

---

**By: Senators McFadden, Hoffman, and Sfikas**

Introduced and read first time: January 24, 1996

Assigned to: Budget and Taxation

---

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.

32 (4) An annual State tax is imposed on all assessable property in the State in rate  
33 and amount sufficient to pay the principal of and interest on the bonds, as and when due

2

1 and until paid in full. The principal shall be discharged within 15 years after the date of  
2 issuance of the bonds.

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

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

23 (i) On the land or such portion of the land acceptable to the Trust;  
24 and

25 (ii) On the exterior and interior, where appropriate, of the historic  
26 structures.

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

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