

# HOUSE BILL 1401

B4

71r3350  
CF SB 1001

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By: **Delegates Oaks and Rosenberg**

Introduced and read first time: March 5, 2007

Assigned to: Rules and Executive Nominations

Re-referred to: Appropriations, March 8, 2007

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Committee Report: Favorable

House action: Adopted

Read second time: March 21, 2007

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Baltimore City – West Arlington Planetarium and Multipurpose Center Loan**  
3 **of 1999**

4 FOR the purpose of amending the Baltimore City – West Arlington Planetarium and  
5 Multipurpose Center Loan of 1999 to require that the loan proceeds be  
6 encumbered by the Board of Public Works or expended for certain purposes by a  
7 certain date; and generally relating to the Baltimore City – West Arlington  
8 Planetarium and Multipurpose Center Loan of 1999.

9 BY repealing and reenacting, with amendments,  
10 Chapter 292 of the Acts of the General Assembly of 1999, as amended by  
11 Chapter 333 of the Acts of the General Assembly of 2001  
12 Section 1

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Chapter 292 of the Acts of 1999, as amended by Chapter 333 of the Acts of**  
16 **2001**

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### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 (1) The Board of Public Works may borrow money and incur indebtedness on  
4 behalf of the State of Maryland through a State loan to be known as the Baltimore  
5 City – West Arlington Planetarium and Multipurpose Center Loan of 1999 in a total  
6 principal amount equal to the lesser of (i) \$100,000 or (ii) the amount of the matching  
7 fund provided in accordance with Section 1(5) below. This loan shall be evidenced by  
8 the issuance, sale, and delivery of State general obligation bonds authorized by a  
9 resolution of the Board of Public Works and issued, sold, and delivered in accordance  
10 with §§ 8–117 through 8–124 of the State Finance and Procurement Article and  
11 Article 31, § 22 of the Code.

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

15 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer  
16 and first shall be applied to the payment of the expenses of issuing, selling, and  
17 delivering the bonds, unless funds for this purpose are otherwise provided, and then  
18 shall be credited on the books of the Comptroller and expended, on approval by the  
19 Board of Public Works, for the following public purposes, including any applicable  
20 architects' and engineers' fees: as a grant to the Board of Directors of the West  
21 Arlington Improvement Association of Baltimore City, Inc. (referred to hereafter in  
22 this Act as "the grantee") for the planning, design, repair, renovation, rehabilitation  
23 and capital equipping of the historic water tower in the West Arlington neighborhood  
24 of Baltimore City, the facility to be used as a planetarium and sky theater, and for the  
25 planning, design, construction, and capital equipping of a multipurpose center at the  
26 same site, the center to contain a swimming pool, community room, arts and crafts  
27 room, offices, and other appropriate facilities.

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

32 (5) Prior to the payment of any funds under the provisions of this Act for the  
33 purposes set forth in Section 1(3) above, the grantee shall provide and expend a  
34 matching fund. No part of the grantee's matching fund may be provided,  
35 either directly or indirectly, from funds of the State, whether appropriated or  
36 unappropriated. No part of the fund may consist of real property, in kind  
37 contributions, or funds expended prior to the effective date of this Act. In case of any  
38 dispute as to the amount of the matching fund or what money or assets may qualify as

1 matching funds, the Board of Public Works shall determine the matter and the  
2 Board's decision is final. The grantee has until June 1, 2003, to present evidence  
3 satisfactory to the Board of Public Works that a matching fund will be provided. If  
4 satisfactory evidence is presented, the Board shall certify this fact and the amount of  
5 the matching fund to the State Treasurer, and the proceeds of the loan equal to the  
6 amount of the matching fund shall be expended for the purposes provided in this Act.  
7 Any amount of the loan in excess of the amount of the matching fund certified by the  
8 Board of Public Works shall be canceled and be of no further effect.

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

12 (i) On the land or such portion of the land acceptable to the  
13 Trust; and

14 (ii) On the exterior and interior, where appropriate, of the  
15 historic structures.

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

18 **(7) THE PROCEEDS OF THE LOAN MUST BE ENCUMBERED BY THE**  
19 **BOARD OF PUBLIC WORKS OR EXPENDED FOR THE PURPOSES PROVIDED IN**  
20 **THIS ACT NO LATER THAN JUNE 1, 2009.**

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
22 June 1, 2007.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.