

Mr. Clark S. Hobbs, Chairman, Baltimore Redevelopment Commission (cont'd)

state and local laws, as above quoted, deny the Baltimore Redevelopment Commission the right to accept such loans which would involve the credit of the City of Baltimore.

It is fair to assume that any loan from the Federal Government which would be considered a "credit" in the sense as used in the Baltimore City Charter and the Cumulative Supplement of the Annotated Code, is out of question. And this is further substantiated by Section 7 of Article 11 (Maryland Constitution) of the Annotated Code of 1939 which strictly prohibits the City of Baltimore to create a "debt" unless in accordance with the provisions of the Constitution.

There are two possible interpretations to be placed on the apparent conflict in the mentioned paragraphs of respective laws as to the powers of the Baltimore Redevelopment Commission.

One interpretation would be that the Legislature had in mind the creation of a local agency such as the Baltimore Redevelopment Commission that would be an independent agency, enjoying an independent existence, and as such could petition and receive grants and loans from the Federal Government. The Commission, standing in this "character", would in no way effect or obligate the City of Baltimore. If such a construction can be justified, then there is no conflict in the paragraphs of the respective laws pertaining to the Baltimore Redevelopment Commission.

However, Section 3 which was added to Article 11B of the Constitution of Maryland found in the 1947 Cumulative Supplement of the Annotated Code of Maryland entitled, "CITY OF BALTIMORE - LAND DEVELOPMENT AND REDEVELOPMENT", states that -

"the Baltimore Redevelopment Commission may continue in existence \* \* \*, until such time as such power and authority of the Commission is validly repealed by an act of the General Assembly of Maryland or by an ordinance or resolution of the Mayor and City Council of Baltimore and a new agency of the Mayor and City Council of Baltimore is created to carry out the objects and purposes for which the Baltimore Redevelopment Commission was originally created \* \* \*."

This further complication establishing the Baltimore Redevelopment Commission as an agency of the City of Baltimore reduces the possible intention of the state and city legislative bodies to the second, final and only logical interpretation which is that the Commission, although being an agency of the City of Baltimore, may petition the Federal Government for loans and gifts as long as any such undertaking, be it an implied or express agreement, does not pledge the credit or create a debt involving the Mayor and City Council of Baltimore.