with
15 Section 1(5) below. This loan shall be evidenced by the issuance, sale, and delivery of
16 State general obligation bonds authorized by a resolution of the Board of Public
17 Works and issued, sold, and delivered in accordance with §§ 8-117 through 8-124 of
18 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
24 delivering the bonds, unless funds for this purpose are otherwise provided, and then
25 shall be credited on the books of the Comptroller and expended, on approval by the
26 Board of Public Works, for the following public purposes, including any applicable
27 architects' and engineers' fees: as a grant to the Board of Directors of the Mack Lewis
28 Foundation, Inc. (referred to hereafter in this Act as "the grantee") for the planning,
29 design, renovation, and capital equipping of Mr. Mack's Gym to provide air
30 conditioning, men's and ladies' showers, dressing rooms, lockers, a fitness area, a
31 memorabilia and photo gallery, and an after-school study area for Baltimore's youth,
32 located at 919 N. Caroline Street in East Baltimore.

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

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

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