

[First Reprint]  
ASSEMBLY, No. 1101

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblyman CORODEMUS

1 AN ACT providing a credit under the corporation business tax for  
2 certain dredged material disposal expenses, and supplementing  
3 P.L.1945, c.162 (C.54:10A-1 et seq.).

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5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

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8 1. a. A taxpayer shall be allowed a credit, subject to the provisions  
9 of subsection b. of this section, against the tax imposed pursuant to  
10 section 5 of P.L.1945, c.162 (C.54:10A-5), in an amount equal to the  
11 difference between the real expenses incurred in the employment of a  
12 non-ocean disposal alternative for the disposal of contaminated  
13 dredged materials and the real expenses that would have been incurred  
14 in the employment of an ocean disposal alternative, if such an ocean  
15 disposal alternative were authorized by law, rule or regulation, for the  
16 privilege period.

17 b. No credit shall be allowed under section 42 of P.L.1987, c.102  
18 (C.54:10A-5.3), or under the "Manufacturing Equipment and  
19 Employment Investment Tax Credit Act," P.L.1993, c.171  
20 (C.54:10A-5.16 et al.), or under P.L.1993, c.170 (C.54:10A-5.4 et  
21 seq.), for property or expenditures for which a credit is allowed, or  
22 which are includable in the calculation of a credit allowed, under this  
23 section.

24 The tax imposed for a privilege period pursuant to section 5 of  
25 P.L.1945, c.162, shall first be reduced by the amount of any credit  
26 allowed pursuant to section 19 of P.L.1983, c.303 (C.52:27H-78),  
27 then by any credit allowed pursuant to section 12 of P.L.1985, c.227  
28 (C.55:19-13), then by any credit allowed pursuant to section 42 of  
29 P.L.1987, c.102 (C.54:10A-5.3), then by any credit allowed under  
30 section 3 of P.L.1993, c.170 (C.54:10A-5.6), then by any credit  
31 allowed under section 3 or 4 of P.L.1993, c.171 (C.54:10A-5.18 or

**EXPLANATION** - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup> Assembly AES committee amendments adopted February 22, 1996.

1 C.54:10A-5.19), <sup>1</sup>[and]<sup>1</sup> then by any credit allowed under section 1 of  
2 P.L.1993, c.175 (C.54:10A-5.24), <sup>1</sup>and then by any credit allowed  
3 under section 1 of P.L.1993, c.150 (C.27:26A-15).<sup>1</sup> prior to applying  
4 any credits allowable pursuant to this section. Credits allowable  
5 pursuant to this section shall be applied in the order of the credits'  
6 privilege periods. The amount of the credits applied under this section  
7 against the tax imposed pursuant to section 5 of P.L.1945, c.162, for  
8 a privilege period shall not exceed 50% of the tax liability otherwise  
9 due and shall not reduce the tax liability to an amount less than the  
10 statutory minimum provided in subsection (e) of section 5 of  
11 P.L.1945, c.162. The amount of privilege period credit otherwise  
12 allowable under this section which cannot be applied for the privilege  
13 period due to the limitations of this subsection may be carried over, if  
14 necessary, to the seven privilege periods following the privilege period  
15 for which the credit amount was allowed.

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17 2. This act shall take effect immediately and apply to real expenses  
18 incurred in privilege periods beginning on or after January 1 next  
19 following enactment.

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24 Establishes corporation business tax credit for non-ocean disposal of  
25 contaminated dredged materials.