of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

(3)   The cash proceeds of the sale of the bonds shall be paid to the Treasurer and first shall be applied to the payment of the expenses of issuing, selling, and delivering the bonds, unless funds for this purpose are otherwise provided, and then shall be credited on the books of the Comptroller and expended, on approval by the Board of Public Works, for the following public purposes, including any applicable architects' and engineers' fees: as a grant to the Board of Directors of the Constellation [Foundation] MUSEUM, Inc. (referred to hereafter in this Act as "the grantee") for the design, repair, restoration, improvement, and preservation of the U.S.S. Constellation.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three–fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

Approved April 27, 2004.

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CHAPTER 161

(House Bill 228)

AN ACT concerning

Motor Fuel Tax – Refunds – Concrete Pump Trucks

FOR the purpose of allowing a refund of a certain percent of the motor fuel tax paid on fuel that is used by a concrete pump truck under certain conditions; and generally relating to tax refunds on motor fuel used by concrete pump trucks.

BY repealing and reenacting, with amendments,
     Article – Tax – General
     Section 13–901(f)(1)(ii)4. and (2)
     Annotated Code of Maryland
     (1997 Replacement Volume and 2003 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Tax – General

13–901.

(f)   (1)   A claim for refund of motor fuel tax may be filed by a claimant who pays the tax on:

(ii)   motor fuel, as defined in § 9–101 of this article, that: