

HOUSE BILL NO. 6175

June 09, 2022, Introduced by Rep. Hall and referred to the Committee on Tax Policy.

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending sections 6a, 6c, and 25 (MCL 205.56a, 205.56c, and 205.75), section 6a as amended by 2015 PA 264, section 6c as added by 2015 PA 262, and section 25 as amended by 2021 PA 108, and by adding sections 4gg and 4ii.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **Sec. 4gg. (1) Notwithstanding section 4x, beginning October 1,**
2 **2022, the sale at retail of aviation fuel is exempt from the tax**
3 **under this act.**

1 (2) As used in this section, "aviation fuel" means fuel as
2 that term is defined in section 4 of the aeronautics code of the
3 state of Michigan, 1945 PA 327, MCL 259.4.

4 Sec. 4ii. (1) Beginning October 1, 2022, the sale at retail of
5 eligible fuel is exempt from the tax under this act.

6 (2) As used in this section, "eligible fuel" means any fuel
7 subject to the tax levied under the motor fuel tax act, 2000 PA
8 403, MCL 207.1001 to 207.1170.

9 Sec. 6a. (1) Through March 31, 2013, at the time of purchase
10 or shipment from a refiner, pipeline terminal operator, or marine
11 terminal operator, a purchaser or receiver of gasoline shall prepay
12 a portion of the tax imposed by this act at the rate provided in
13 this section to the refiner, pipeline terminal operator, or marine
14 terminal operator for the purchase or receipt of gasoline. If the
15 purchase or receipt of gasoline is made outside this state for
16 shipment into and subsequent sale within this state, the purchaser
17 or receiver, other than a refiner, pipeline terminal operator, or
18 marine terminal operator, shall make the prepayment required by
19 this section directly to the department. Prepayments for gasoline
20 ~~shall~~**must** be made at a cents-per-gallon rate determined by the
21 department and ~~shall~~**must** be based on 6% of the statewide average
22 retail price of a gallon of self-serve unleaded regular gasoline as
23 determined and certified by the department rounded up to the
24 nearest 1/10 of 1 cent. A person that makes prepayments directly to
25 the department shall make those prepayments according to the
26 schedule in subsection (6).

27 (2) Beginning April 1, 2013 through March 31, 2016, at the
28 time of purchase or shipment from a refiner, pipeline terminal
29 operator, or marine terminal operator, a purchaser or receiver of

1 fuel shall prepay a portion of the tax imposed by this act at the
2 rates provided in this section to the refiner, pipeline terminal
3 operator, or marine terminal operator for the purchase or receipt
4 of fuel. If the purchase or receipt of fuel is made outside this
5 state for shipment into and subsequent sale within this state, the
6 purchaser or receiver, other than a refiner, pipeline terminal
7 operator, or marine terminal operator, shall make the prepayment
8 required by this section directly to the department. Prepayments
9 for gasoline ~~shall~~**must** be made at a cents-per-gallon rate
10 determined by the department and ~~shall~~**must** be based on 6% of the
11 statewide average retail price of a gallon of self-serve unleaded
12 regular gasoline as determined and certified by the department
13 rounded up to the nearest 1/10 of 1 cent. Prepayments for diesel
14 fuel ~~shall~~**must** be made at a cents-per-gallon rate determined by
15 the department and ~~shall~~**must** be based on 6% of the statewide
16 average retail price of a gallon of undyed No. 2 ultra-low sulfur
17 diesel fuel as determined and certified by the department rounded
18 up to the nearest 1/10 of 1 cent. A person that makes prepayments
19 directly to the department shall make those prepayments according
20 to the schedule in subsection (6).

21 (3) Beginning April 1, 2016 **through September 30, 2022**, at the
22 time of purchase or shipment in this state from a refiner, pipeline
23 terminal operator, or marine terminal operator, a purchaser or
24 receiver of fuel other than an exporter or supplier for immediate
25 export, as evidenced by the terminal's shipping papers or bill of
26 lading, shall prepay a portion of the tax imposed by this act at
27 the rates provided in this section to the refiner, pipeline
28 terminal operator, or marine terminal operator for the purchase or
29 receipt of fuel. If the purchase or receipt of fuel is made outside

1 this state for shipment into and subsequent sale within this state,
2 the purchaser or receiver, other than a refiner, pipeline terminal
3 operator, or marine terminal operator as part of a bulk transfer,
4 shall make the prepayment required by this section directly to the
5 department. Prepayments for gasoline ~~shall~~**must** be made at a cents-
6 per-gallon rate determined by the department and ~~shall~~**must** be
7 based on 6% of the statewide average retail price of a gallon of
8 self-serve unleaded regular gasoline as determined and certified by
9 the department rounded up to the nearest 1/10 of 1 cent.
10 Prepayments for diesel fuel ~~shall~~**must** be made at a cents-per-
11 gallon rate determined by the department and ~~shall~~**must** be based on
12 6% of the statewide average retail price of a gallon of undyed No.
13 2 ultra-low sulfur diesel fuel as determined and certified by the
14 department rounded up to the nearest 1/10 of 1 cent. A person that
15 makes prepayments directly to the department shall make those
16 prepayments according to the schedule in subsection (6).

17 (4) The rates of prepayment applied pursuant to subsections
18 (2) and (3) shall be determined every month by the department. The
19 department shall publish notice of the rates of prepayment
20 applicable to gasoline and diesel fuel pursuant to subsections (2)
21 and (3) not later than the tenth day of the month immediately
22 preceding the month in which the rate is effective.

23 (5) A person subject to tax under this act that makes
24 prepayment to another person as required by this section for
25 gasoline may claim an estimated prepayment credit on its regular
26 monthly return filed pursuant to section 6. The credit ~~shall~~**must**
27 be for prepayments made during the month for which the return is
28 required and ~~shall~~**must** be based upon the difference between
29 prepayments made in the immediately preceding month and collections

1 of prepaid tax received from sales or transfers during the month
 2 for which the return required under section 6 is made. A sale or
 3 transfer for which collection of prepaid tax is due the taxpayer is
 4 subject to a bad debt deduction under section 4i, whether or not
 5 the sale or transfer is a sale at retail. The credit ~~shall~~**must** not
 6 be reduced because of actual shrinkage. A taxpayer that does not,
 7 in the ordinary course of business, sell gasoline in each month of
 8 the year may, with the approval of the department, base the initial
 9 prepayment deduction in each tax year on prepayments made in a
 10 month other than the immediately preceding month. The difference in
 11 actual prepayments ~~shall~~**must** be reconciled on the annual return ~~in~~
 12 ~~accordance with~~**pursuant to** procedures prescribed by the
 13 department.

14 (6) Notwithstanding the other provisions for the payment and
 15 remitting of tax due under this act, a refiner, pipeline terminal
 16 operator, or marine terminal operator shall account for and remit
 17 to the department the prepayments received ~~pursuant to~~**under** this
 18 section ~~in accordance with~~**pursuant to** the following schedule:

19 (a) On or before the twenty-fifth of each month, prepayments
 20 received after the end of the preceding month and before the
 21 sixteenth of the month in which the prepayments are made.

22 (b) On or before the tenth of each month, payments received
 23 after the fifteenth and before the end of the preceding month.

24 (7) A refiner, pipeline terminal operator, or marine terminal
 25 operator that fails to remit prepayments made by a purchaser or
 26 receiver of fuel is subject to the penalties provided by 1941 PA
 27 122, MCL 205.1 to 205.31.

28 (8) The refiner, pipeline terminal operator, or marine
 29 terminal operator shall not receive a deduction under section 4 for

1 receiving and remitting prepayments from a purchaser or receiver
2 pursuant to this section.

3 (9) The purchaser or receiver of fuel that makes prepayments
4 is not subject to further liability for the amount of the
5 prepayment if the refiner, pipeline terminal operator, or marine
6 terminal operator fails to remit the prepayment.

7 (10) A person subject to tax under this act that makes
8 prepayment to another person as required by this section for diesel
9 fuel may claim an estimated prepayment credit on its regular
10 monthly return filed pursuant to section 6. The credit ~~shall~~**must**
11 be for prepayments made during the month for which the return is
12 required and ~~shall~~**must** be based upon the difference between the
13 prepayments made in the immediately preceding month and collections
14 of prepaid tax received from sales or transfers during the month
15 for which the return required under section 6 is made. A sale or
16 transfer for which collection of prepaid tax is due the taxpayer is
17 subject to a bad debt deduction under section 4i, whether or not
18 the sale or transfer is a sale at retail. The credit ~~shall~~**must** not
19 be reduced because of actual shrinkage. A taxpayer that does not,
20 in the ordinary course of business, sell diesel fuel in each month
21 of the year may, with the approval of the department, base the
22 initial prepayment deduction in each tax year on prepayments made
23 in a month other than the immediately preceding month. Estimated
24 prepayment credits claimed with the return due in April 2013 ~~shall~~
25 **must** be based on the taxpayer's retail sales of diesel fuel in
26 March 2013. The difference in actual prepayments ~~shall~~**must** be
27 reconciled on the annual return ~~in accordance with~~**pursuant to**
28 procedures prescribed by the department. Repayment of the credit
29 claimed on the return due in April 2013 ~~shall~~**must** be made by the

1 earlier of the date that the taxpayer stops selling diesel fuel or
2 October 15, 2013.

3 (11) As used in this section:

4 (a) "Alcohol" means fuel grade ethanol or a mixture of fuel
5 grade ethanol and another product.

6 (b) "Blendstock" includes all of the following:

7 (i) Any petroleum product component of fuel, such as naphtha,
8 reformate, or toluene.

9 (ii) Any oxygenate that can be blended for use in a motor fuel.

10 (c) "Boat terminal transfer" means a dock, a tank, or
11 equipment contiguous to a dock or a tank, including equipment used
12 in the unloading of fuel from a ship and in transferring the fuel
13 to a tank pending wholesale bulk reshipment.

14 (d) "Bulk transfer" means a transfer of fuel from, or purchase
15 for resale by, a refiner, pipeline terminal operator, or marine
16 terminal operator to or from another refiner, pipeline terminal
17 operator, or marine terminal operator through pipeline tender or
18 marine delivery, including pipeline movements of fuel or marine
19 vessel movements of fuel. Bulk transfer also includes a transaction
20 involving the transfer by any transportation means to, or purchase
21 for resale by, a refiner, pipeline terminal operator, or marine
22 terminal operator of alcohol to be used exclusively for blending
23 with gasoline. Notwithstanding anything to the contrary in this
24 definition, fuel transferred to, or purchased for resale by, a
25 refiner, pipeline terminal operator, or marine terminal operator
26 must be delivered to, or otherwise remain within, the bulk transfer
27 terminal system ~~prior to~~ **before** removal across the rack in order to
28 constitute a bulk transfer.

29 (e) "Bulk transfer terminal system" means the fuel

1 distribution system consisting of refineries, pipelines, marine
2 vessels, and terminals and includes fuel storage tanks and fuel
3 storage facilities that are part of a refinery, boat terminal
4 transfer, or terminal owned, operated, or controlled by a refiner,
5 marine terminal operator, or pipeline terminal operator.

6 (f) "Diesel fuel" means any liquid other than gasoline that is
7 capable of use as a fuel or a component of a fuel in a motor
8 vehicle that is propelled by a diesel-powered engine or in a
9 diesel-powered train. Diesel fuel includes number 1 and number 2
10 fuel oils, kerosene, and mineral spirits. Diesel fuel also includes
11 any blendstock or additive that is sold for blending with diesel
12 fuel and any liquid prepared, advertised, offered for sale, sold
13 for use as, or used in the generation of power for the propulsion
14 of a diesel-powered engine, airplane, or marine vessel. An additive
15 or blendstock is presumed to be sold for blending unless a
16 certification is obtained for federal purposes that the substance
17 is for a use other than blending for diesel fuel. Diesel fuel does
18 not include dyed diesel fuel, dyed kerosene, or an excluded liquid.

19 (g) "Dyed diesel fuel" means diesel fuel that is dyed ~~in~~
20 ~~accordance with internal revenue service~~ **pursuant to Internal**
21 **Revenue Service** rules or pursuant to any other ~~internal revenue~~
22 ~~service~~ **Internal Revenue Service** requirements, including any
23 invisible marker requirements.

24 (h) "Dyed kerosene" means kerosene that is dyed ~~in accordance~~
25 ~~with internal revenue service~~ **pursuant to Internal Revenue Service**
26 rules or pursuant to any other ~~internal revenue service~~ **Internal**
27 **Revenue Service** requirements, including invisible marker
28 requirements.

29 (i) "Excluded liquid" means that term as defined in 26 CFR

1 48.4081-1.

2 (j) "Export" means to purchase or receive fuel in this state
3 for immediate shipment and subsequent sale outside of this state.

4 (k) "Exporter" means a person that exports fuel and is
5 licensed under section 86 of the motor fuel tax act, 2000 PA 403,
6 MCL 207.1086.

7 (l) "Fuel" means gasoline and diesel fuel that is subject to
8 tax under this act, collectively, except when gasoline or diesel
9 fuel is referred to separately.

10 (m) "Gasoline" means and includes gasoline, alcohol, gasohol,
11 casing head or natural gasoline, benzol, benzine, naphtha,
12 methanol, transmix, any blendstock additive, or other product that
13 is sold for blending with gasoline or for use on the road, other
14 than products typically sold in containers of less than 5 gallons.
15 Gasoline also includes a liquid prepared, advertised, offered for
16 sale, sold for use as, or used in the generation of power for the
17 propulsion of a motor vehicle, airplane, or marine vessel,
18 including a product obtained by blending together any 1 or more
19 products of petroleum, with or without another product, and
20 regardless of the original character of the petroleum products
21 blended, if the product obtained by the blending is capable of use
22 in the generation of power for the propulsion of a motor vehicle,
23 airplane, or marine vessel. The blending of all of the above-named
24 products, regardless of their name or characteristics, shall
25 conclusively be presumed to have been done to produce fuel, unless
26 the product obtained by the blending is entirely incapable of use
27 as fuel. An additive or blendstock is presumed to be sold for
28 blending unless a certification is obtained for federal purposes
29 that the substance is for a use other than blending for gasoline.

1 Gasoline does not include diesel fuel, dyed diesel fuel, dyed
2 kerosene, or an excluded liquid.

3 (n) "Kerosene" means all grades of kerosene, including, but
4 not limited to, the 2 grades of kerosene, No. 1-K and No. 2-K,
5 commonly known as K-1 kerosene and K-2 kerosene, respectively,
6 described in American ~~society for testing and materials~~ **Society for**
7 **Testing and Materials** specification D-3699, in effect on January 1,
8 1999, and kerosene-type jet fuel described in American ~~society for~~
9 ~~testing and materials~~ **Society for Testing and Materials**
10 specification D-1655 and military specifications MIL-T-5624r and
11 MIL-T-83133d (grades jp-5 and jp-8), and any successor ~~internal~~
12 ~~revenue service~~ **Internal Revenue Service** rules or regulations, as
13 the specification for kerosene and kerosene-type jet fuel. Kerosene
14 does not include dyed kerosene or an excluded liquid.

15 (o) "Marine terminal operator" means a person that stores fuel
16 at a boat terminal transfer.

17 (p) "Pipeline terminal operator" means a person that stores
18 fuel in tanks and equipment used in receiving and storing fuel from
19 interstate and intrastate pipelines pending wholesale bulk
20 reshipment.

21 (q) "Purchase", "receipt", or "shipment" does not include a
22 two-party exchange, a bulk transfer, or a receipt of fuel as part
23 of a bulk transfer.

24 (r) "Rack" means a mechanism for delivering fuel from a
25 refiner, a pipeline terminal operator, or a marine terminal
26 operator into a railroad tank car, a transport truck, a tank wagon,
27 or the fuel supply tank of a marine vessel.

28 (s) "Refiner" means a person that meets all of the following
29 requirements:

1 (i) Manufactures or produces fuel at a refinery by any process
2 involving substantially more than the blending of fuel.

3 (ii) Is a taxable fuel registrant that is a refiner for
4 purposes of 26 CFR 48.4081-1.

5 (t) "Refinery" means a facility used by a refiner to produce
6 fuel from crude oil, unfinished oils, natural gas liquids, or other
7 hydrocarbons and from which fuel may be removed by pipeline or
8 marine vessel or at a rack.

9 (u) "Removal" or "removed" means a physical transfer other
10 than by evaporation, loss, or destruction of fuel from a refiner,
11 pipeline terminal operator, or marine terminal operator.

12 (v) "Supplier" means a supplier or permissive supplier
13 licensed under section 70 or 73 of the motor fuel tax act, 2000 PA
14 403, MCL 207.1070 and 207.1073.

15 (w) "Tank wagon" means a straight truck having 1 or more
16 compartments other than the fuel supply tank designed or used to
17 carry fuel.

18 (x) "Terminal" means a fuel storage and distribution facility
19 that meets all of the following requirements:

20 (i) Is registered as a qualified terminal by the ~~internal~~
21 ~~revenue service.~~ **Internal Revenue Service.**

22 (ii) Is supplied by pipeline or marine vessel.

23 (iii) Has a rack from which fuel may be removed.

24 (y) "Transport truck" means a semitrailer combination rig
25 designed or used for the purpose of transporting fuel over the
26 public roads or highways.

27 (z) "Transmix" means the mixed product that results from the
28 buffer or interface of 2 different products in a pipeline shipment,
29 or a mixture of 2 different products within a terminal operated by

1 a pipeline terminal operator, within a boat terminal transfer
 2 operated by a marine terminal operator, or at a refinery that
 3 results in an off-grade mixture.

4 (aa) "Two-party exchange" means a transaction, including a
 5 book transfer, in which fuel is transferred from 1 supplier to
 6 another supplier where all of the following occur:

7 (i) The transaction includes a transfer of fuel from the person
 8 who holds the original inventory position for the fuel in fuel
 9 storage tanks as reflected in the records of the refiner, pipeline
 10 terminal operator, or marine terminal operator.

11 (ii) The exchange transaction is completed before removal
 12 across the rack by the receiving supplier.

13 (iii) The refiner, pipeline terminal operator, or marine
 14 terminal operator in its books and records treats the receiving
 15 exchange party as the supplier that removes the fuel across a rack
 16 for purposes of reporting the transaction to the department under
 17 the motor fuel tax act, 2000 PA 403, MCL 207.1001 to 207.1170.

18 Sec. 6c. (1) Beginning April 1, 2016 and each calendar quarter
 19 thereafter **through September 30, 2022**, each taxpayer making sales
 20 at retail of aviation fuel shall, on or before the last day of the
 21 month in the month that immediately follows the end of a calendar
 22 quarter, file an informational report with the department on a form
 23 prescribed by the department showing all of the following for the
 24 immediately preceding calendar quarter:

25 (a) The entire amount of the taxpayer's taxable sales at
 26 retail of aviation fuel.

27 (b) The gross proceeds of the taxpayer's business from taxable
 28 sales at retail of aviation fuel.

29 (c) The amount of tax for which the taxpayer is liable from

1 sales at retail of aviation fuel.

2 (d) The number of taxable gallons of aviation fuel sold by the
3 taxpayer at each airport and the gross proceeds from the sales of
4 those gallons of aviation fuel.

5 (e) Any other information the department considers necessary
6 for the proper administration of this act.

7 (2) The report required under this section ~~shall~~**must** not
8 include any remittance for tax, and does not constitute a return or
9 otherwise alleviate the taxpayer's obligations under section 6.

10 (3) A taxpayer required to file the informational report under
11 this section that fails or refuses to file the informational report
12 within the time and in the manner specified in this section ~~shall~~
13 ~~be~~**is** liable for a penalty of \$10.00 per day for each day for each
14 separate failure or refusal up to, but not exceeding, a maximum
15 penalty of \$500.00 for each separate violation. The department may
16 waive the penalty if the taxpayer demonstrates to the satisfaction
17 of the department that the failure to file was due to reasonable
18 cause.

19 (4) As used in this section, "aviation fuel" means fuel as
20 that term is defined in section 4 of the aeronautics code of the
21 state of Michigan, 1945 PA 327, MCL 259.4.

22 Sec. 25. (1) All money received and collected under this act
23 must be deposited by the department in the state treasury to the
24 credit of the general fund, except as otherwise provided in this
25 section.

26 (2) Fifteen percent of the collections of the tax imposed at a
27 rate of 4% must be distributed to cities, villages, and townships
28 pursuant to the Glenn Steil state revenue sharing act of 1971, 1971
29 PA 140, MCL 141.901 to 141.921.

1 (3) Sixty percent of the collections of the tax imposed at a
2 rate of 4% must be deposited in the state school aid fund
3 established in section 11 of article IX of the state constitution
4 of 1963 and distributed as provided by law. In addition, all of the
5 collections of the tax imposed at the additional rate of 2%
6 approved by the electors on March 15, 1994 must be deposited in the
7 state school aid fund.

8 (4) Except as otherwise provided in this subsection, not less
9 than 27.9% of 25% of the collections of the general sales tax
10 imposed at a rate of 4% directly or indirectly on fuels sold to
11 propel motor vehicles upon highways, on the sale of motor vehicles,
12 and on the sale of the parts and accessories of motor vehicles by
13 new and used car businesses, used car businesses, accessory dealer
14 businesses, and gasoline station businesses as classified by the
15 department must be deposited each year into the comprehensive
16 transportation fund. For the fiscal year ending September 30, 2021
17 only, the amount deposited into the comprehensive transportation
18 fund under this subsection must be reduced by \$18,000,000.00 and
19 that \$18,000,000.00 must be deposited into the transportation
20 administration collection fund.

21 (5) ~~Beginning~~ **Except as otherwise provided in subsection (6),**
22 **beginning** October 1, 2016 and the first day of each calendar
23 quarter thereafter, **through September 30, 2022,** an amount equal to
24 the collections for the calendar quarter that is 2 calendar
25 quarters immediately preceding the current calendar quarter of the
26 tax imposed under this act at the additional rate of 2% approved by
27 the electors on March 15, 1994 from the sale at retail of aviation
28 fuel must be distributed as follows:

29 (a) An amount equal to 35% of the collections of the tax

1 imposed at a rate of 2% on the sale at retail of aviation fuel must
2 be deposited in the state aeronautics fund and must be expended, on
3 appropriation, only for those purposes authorized in the
4 aeronautics code of the state of Michigan, 1945 PA 327, MCL 259.1
5 to 259.208.

6 (b) An amount equal to 65% of the collections of the tax
7 imposed at a rate of 2% on the sale at retail of aviation fuel must
8 be deposited in the qualified airport fund and must be expended, on
9 appropriation, only for those purposes authorized under section 35
10 of the aeronautics code of the state of Michigan, 1945 PA 327, MCL
11 259.35.

12 (6) ~~The~~ **For fiscal years ending before October 1, 2022, the**
13 department shall, on an annual basis, reconcile the amounts
14 distributed under subsection (5) during each fiscal year with the
15 amounts actually collected for a particular fiscal year and, **except**
16 **as otherwise provided in this subsection,** shall make any necessary
17 adjustments, positive or negative, to the amounts to be distributed
18 for the next successive calendar quarter that begins January 1. **The**
19 **department may transfer money between funds, delay and adjust a**
20 **distribution under subsection (5), or take any other action that**
21 **the department considers necessary to account for any necessary**
22 **adjustments, positive or negative, resulting from the**
23 **reconciliation under this subsection for the fiscal year ending**
24 **September 30, 2022. For fiscal years ending before October 1, 2022,**
25 **the** state treasurer or his or her designee shall annually provide
26 to the operator of each qualified airport a report of the
27 reconciliation performed under this subsection. The reconciliation
28 report is subject to the confidentiality restrictions and penalties
29 provided in section 28(1)(f) of 1941 PA 122, MCL 205.28.

1 (7) An amount equal to the collections of the tax imposed at a
2 rate of 4% under this act from the sale at retail of computer
3 software must be deposited in the Michigan health initiative fund
4 created in section 5911 of the public health code, 1978 PA 368, MCL
5 333.5911, and must be considered in addition to, and is not
6 intended as a replacement for any other money appropriated to the
7 department of health and human services. The funds deposited in the
8 Michigan health initiative fund on an annual basis must not be less
9 than \$9,000,000.00 or more than \$12,000,000.00.

10 (8) An amount equal to all revenue lost to the state school
11 aid fund as a result of the exemptions under sections 4a(1)(u) and
12 4ee, as determined by the department, must be deposited into the
13 state school aid fund established in section 11 of article IX of
14 the state constitution of 1963. Money deposited into the state
15 school aid fund under this subsection must not include and must be
16 considered in addition to money deposited in the state school aid
17 fund under subsection (3). A person that claims an exemption under
18 section 4ee shall report the sales price of the data center
19 equipment as defined in section 4ee and any other information
20 necessary to determine the amount of revenue lost to the state
21 school aid fund as a result of the exemption under section 4ee
22 annually on a form at the time and in a manner prescribed by the
23 department. The report required under this subsection must not
24 include any remittance for tax, and does not constitute a return or
25 otherwise alleviate any obligations under section 6.

26 (9) The balance in the state general fund shall be disbursed
27 only on an appropriation or appropriations by the legislature.

28 (10) As used in this section:

29 (a) "Aviation fuel" means fuel as that term is defined in

1 section 4 of the aeronautics code of the state of Michigan, 1945 PA
2 327, MCL 259.4.

3 (b) "Comprehensive transportation fund" means the
4 comprehensive transportation fund created in section 10b of 1951 PA
5 51, MCL 247.660b.

6 (c) "Qualified airport" means that term as defined in section
7 109 of the aeronautics code of the state of Michigan, 1945 PA 327,
8 MCL 259.109.

9 (d) "Qualified airport fund" means the qualified airport fund
10 created in section 34(2) of the aeronautics code of the state of
11 Michigan, 1945 PA 327, MCL 259.34.

12 (e) "State aeronautics fund" means the state aeronautics fund
13 created in section 34(1) of the aeronautics code of the state of
14 Michigan, 1945 PA 327, MCL 259.34.

15 (f) "Transportation administration collection fund" means the
16 transportation administration collection fund created in section
17 810b of the Michigan vehicle code, 1949 PA 300, MCL 257.810b.