

BY: Senator Baker

AMENDMENTS TO SENATE BILL NO. 754

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after the first "Tax" insert ", Vessel Excise Tax,"; in line 3, after "of" insert "providing an exemption under the vessel excise tax for possession within the State of certain vessels owned by certain nonprofit marine spill response organizations;"; and after line 6, insert:

"BY repealing and reenacting, with amendments,

Article - Natural Resources

Section 8-716(e)

Annotated Code of Maryland

(1990 Replacement Volume and 1996 Supplement)".

AMENDMENT NO. 2

On page 1, after line 18, insert:

"Article - Natural Resources

8-716.

(e) A person is not required to pay the tax provided for in subsection (c) of this section resulting from:

(1) A transfer between members of the immediate family as determined by Department regulations;

(2) A transfer to a licensed dealer of a vessel for resale, rental, or lease purposes;

(3) Purchase of a vessel by the State or any political subdivision;

(Over)

(4) Purchase of a vessel by an eleemosynary organization which the Secretary has approved;

(5) The purchase within the State of a vessel if the owner paid or incurred a liability for the Maryland sales and use tax on the vessel prior to July 1, 1986;

(6) The possession within the State of a vessel which was purchased outside the State if the owner paid or incurred a liability for the Maryland Use Tax on the vessel prior to July 1, 1986;

(7) The possession of a vessel that was purchased or acquired prior to coming into the State by a nonresident of the State and is not used principally on the waters of the State and if the issuance of a title is not sought; [or]

(8) The possession within the State of a vessel if the current owner, before July 1, 1986:

(i) 1. Was licensed by the Department to catch, for commercial purposes, finfish, eels, crabs, conch, terrapin, soft-shell clams, hard-shell clams, oysters, or any other fish; and

2. Used the vessel for any of the commercial fishing purposes described in item (i)1. of this paragraph; or

(ii) 1. Was licensed as a commercial fishing guide under the provisions of § 4-210 of this article; and

2. Used the vessel as a charter boat with a license as provided in § 4-745(d)(2) of this article; OR

(9) THE POSSESSION WITHIN THE STATE OF A VESSEL THAT:

(I) IS OWNED BY A NONPROFIT ORGANIZATION THAT:

1. IS QUALIFIED AS TAX EXEMPT UNDER § 501(C)(4) OF THE INTERNAL REVENUE CODE; AND

2. IS ENGAGED IN PROVIDING A PROGRAM TO RENDER ITS

BEST EFFORTS TO CONTAIN, CLEAN UP, AND OTHERWISE MITIGATE SPILLS OF OIL OR OTHER SUBSTANCES OCCURRING IN UNITED STATES COASTAL AND TIDAL WATERS; AND

(II) IS USED FOR THE PURPOSES OF THE ORGANIZATION.”.