
By: Delegate Franchot

Introduced and read first time: February 2, 1996

Assigned to: Appropriations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 15, 1996

CHAPTER ____

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 theMontgomery
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 accordancewith 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.

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

4 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and
5 first shall be applied to the payment of the expenses of issuing, selling, and delivering the
6 bonds, unless funds for this purpose are otherwise provided, and then shall be credited on
7 the books of the Comptroller and expended, on approval by the Board of Public Works,
8 for the following public purposes, including any applicable architects'and engineers' fees:
9 as a grant to the County Executive and County Council of Montgomery County for the
10 planning, design, and construction of, and the provision of capital equipment for, a
11 regional cultural center to be located in Takoma Park.

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

16 (5) Prior to the payment of any funds under the provisions of this Act for the
17 purposes set forth in Section 1(3) above, the County Executive and County Council of
18 Montgomery County shall provide and expend a matching fund. No part of an applicant's
19 matching fund may be provided, either directly or indirectly, from funds of the State,
20 whether appropriated or unappropriated. No part of the fund may consistof real
21 property, in kind contributions, or funds expended prior to the effective date of this Act.
22 In case of any dispute as to the amount of the matching fund or what money or assets may
23 qualify as matching funds, the Board of Public Works shall determine the matter and the
24 Board's decision is final. The County Executive and County Council of Montgomery
25 County have until June 1, [1996] ~~1997~~ 1998, to present evidence satisfactory to the Board
26 of Public Works that a matching fund will be provided. If satisfactory evidence is
27 presented, the Board shall certify this fact and the amount of the matching fund to the
28 State Treasurer, and the proceeds of the loan equal to the amount of the matching fund
29 shall be expended for the purposes provided in this Act. Any amount of the loan in excess
30 of the amount of the matching fund certified by the Board of Public Works shall be
31 canceled and be of no further effect.

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