

CF 7r1764

By: Delegates Gordon, Barve, and Kagan

Introduced and read first time: January 27, 1997

Assigned to: Appropriations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 30, 1997

CHAPTER _____

1 AN ACT concerning

**2 Creation of a State Debt - Montgomery County - F. Scott Fitzgerald Theatre and
3 Rockville Civic Center Complex**

4 FOR the purpose of authorizing the creation of a State Debt not to exceed ~~\$375,000~~
5 \$300,000, the proceeds to be used as a grant to the Mayor and City Council of
6 Rockville for certain acquisition, development, or improvement purposes; providing
7 for disbursement of the loan proceeds, subject to a requirement that the grantee
8 provide and expend a matching fund; requiring the grantee to grant and convey a
9 certain easement to the Maryland Historical Trust; and providing generally for the
10 issuance and sale of bonds evidencing the loan.

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

13 (1) The Board of Public Works may borrow money and incur indebtedness on
14 behalf of the State of Maryland through a State loan to be known as the Montgomery
15 County - F. Scott Fitzgerald Theatre and Rockville Civic Center Complex Loan of 1997 in
16 a total principal amount equal to the lesser of (i) ~~\$375,000~~ \$300,000 or (ii) the amount of
17 the matching fund provided in accordance with Section 1(5) below. This loan shall be
18 evidenced by the issuance, sale, and delivery of State general obligation bonds authorized
19 by a resolution of the Board of Public Works and issued, sold, and delivered in
20 accordance with §§ 8-117 through 8-124 of the State Finance and Procurement Article
21 and Article 31, § 22 of the Code.

22 (2) The bonds to evidence this loan or installments of this loan may be sold as a
23 single issue or may be consolidated and sold as part of a single issue of bonds under §
24 8-122 of the State Finance and Procurement Article.

25 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and
26 first shall be applied to the payment of the expenses of issuing, selling, and delivering the
27 bonds, unless funds for this purpose are otherwise provided, and then shall be credited on

2

1 the books of the Comptroller and expended, on approval by the Board of Public Works,
 2 for the following public purposes, including any applicable architects' and engineers' fees:
 3 as a grant to the Mayor and City Council of Rockville (referred to hereafter in this Act as
 4 "the grantee") for the repair, renovation, and ~~equipping~~ capital equipping of the F. Scott
 5 Fitzgerald Theatre and Rockville Civic Center, located in Rockville Civic Center Park.

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

10 (5) Prior to the payment of any funds under the provisions of this Act for the
 11 purposes set forth in Section 1(3) above, the grantee shall provide and expend a matching
 12 fund. No part of the grantee's matching fund may be provided, either directly or
 13 indirectly, from funds of the State, whether appropriated or unappropriated. No part of
 14 the fund may consist of real property, in kind contributions, or funds expended prior to
 15 the effective date of this Act. In case of any dispute as to the amount of the matching
 16 fund or what money or assets may qualify as matching funds, the Board of Public Works
 17 shall determine the matter and the Board's decision is final. The grantee has until June 1,
 18 1999, to present evidence satisfactory to the Board of Public Works that a matching fund
 19 will be provided. If satisfactory evidence is presented, the Board shall certify this fact and
 20 the amount of the matching fund to the State Treasurer, and the proceeds of the loan
 21 equal to the amount of the matching fund shall be expended for the purposes provided in
 22 this Act. Any amount of the loan in excess of the amount of the matching fund certified
 23 by the Board of Public Works shall be canceled and be of no further effect.

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

27 (i) On the land or such portion of the land acceptable to the Trust;
 28 and

29 (ii) On the exterior and interior, where appropriate, of the historic
 30 structures.

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

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 34 June 1, 1997.