

HOUSE BILL 1081

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B2

1998 Regular Session
8lr2222

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

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 17, 1998

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
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

1 Section 1(5) below. This loan shall be evidenced by the issuance, sale, and delivery of
2 State general obligation bonds authorized by a resolution of the Board of Public
3 Works and issued, sold, and delivered in accordance with §§ 8-117 through 8-124 of
4 the State Finance and Procurement Article and Article 31, § 22 of the Code.

5 (2) The bonds to evidence this loan or installments of this loan may be sold as
6 a single issue or may be consolidated and sold as part of a single issue of bonds under
7 § 8-122 of the State Finance and Procurement Article.

8 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer
9 and first shall be applied to the payment of the expenses of issuing, selling, and
10 delivering the bonds, unless funds for this purpose are otherwise provided, and then
11 shall be credited on the books of the Comptroller and expended, on approval by the
12 Board of Public Works, for the following public purposes, including any applicable
13 architects' and engineers' fees: as a grant to the County Executive and County Council
14 of Montgomery County for the planning, design, [and construction of, and the
15 provision of capital equipment for, a regional cultural center to be located in Takoma
16 Park] REPAIR, RENOVATION, RECONSTRUCTION, CONSTRUCTION, AND CAPITAL
17 EQUIPPING OF A BUILDING IN SILVER SPRING, THE BUILDING TO BE USED AS A
18 THEATER AND AS A FACILITY FOR ACTIVITIES ASSOCIATED WITH THE THEATER.

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

23 (5) Prior to the payment of any funds under the provisions of this Act for the
24 purposes set forth in Section 1(3) above, the County Executive and County Council of
25 Montgomery County shall provide and expend a matching fund. No part of an
26 applicant's matching fund may be provided, either directly or indirectly, from funds of
27 the State, whether appropriated or unappropriated. No part of the fund may consist of
28 real property, in kind contributions, or funds expended prior to the effective date of
29 this Act. In case of any dispute as to the amount of the matching fund or what money
30 or assets may qualify as matching funds, the Board of Public Works shall determine
31 the matter and the Board's decision is final. The County Executive and County
32 Council of Montgomery County have until June 1, ~~1998~~ 2000, to present evidence
33 satisfactory to the Board of Public Works that a matching fund will be provided. If
34 satisfactory evidence is presented, the Board shall certify this fact and the amount of
35 the matching fund to the State Treasurer, and the proceeds of the loan equal to the
36 amount of the matching fund shall be expended for the purposes provided in this Act.
37 Any amount of the loan in excess of the amount of the matching fund certified by the
38 Board of Public Works shall be canceled and be of no further effect.

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

