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By: **Delegates Franchot and Hixson**  
Introduced and read first time: February 13, 1998  
Assigned to: Appropriations

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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  
4 1994, the Montgomery County Cultural Center Loan of 1994, to allow the  
5 proceeds of the bonds and the matching fund to be used for the planning, design,  
6 repair, renovation, reconstruction, and capital equipping of a building in Silver  
7 Spring, the building to be used as a theater and as a facility for activities  
8 associated with the theater, and to extend the time by which the grantee shall  
9 provide and expend a matching fund to June 1, 2000.

10 BY repealing and reenacting, with amendments,  
11 Chapter 321 of the Acts of the General Assembly of 1994, as amended by  
12 Chapter 277 of the Acts of the General Assembly of 1996  
13 Section 1

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

16 **Chapter 321 of the Acts of 1994, as amended by Chapter 277 of the Acts of**  
17 **1996**

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
19 MARYLAND, That:

20 (1) The Board of Public Works may borrow money and incur indebtedness on  
21 behalf of the State of Maryland through a State loan to be known as the Montgomery  
22 County Cultural Center Loan of 1994 in a total principal amount equal to the lesser of  
23 (i) \$670,000 or (ii) the amount of the matching fund provided in accordance with  
24 Section 1(5) below. This loan shall be evidenced by the issuance, sale, and delivery of  
25 State general obligation bonds authorized by a resolution of the Board of Public  
26 Works and issued, sold, and delivered in accordance with §§ 8-117 through 8-124 of  
27 the State Finance and Procurement Article and Article 31, § 22 of the Code.

28 (2) The bonds to evidence this loan or installments of this loan may be sold as  
29 a single issue or may be consolidated and sold as part of a single issue of bonds under  
30 § 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 County Executive and County Council  
7 of Montgomery County for the planning, design, [and construction of, and the  
8 provision of capital equipment for, a regional cultural center to be located in Takoma  
9 Park] REPAIR, RENOVATION, RECONSTRUCTION, AND CAPITAL EQUIPPING OF A  
10 BUILDING IN SILVER SPRING, THE BUILDING TO BE USED AS A THEATER AND AS A  
11 FACILITY FOR ACTIVITIES ASSOCIATED WITH THE THEATER.

12 (4) An annual State tax is imposed on all assessable property in the State in  
13 rate and amount sufficient to pay the principal of and interest on the bonds as and  
14 when due and until paid in full. The principal shall be discharged within 15 years  
15 after the date of 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  
19 applicant's matching fund may be provided, either directly or indirectly, from funds of  
20 the State, whether appropriated or unappropriated. No part of the fund may consist of  
21 real property, in kind contributions, or funds expended prior to the effective date of  
22 this Act. In case of any dispute as to the amount of the matching fund or what money  
23 or assets may qualify as matching funds, the Board of Public Works shall determine  
24 the matter and the Board's decision is final. The County Executive and County  
25 Council of Montgomery County have until June 1, 1998, to present evidence  
26 satisfactory to the Board of Public Works that a matching fund will be provided. If  
27 satisfactory evidence is presented, the Board shall certify this fact and the amount of  
28 the matching fund to the State Treasurer, and the proceeds of the loan equal to the  
29 amount of the matching fund shall be expended for the purposes provided in this Act.  
30 Any amount of the loan in excess of the amount of the matching fund certified by the  
31 Board of Public Works shall be canceled and be of no further effect.

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