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By: Senator Hoffman

Introduced and read first time: February 19, 1997

Assigned to: Rules

Re-referred to: Budget and Taxation, February 24, 1997

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: April 2, 1997

CHAPTER ____

1 AN ACT concerning

2 **Creation of a State Debt - Baltimore Symphony Orchestra - Joseph Meyerhoff Symphony**
3 **Hall**

4 FOR the purpose of authorizing the creation of a State Debt not to exceed ~~\$2,500,000~~
5 \$500,000, the proceeds to be used as a grant to the Board of Directors of the
6 Baltimore Symphony Orchestra, Inc. for certain acquisition, development, or
7 improvement purposes; providing for disbursement of the loan proceeds, subject to
8 a requirement that the grantee provide and expend a matching fund; and providing
9 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 Baltimore
14 Symphony Orchestra - Joseph Meyerhoff Symphony Hall Loan of 1997 in a total principal
15 amount equal to the lesser of (i) ~~\$2,500,000~~ \$500,000 or (ii) the amount of the matching
16 fund provided in accordance with Section 1(5) below. This loan shall be evidenced by the
17 issuance, sale, and delivery of State general obligation bonds authorized by a resolution of
18 the Board of Public Works and issued, sold, and delivered in accordance with §§ 8-117
19 through 8-124 of the State Finance and Procurement Article and Article 31, § 22 of the
20 Code.

21 (2) The bonds to evidence this loan or installments of this loan may be sold as a
22 single issue or may be consolidated and sold as part of a single issue of bonds under §
23 8-122 of the State Finance and Procurement Article.

24 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and
25 first shall be applied to the payment of the expenses of issuing, selling, and delivering the

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1 bonds, unless funds for this purpose are otherwise provided, and then shall be credited on
2 the books of the Comptroller and expended, on approval by the Board of Public Works,
3 for the following public purposes, including any applicable architects' and engineers' fees:
4 as a grant to the Board of Directors of the Baltimore Symphony Orchestra, Inc. (referred
5 to hereafter in this Act as "the grantee") for the planning, design, renovation, and repair
6 of, and for the provision of capital equipment and furnishings for, the Joseph Meyerhoff
7 Symphony Hall, the renovations to include acoustic modifications and nonacoustic
8 alterations to the building.

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

13 (5) Prior to the payment of any funds under the provisions of this Act for the
14 purposes set forth in Section 1(3) above, the grantee shall provide and expend a matching
15 fund. No part of the grantee's matching fund may be provided, either directly or
16 indirectly, from funds of the State, whether appropriated or unappropriated. No part of
17 the fund may consist of real property, in kind contributions, or funds expended prior to
18 the effective date of this Act. In case of any dispute as to the amount of the matching
19 fund or what money or assets may qualify as matching funds, the Board of Public Works
20 shall determine the matter and the Board's decision is final. The grantee has until June 1,
21 1999, to present evidence satisfactory to the Board of Public Works that a matching fund
22 will be provided. If satisfactory evidence is presented, the Board shall certify this fact and
23 the amount of the matching fund to the State Treasurer, and the proceeds of the loan
24 equal to the amount of the matching fund shall be expended for the purposes provided in
25 this Act. Any amount of the loan in excess of the amount of the matching fund certified
26 by the Board of Public Works shall be canceled and be of no further effect.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 June 1, 1997.