A bill for an act

relating to transportation; ensuring that unrefunded gasoline taxes remain in highway user tax distribution fund to be used for highway purposes; removing requirement that dedicated funds be used for other purposes; amending Minnesota Statutes 2006, sections 84.794, subdivision 1; 84.803, subdivision 1; 84.83, subdivision 2; 84.927, subdivision 1; 86B.706, subdivision 3; Minnesota Statutes 2007 Supplement, section 86B.706, subdivision 2; repealing Minnesota Statutes 2006, section 296A.18, subdivisions 2, 3, 4, 5, 6.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2006, section 84.794, subdivision 1, is amended to read:

Subdivision 1. **Registration revenue.** Fees from the registration of off-highway motorcycles ~~and the unrefunded gasoline tax attributable to off-highway motorcycle use under section 296A.18~~ must be deposited in the state treasury and credited to the off-highway motorcycle account in the natural resources fund.

Sec. 2. Minnesota Statutes 2006, section 84.803, subdivision 1, is amended to read:

Subdivision 1. **Registration revenue.** Fees from the registration of off-road vehicles ~~and unrefunded gasoline tax attributable to off-road vehicle use under section 296A.18~~ must be deposited in the state treasury and credited to the off-road vehicle account in the natural resources fund.

Sec. 3. Minnesota Statutes 2006, section 84.83, subdivision 2, is amended to read:

Subd. 2. **Money deposited in the account.** Fees from the registration of snowmobiles ~~and the unrefunded gasoline tax attributable to snowmobile use pursuant to section 296A.18~~ shall be deposited in the state treasury and credited to the snowmobile trails and enforcement account.

Sec. 4. Minnesota Statutes 2006, section 84.927, subdivision 1, is amended to read:

Subdivision 1. **Registration revenue.** Fees from the registration of all-terrain vehicles and ~~the unrefunded gasoline tax attributable to all-terrain vehicle use under section 296A.18, as well as~~ the net proceeds from the sale of all-terrain vehicles forfeited pursuant to section 169A.63~~,~~ shall be deposited in the state treasury and credited to the all-terrain vehicle account in the natural resources fund.

Sec. 5. Minnesota Statutes 2007 Supplement, section 86B.706, subdivision 2, is amended to read:

Subd. 2. **Money deposited in account.** The following shall be deposited in the state treasury and credited to the water recreation account:

(1) fees from titling and licensing of watercraft under this chapter;

(2) fines, installment payments, and forfeited bail according to section 86B.705, subdivision 2;

(3) mooring fees and receipts from the sale of marine gas at state-operated or state-assisted small craft harbors and mooring facilities according to section 86A.21; and

(4) ~~the unrefunded gasoline tax attributable to watercraft use under section 296A.18; and~~

~~(5)~~ fees for permits issued to control or harvest aquatic plants other than wild rice under section 103G.615, subdivision 2.

Sec. 6. Minnesota Statutes 2006, section 86B.706, subdivision 3, is amended to read:

Subd. 3. **Purposes.** The money in the account may be expended only as appropriated by law for the following purposes:

(1) ~~as directed under section 296A.18, subdivision 2,~~ for acquisition, development, maintenance, and rehabilitation of public water access and boating facilities on public waters; lake and river improvements; and boat and water safety;

(2) from the fees collected at state-operated or state-assisted small craft harbors and mooring facilities from daily and seasonal moorings and the sale of marine gas, for maintenance, operation, replacement, and expansion of these facilities and for the debt service on state bonds sold to finance these facilities;

(3) for administration and enforcement of this chapter as it pertains to titling and licensing of watercraft and use and safe operation of watercraft; grants for county-sponsored and administered boat and water safety programs; and state boat and water safety efforts;

(4) for management of aquatic invasive species and the implementation of chapter 84D as it pertains to aquatic invasive species, including control, public awareness, law enforcement, assessment and monitoring, management planning, and research; and

(5) for management of aquatic plants and the implementation of section 103G.615 as it pertains to aquatic plants, including plant removal permitting, control, public awareness, law enforcement, assessment and monitoring, management planning, and research.

Sec. 7. **REPEALER.**

Minnesota Statutes 2006, section 296A.18, subdivisions 2, 3, 4, 5, and 6, are repealed.

Sec. 8. **EFFECTIVE DATE.**

Sections 1 to 7 are effective the day following final enactment.

296A.18 APPORTIONMENT OF TAX; DEPOSIT OF PROCEEDS.

Subd. 2. **Motorboat.** Approximately 1-1/2 percent of all gasoline received in this state and 1-1/2 percent of all gasoline produced or brought into this state, except gasoline used for aviation purposes, is being used as fuel for the operation of motorboats on the waters of this state and of the total revenue derived from the imposition of the gasoline fuel tax for uses other than for aviation purposes, 1-1/2 percent of the revenue is the amount of tax on fuel used in motorboats operated on the waters of this state. The amount of unrefunded tax paid on gasoline used for motor boat purposes as computed in this chapter shall be paid into the state treasury and credited to a water recreation account in the special revenue fund for acquisition, development, maintenance, and rehabilitation of sites for public access and boating facilities on public waters; lake and river improvement; and boat and water safety.

Subd. 3. **Snowmobile.** Approximately one percent of all gasoline received in and produced or brought into this state, except gasoline used for aviation purposes, is being used as fuel for the operation of snowmobiles in this state, and of the total revenue derived from the imposition of the gasoline fuel tax for uses other than for aviation purposes, one percent of such revenues is the amount of tax on fuel used in snowmobiles operated in this state.

Subd. 4. **All-terrain vehicle.** Approximately 0.15 of one percent of all gasoline received in or produced or brought into this state, except gasoline used for aviation purposes, is being used for the operation of all-terrain vehicles in this state, and of the total revenue derived from the imposition of the gasoline fuel tax, 0.15 of one percent is the amount of tax on fuel used in all-terrain vehicles operated in this state.

Subd. 5. **Off-highway motorcycles.** Approximately 0.046 of one percent of all gasoline received or produced in or brought into this state, except gasoline used for aviation purposes, is being used for the operation of off-highway motorcycles in this state, and of the total revenue derived from the imposition of the gasoline fuel tax for uses other than for aviation purposes, 0.046 of one percent is the amount of tax on fuel used in off-highway motorcycles operated in this state.

Subd. 6. **Off-road vehicle.** Approximately 0.164 of one percent of all gasoline received or produced in or brought into this state, except gasoline used for aviation purposes, is being used for the off-road operation of off-road vehicles, as defined in section 84.797, in this state, and of the total revenue derived from the imposition of the gasoline fuel tax for uses other than aviation purposes, 0.164 of one percent is the amount of tax on fuel used for off-road operation of off-road vehicles in this state.