

BY repealing and reenacting, with amendments,

Article - Tax - General

Section 11-221(a)

Annotated Code of Maryland

(1988 Volume and 1990 Supplement)

Preamble

WHEREAS, Medical Assistance expenditures are uncertain in any given year; and

WHEREAS, The Department of Health and Mental Hygiene frequently does not encumber a sufficient appropriation to fund expenditures incurred during the fiscal year; and

WHEREAS, The General Assembly does not want to impact the level of encumbrances for Fiscal Year 1991; and

WHEREAS, Chapter _____ (H.B. 206) of the Acts of the General Assembly of 1991 permits the Governor to transfer funds from the Fiscal Year 1991 Medical Assistance Provider Reimbursements budget to cover an anticipated deficit in the Aid to Families With Dependent Children (AFDC) Program; and

WHEREAS, The Department has need for additional revenues to compensate for the Fiscal Year 1991 transfer or to meet Fiscal Year 1992 obligations; now, therefore,

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

Article - Tax - General

11-221.

(a) The sales and use tax does not apply to:

(1) a sale of an admission by a person whose gross receipts from the sale are subject to the admissions and amusement tax;

[(2) a sale of cigarettes on which the tobacco tax is paid;]

[(3)] (2) a sale of a communication service rendered by a person whose charge for a communication service is or would be subject to the federal excise tax as described in § 4251 of the Internal Revenue Code in effect on July 1, 1979;

[(4)] (3) a sale of a motor fuel that is subject to the motor fuel tax or the motor carrier tax;

[(5)] (4) except for a rental, a sale of a motor vehicle, other than a house or office trailer, that is subject to the motor vehicle excise tax under § 13-809 or § 13-811 of the Transportation Article;