

By: **Delegates Franchot and Hixson**

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Assigned to: Rules and Executive Nominations

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 21, 2000

CHAPTER 198

1 AN ACT concerning

2 **Montgomery County - Old Town Takoma Park Loan of 1998**

3 FOR the purpose of amending Chapter 436 of the Acts of the General Assembly of  
4 1998, the Montgomery County - Old Town Takoma Park Loan of 1998, to change  
5 the purpose of the project to planning, design, repair, renovation, reconstruction,  
6 landscaping, and improvements to public properties in Old Takoma Park and to  
7 extend the date by which the grantee is required to provide and expend a  
8 matching fund to June 1, 2002.

9 BY repealing and reenacting, with amendments,  
10 Chapter 436 of the Acts of the General Assembly of 1998  
11 Section 1

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

14 **Chapter 436 of the Acts of 1998**

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

17 (1) The Board of Public Works may borrow money and incur indebtedness on  
18 behalf of the State of Maryland through a State loan to be known as the Montgomery  
19 County - Old Town Takoma Park Loan of 1998 in a total principal amount equal to  
20 the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided in accordance  
21 with Section 1(5) below. This loan shall be evidenced by the issuance, sale, and  
22 delivery of State general obligation bonds authorized by a resolution of the Board of

1 Public Works and issued, sold, and delivered in accordance with §§ 8-117 through  
2 8-124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

3 (2) The bonds to evidence this loan or installments of this loan may be sold as  
4 a single issue or may be consolidated and sold as part of a single issue of bonds under  
5 § 8-122 of the State Finance and Procurement Article.

6 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer  
7 and first shall be applied to the payment of the expenses of issuing, selling, and  
8 delivering the bonds, unless funds for this purpose are otherwise provided, and then  
9 shall be credited on the books of the Comptroller and expended, on approval by the  
10 Board of Public Works, for the following public purposes, including any applicable  
11 architects' and engineers' fees: as a grant to the Mayor and City Council of Takoma  
12 Park (referred to hereafter in this Act as "the grantee") for [the planning, design,  
13 repair, renovation, restoration, and capital equipping of buildings in the old central  
14 section of Takoma Park to encourage business development and community use of the  
15 area, as well as to preserve the older part of the City] THE PLANNING, DESIGN,  
16 REPAIR, RENOVATION, RECONSTRUCTION, LANDSCAPING, AND IMPROVEMENTS TO  
17 PUBLIC PROPERTIES IN THE OLD CENTRAL SECTION OF TAKOMA PARK TO  
18 ENCOURAGE BUSINESS DEVELOPMENT AND COMMUNITY USE.

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

23 (5) Prior to the payment of any funds under the provisions of this Act for the  
24 purposes set forth in Section 1(3) above, the grantee shall provide and expend a  
25 matching fund. No part of the grantee's matching fund may be provided, either  
26 directly or indirectly, from funds of the State, whether appropriated or  
27 unappropriated. No part of the fund may consist of real property, in kind  
28 contributions, or funds expended prior to the effective date of this Act. In case of any  
29 dispute as to the amount of the matching fund or what money or assets may qualify  
30 as matching funds, the Board of Public Works shall determine the matter and the  
31 Board's decision is final. The grantee has until June 1, [2000] 2002, to present  
32 evidence satisfactory to the Board of Public Works that a matching fund will be  
33 provided. If satisfactory evidence is presented, the Board shall certify this fact and  
34 the amount of the matching fund to the State Treasurer, and the proceeds of the loan  
35 equal to the amount of the matching fund shall be expended for the purposes provided  
36 in this Act. Any amount of the loan in excess of the amount of the matching fund  
37 certified by the Board of Public Works shall be canceled and be of no further effect.

38 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
39 June 1, 2000.

