

SENATE BILL 249

Unofficial Copy  
B2

2001 Regular Session  
(11r0757)

**ENROLLED BILL**  
*-- Budget and Taxation/Appropriations --*

Introduced by **Senator Ruben**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this  
\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_ M.

\_\_\_\_\_  
President.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Creation of a State Debt - ~~Montgomery County~~ Olney Theatre Center**  
3 **Campus**

4 FOR the purpose of authorizing the creation of a State Debt not to exceed ~~\$1,500,000~~  
5 \$250,000, the proceeds to be used as a grant to the Board of Directors of The  
6 Olney Theatre Center for the Arts for certain development or improvement  
7 purposes; providing for disbursement of the loan proceeds, subject to a  
8 requirement that the grantee provide and expend a matching fund; and  
9 providing generally for the issuance and sale of bonds evidencing the loan.

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

12 (1) The Board of Public Works may borrow money and incur indebtedness on  
13 behalf of the State of Maryland through a State loan to be known as the ~~Montgomery~~  
14 ~~County~~ Olney Theatre Center Campus Loan of 2001 in a total principal amount  
15 equal to the lesser of (i) ~~\$1,500,000~~ \$250,000 or (ii) the amount of the matching fund  
16 provided in accordance with Section 1(5) below. This loan shall be evidenced by the

1 issuance, sale, and delivery of State general obligation bonds authorized by a  
2 resolution of the Board of Public Works and issued, sold, and delivered in accordance  
3 with §§ 8-117 through 8-124 of the State Finance and Procurement Article and  
4 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 Board of Directors of The Olney  
14 Theatre Center for the Arts (referred to hereafter in this Act as "the grantee") for the  
15 planning, design, construction, and capital equipping of The Olney Theatre Center for  
16 the Arts, located in Olney, Maryland.

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

21 (5) Prior to the payment of any funds under the provisions of this Act for the  
22 purposes set forth in Section 1(3) above, the grantee shall provide and expend a  
23 matching fund. No part of the grantee's matching fund may be provided, either  
24 directly or indirectly, from funds of the State, whether appropriated or  
25 unappropriated. No part of the fund may consist of ~~real property, funds expended~~  
26 ~~prior to the effective date of this Act, or~~ in kind contributions. *The fund may consist of*  
27 *real property and funds expended prior to the effective date of this Act.* ~~The fund may~~  
28 ~~include prior expended funds and real property.~~ In case of any dispute as to the  
29 amount of the matching fund or what money or assets may qualify as matching funds,  
30 the Board of Public Works shall determine the matter and the Board's decision is  
31 final. The grantee has until June 1, 2003, to present evidence satisfactory to the  
32 Board of Public Works that a matching fund will be provided. If satisfactory evidence  
33 is presented, the Board shall certify this fact and the amount of the matching fund to  
34 the State Treasurer, and the proceeds of the loan equal to the amount of the matching  
35 fund shall be expended for the purposes provided in this Act. Any amount of the loan  
36 in excess of the amount of the matching fund certified by the Board of Public Works  
37 shall be canceled and be of no further effect.

38 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
39 June 1, 2001.

