
**By: Delegates McIntosh, Boston, Branch, E. Burns, Cummings, Curran, C. Davis,
Doory, Dypski, Fulton, Hammen, Harrison, Kirk, Krysiak, McHale,
Nathan-Pulliam, Oaks, Marriott, and Montague**

Introduced and read first time: January 26, 1996

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Creation of a State Debt - Baltimore City - Lyric Opera House**

3 FOR the purpose of authorizing the creation of a State Debt not to exceed \$700,000, the
4 proceeds to be used as a grant to the Board of Directors of the Lyric Foundation,
5 Inc. for certain acquisition, development, or improvement purposes; providing for
6 disbursement of the loan proceeds, subject to a requirement that the grantee
7 provide and expend a matching fund; requiring the grantee to grant and convey a
8 certain easement to the Maryland Historical Trust; and providing generally for the
9 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 Baltimore City
14 - Lyric Opera House Loan of 1996 in a total principal amount equal to the lesser of (i)
15 \$700,000 or (ii) the amount of the matching fund provided in accordance with Section
16 1(5) below. This loan shall be evidenced by the issuance, sale, and delivery of State
17 general obligation bonds authorized by a resolution of the Board of Public Works and
18 issued, sold, and delivered in accordance with §§ 8-117 through 8-124 of the State
19 Finance and Procurement Article and Article 31, § 22 of the Code.

20 (2) The bonds to evidence this loan or installments of this loan may be sold as a
21 single issue or may be consolidated and sold as part of a single issue of bonds under §
22 8-122 of the State Finance and Procurement Article.

23 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and
24 first shall be applied to the payment of the expenses of issuing, selling, and delivering the
25 bonds, unless funds for this purpose are otherwise provided, and then shall be credited on
26 the books of the Comptroller and expended, on approval by the Board of Public Works,
27 for the following public purposes, including any applicable architects' and engineers' fees:
28 as a grant to the Board of Directors of the Lyric Foundation, Inc. (referred to hereafter
29 in this Act as "the grantee") for the expansion and equipping of the stage and for the
30 construction and equipping of dressing rooms, offices, multiple use facilities, and an
31 elevator at the Lyric Opera House in Baltimore City.

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

5 (5) Prior to the payment of any funds under the provisions of this Act for the
6 purposes set forth in Section 1(3) above, the grantee and the Mayor and City Council of
7 Baltimore, as equal participants, shall provide and expend a matching fund. No part of
8 the grantee's or the Mayor and City Council of Baltimore's matching fund may be
9 provided, either directly or indirectly, from funds of the State, whether appropriated or
10 unappropriated. No part of the fund may consist of real property or in kind contributions.
11 The fund may consist of funds expended prior to the effective date of this Act. In case of
12 any dispute as to the amount of the matching fund or what money or assets may qualify as
13 matching funds, the Board of Public Works shall determine the matter and the Board's
14 decision is final. The grantee and the Mayor and City Council of Baltimore have until
15 June 1, 1998, to present evidence satisfactory to the Board of Public Works that a
16 matching fund will be provided. If satisfactory evidence is presented, the Board shall
17 certify this fact and the amount of the matching fund to the State Treasurer, and the
18 proceeds of the loan equal to the amount of the matching fund shall be expended for the
19 purposes provided in this Act. Any amount of the loan in excess of the amount of the
20 matching fund certified by the Board of Public Works shall be canceled and be of no
21 further effect.

22 (6) (a) Prior to the issuance of the bonds, the grantee shall grant and convey to
23 the Maryland Historical Trust a perpetual preservation easement to the extent of its
24 interest:

25 (i) On the land or such portion of the land acceptable to the Trust;
26 and

27 (ii) On the exterior and interior, where appropriate, of the historic
28 structures.

29 (b) The easement must be in form and substance acceptable to the Trust
30 and the extent of the interest to be encumbered must be acceptable to the Trust.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 June 1, 1996.