



HOUSE BILL No. 6010

September 27, 2000, Introduced by Reps. Richardville, Van Woerkom, Hager, Kowall, Shackleton and Mans and referred to the Committee on Conservation and Outdoor Recreation.

A bill to amend 1975 PA 228, entitled
"Single business tax act,"
(MCL 208.1 to 208.145) by adding section 37e.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 37E. (1) FOR TAX YEARS THAT BEGIN AFTER DECEMBER 31,
2 1999 AND BEFORE JANUARY 1, 2004, A TAXPAYER MAY CLAIM A CREDIT
3 AGAINST THE TAX IMPOSED BY THIS ACT EQUAL TO THE COST, INCLUDING
4 PURCHASE PRICE, FABRICATION, AND INSTALLATION, PAID OR ACCRUED IN
5 THE TAX YEAR FOR AN ONBOARD BALLAST WATER MONITORING SYSTEM AND
6 EQUIPMENT REQUIRED BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO
7 DISCHARGE STERILIZED BALLAST WATER AND SEDIMENTS AS PROVIDED IN
8 SECTION 3109C OF THE NATURAL RESOURCES AND ENVIRONMENTAL PROTEC-
9 TION ACT, 1994 PA 451, MCL 324.3109C.

1 (2) THE CREDIT GENERATED BY ANY MEMBER OF AN AFFILIATED
2 GROUP MAY BE CREDITED AGAINST THE TAX LIABILITY UNDER THIS ACT OF
3 ANY MEMBER OF THE SAME AFFILIATED GROUP.

4 (3) EXCEPT AS PROVIDED IN SUBSECTION (4), IF THE CREDIT
5 ALLOWED UNDER THIS SECTION FOR THE TAX YEAR AND ANY UNUSED CARRY-
6 FORWARD OF THE CREDIT ALLOWED BY THIS SECTION EXCEED THE
7 TAXPAYER'S TAX LIABILITY FOR THE TAX YEAR, THAT PORTION THAT
8 EXCEEDS THE TAXPAYER'S TAX LIABILITY FOR THE TAX YEAR SHALL NOT
9 BE REFUNDED BUT MAY BE CARRIED FORWARD TO OFFSET TAX LIABILITY IN
10 SUBSEQUENT TAX YEARS FOR 10 YEARS OR UNTIL USED UP, WHICHEVER
11 OCCURS FIRST.

12 (4) THE CREDITS AND ANY CARRYFORWARD ALLOWED UNDER THIS SEC-
13 TION SHALL BE UTILIZED IN THE SEQUENCE IN WHICH THEY ARE EARNED.
14 FOR EACH TAX YEAR, AVAILABLE CARRYFORWARD FROM THE EARLIEST YEAR
15 SHALL BE CLAIMED FIRST AND ANY CREDIT GENERATED IN THE TAX YEAR
16 SHALL BE CLAIMED LAST.

17 (5) AS USED IN THIS SECTION, "BALLAST WATER", "SEDIMENTS",
18 AND "STERILIZED" MEAN THOSE TERMS AS DEFINED IN SECTION 3101 OF
19 THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT, 1994 PA
20 451, MCL 324.3101.

21 Enacting section 1. This amendatory act does not take
22 effect unless Senate Bill No. _____ or House Bill No. 6007
23 (request no. 07147'00) of the 90th Legislature is enacted into
24 law.