
By: **Senators Neall and Hoffman**
Introduced and read first time: January 28, 2002
Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

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

3 FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,000,000,
4 the proceeds to be used as a grant to the Board of Directors of the Baltimore
5 Symphony Orchestra, 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 Baltimore
13 City - Joseph Meyerhoff Symphony Hall Loan of 2002 in a total principal amount
14 equal to the lesser of (i) \$1,000,000 or (ii) the amount of the matching fund provided
15 in accordance with Section 1(5) below. This loan shall be evidenced by the issuance,
16 sale, and delivery of State general obligation bonds authorized by a resolution of the
17 Board of Public Works and issued, sold, and delivered in accordance with §§ 8-117
18 through 8-124 of the State Finance and Procurement Article and Article 31, § 22 of
19 the Code.

20 (2) The bonds to evidence this loan or installments of this loan may be sold as
21 a 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
24 and first shall be applied to the payment of the expenses of issuing, selling, and
25 delivering the bonds, unless funds for this purpose are otherwise provided, and then
26 shall be credited on the books of the Comptroller and expended, on approval by the
27 Board of Public Works, for the following public purposes, including any applicable
28 architects' and engineers' fees: as a grant to the Board of Directors of the Baltimore
29 Symphony Orchestra, Inc. (referred to hereafter in this Act as "the grantee") for the
30 planning, design, renovation, repair, and capital equipping of the Joseph Meyerhoff
31 Symphony Hall, the renovations to include acoustic modifications and nonacoustic
32 alterations to the building.

1 (4) An annual State tax is imposed on all assessable property in the State in
2 rate and amount sufficient to pay the principal of and interest on the bonds, as and
3 when due and until paid in full. The principal shall be discharged within 15 years
4 after the date of 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 shall provide and expend a
7 matching fund. No part of the grantee's matching fund may be provided, either
8 directly or indirectly, from funds of the State, whether appropriated or
9 unappropriated. No part of the fund may consist of real property. The fund may
10 consist of in kind contributions or funds expended prior to the effective date of this
11 Act. In case of any dispute as to the amount of the matching fund or what money or
12 assets may qualify as matching funds, the Board of Public Works shall determine the
13 matter and the Board's decision is final. The grantee has until June 1, 2004, to
14 present evidence satisfactory to the Board of Public Works that a matching fund will
15 be provided. If satisfactory evidence is presented, the Board shall certify this fact and
16 the amount of the matching fund to the State Treasurer, and the proceeds of the loan
17 equal to the amount of the matching fund shall be expended for the purposes provided
18 in this Act. Any amount of the loan in excess of the amount of the matching fund
19 certified by the Board of Public Works shall be canceled and be of no further effect.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 June 1, 2002.