

Introduction

MEMORANDUM

May 17, 2010

TO: County Council

FROM: Amanda Mihill, Legislative Analyst *A. Mihill*

SUBJECT: **Introduction:** Bill 34-10, Finance – Public Facilities – Private Projects

Bill 34-10, Finance – Public Facilities – Private Projects, sponsored by Councilmembers Leventhal and Knapp, is scheduled to be introduced on May 18, 2010. A public hearing will be scheduled at a later date.

Bill 34-10 would amend the definition of public facilities to specifically exclude the construction, reconstruction, extension, acquisition, improvement, enlargement, alteration, repair, or modernization of any privately owned building or facility.

This packet contains:

Bill 34-10
Legislative Request Report

Circle

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Bill No. 34-10
Concerning: Finance – Public Facilities –
Private Projects
Revised: 5/14/2010 Draft No. 1
Introduced: _____
Expires: _____
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: Councilmembers Leventhal and Knapp

AN ACT to:

- (1) amend the definition of public facilities to specifically exclude the construction, reconstruction, extension, acquisition, improvement, enlargement, alteration, repair, or modernization of any privately owned building or facility; and
- (2) generally amend the county finance law.

By amending

Montgomery County Code
Chapter 20, Finance
Section 20-14

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

LEGISLATIVE REQUEST REPORT

Bill 34-10, *Finance – Public Facilities – Private Projects*

DESCRIPTION: Bill 34-10 amends the definition of public facilities in Chapter 20 to exclude the construction, reconstruction, extension, acquisition, improvement, enlargement, alteration, repair, or modernization of any privately owned building or facility.

PROBLEM: County law could be interpreted to allow the use of general obligation bonds to fund private projects that meet the definition of public facilities in §20-14.

GOALS AND OBJECTIVES: To clarify County law such that private projects are not eligible to be funded by general obligation bonds.

COORDINATION: Department of Finance

FISCAL IMPACT: To be requested.

ECONOMIC IMPACT: To be requested

SOURCE OF INFORMATION: Amanda Mihill, Legislative Analyst, 240-777-7815

APPLICATION WITHIN MUNICIPALITIES: To be researched.

PENALTIES: None.