

SENATE BILL 604

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2000 Regular Session
Olr2713
CF Olr2710

By: **Senator Middleton**

Introduced and read first time: February 4, 2000

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 29, 2000

CHAPTER _____

1 AN ACT concerning

2 **Creation of a State Debt - Charles County - Port Tobacco Players Theater**

3 FOR the purpose of authorizing the creation of a State Debt not to exceed ~~\$800,000~~
4 \$400,000, the proceeds to be used as a grant to the Board of Directors of Port
5 Tobacco Players, Inc. for certain development or improvement purposes;
6 providing for disbursement of the loan proceeds, subject to a requirement that
7 the grantee provide and expend a matching fund; and providing generally for
8 the issuance and sale of bonds evidencing the loan.

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

11 (1) The Board of Public Works may borrow money and incur indebtedness on
12 behalf of the State of Maryland through a State loan to be known as the Charles
13 County - Port Tobacco Players Theater Loan of 2000 in a total principal amount equal
14 to the lesser of (i) \$400,000 or (ii) the amount of the matching fund provided in
15 accordance with Section 1(5) below. This loan shall be evidenced by the issuance, sale,
16 and delivery of State general obligation bonds authorized by a resolution of the Board
17 of Public Works and issued, sold, and delivered in accordance with §§ 8-117 through
18 8-124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

19 (2) The bonds to evidence this loan or installments of this loan may be sold as
20 a single issue or may be consolidated and sold as part of a single issue of bonds under
21 § 8-122 of the State Finance and Procurement Article.

22 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer
23 and first shall be applied to the payment of the expenses of issuing, selling, and
24 delivering the bonds, unless funds for this purpose are otherwise provided, and then
25 shall be credited on the books of the Comptroller and expended, on approval by the

1 Board of Public Works, for the following public purposes, including any applicable
2 architects' and engineers' fees: as a grant to the Board of Directors of Port Tobacco
3 Players, Inc. (referred to hereafter in this Act as "the grantee") for the acquisition,
4 planning, design, construction, renovation, and capital equipping of the Port Tobacco
5 Players Theater, to be located in La Plata, Charles County, Maryland.

6 (4) An annual State tax is imposed on all assessable property in the State in
7 rate and amount sufficient to pay the principal of and interest on the bonds, as and
8 when due and until paid in full. The principal shall be discharged within 15 years
9 after the date of 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
12 matching fund. No part of the grantee's matching fund may be provided, either
13 directly or indirectly, from funds of the State, whether appropriated or
14 unappropriated. No part of the fund may consist of real property or in kind
15 contributions. No part of the funds may consist of funds expended prior to the
16 effective date of this Act. In case of any dispute as to the amount of the matching fund
17 or what money or assets may qualify as matching funds, the Board of Public Works
18 shall determine the matter and the Board's decision is final. The grantee has until
19 June 1, 2002, to present evidence satisfactory to the Board of Public Works that a
20 matching fund will be provided. If satisfactory evidence is presented, the Board shall
21 certify this fact and the amount of the matching fund to the State Treasurer, and the
22 proceeds of the loan equal to the amount of the matching fund shall be expended for
23 the purposes provided in this Act. Any amount of the loan in excess of the amount of
24 the matching fund certified by the Board of Public Works shall be canceled and be of
25 no further effect.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 June 1, 2000.