
By: Delegate Franchot

Introduced and read first time: February 2, 1996

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County Cultural Center Loan of 1994**

3 FOR the purpose of amending Chapter 321 of the Acts of the General Assembly of 1994,
4 the Montgomery County Cultural Center Loan of 1994, to extend the time by which
5 the County Executive and County Council of Montgomery County shall provide a
6 matching fund.

7 BY repealing and reenacting, with amendments,
8 Chapter 321 of the Acts of the General Assembly of 1994
9 Section 1

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

12 **Chapter 321 of the Acts of 1994**

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 Montgomery
17 County Cultural Center Loan of 1994 in a total principal amount equal to the lesser of (i)
18 \$670,000 or (ii) the amount of the matching fund provided in accordance with Section
19 1(5) below. This loan shall be evidenced by the issuance, sale, and delivery of State
20 general obligation bonds authorized by a resolution of the Board of Public Works and
21 issued, sold, and delivered in accordance with §§ 8-117 through 8-124 of the State
22 Finance and Procurement Article and Article 31, § 22 of the Code.

23 (2) The bonds to evidence this loan or installments of this loan maybe sold as a
24 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 and
27 first shall be applied to the payment of the expenses of issuing, selling, and delivering the
28 bonds, unless funds for this purpose are otherwise provided, and then shall be credited on
29 the books of the Comptroller and expended, on approval by the Board of Public Works,
30 for the following public purposes, including any applicable architects' and engineers' fees:
31 as a grant to the County Executive and County Council of Montgomery County for the

2

1 planning, design, and construction of, and the provision of capital equipment for, a
2 regional cultural center to be located in Takoma Park.

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

7 (5) Prior to the payment of any funds under the provisions of this Act for the
8 purposes set forth in Section 1(3) above, the County Executive and County Council of
9 Montgomery County shall provide and expend a matching fund. No part of an applicant's
10 matching fund may be provided, either directly or indirectly, from funds of the State,
11 whether appropriated or unappropriated. No part of the fund may consist of real
12 property, in kind contributions, or funds expended prior to the effective date of this Act.
13 In case of any dispute as to the amount of the matching fund or what money or assets may
14 qualify as matching funds, the Board of Public Works shall determine the matter and the
15 Board's decision is final. The County Executive and County Council of Montgomery
16 County have until June 1, [1996] 1997, to present evidence satisfactory to the Board of
17 Public Works that a matching fund will be provided. If satisfactory evidence is presented,
18 the Board shall certify this fact and the amount of the matching fund to the State
19 Treasurer, and the proceeds of the loan equal to the amount of the matching fund shall
20 be expended for the purposes provided in this Act. Any amount of the loan in excess of
21 the amount of the matching fund certified by the Board of Public Works shall be canceled
22 and be of no further effect.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 June 1, 1996.