

HOUSE BILL 152

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B2

1998 Regular Session
8lr0315
CF 8lr0408

By: **Delegate Hixson**
Introduced and read first time: January 19, 1998
Assigned to: Appropriations

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 31, 1998

CHAPTER _____

1 AN ACT concerning

2 **Creation of a State Debt - Montgomery County - Flower Theater**
3 **Avenue/Long Branch Revitalization**

4 FOR the purpose of authorizing the creation of a State Debt not to exceed ~~\$250,000~~
5 \$200,000, the proceeds to be used as a grant to the ~~Board of Directors of~~
6 ~~Entertainment Unlimited, Inc.~~ County Executive and County Council of
7 Montgomery County for certain acquisition, development, or improvement
8 purposes; providing for disbursement of the loan proceeds, subject to a
9 requirement that the grantee provide and expend a matching fund; and
10 providing generally for the 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 - Flower ~~Theater~~ Avenue/Long Branch Revitalization Loan of 1998 in a total
16 principal amount equal to the lesser of (i) ~~\$250,000~~ \$200,000 or (ii) the amount of the
17 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
19 authorized by a resolution of the Board of Public Works and issued, sold, and
20 delivered in accordance with §§ 8-117 through 8-124 of the State Finance and
21 Procurement Article and Article 31, § 22 of the Code.

22 (2) The bonds to evidence this loan or installments of this loan may be sold as
23 a 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.

1 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer
2 and first shall be applied to the payment of the expenses of issuing, selling, and
3 delivering the bonds, unless funds for this purpose are otherwise provided, and then
4 shall be credited on the books of the Comptroller and expended, on approval by the
5 Board of Public Works, for the following public purposes, including any applicable
6 architects' and engineers' fees: as a grant to the ~~Board of Directors of Entertainment~~
7 ~~Unlimited, Inc.~~ County Executive and County Council of Montgomery County
8 (referred to hereafter in this Act as "the grantee") for the ~~repair, renovation,~~
9 ~~rehabilitation, and capital equipping of the Flower Theater in Silver Spring, to be~~
10 ~~used as a multicultural arts center, featuring Hispanic, African-American, Asian,~~
11 ~~gender, and classical American themes, and as a café.~~ planning, design, repair,
12 renovation, construction, reconstruction, capital equipping, and landscaping of public
13 facilities and infrastructure including lighting, road improvements, and sidewalks
14 and the upgrading of facades in the Flower Avenue/Long Branch Community of
15 Montgomery County.

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

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

35 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
36 June 1, 1998.

