

HOUSE BILL No. 4443

March 24, 1999, Introduced by Reps. Basham, Schauer, O'Neil, Hardman, Reeves, Dennis, Hale and Bogardus and referred to the Committee on Tax Policy.

A bill to amend 1975 PA 228, entitled
"Single business tax act,"
(MCL 208.1 to 208.145) by adding section 39d.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 39D. (1) FOR TAX YEARS THAT BEGIN AFTER DECEMBER 31,
2 1998 AND BEFORE JANUARY 1, 2004, A QUALIFIED TAXPAYER MAY CLAIM A
3 CREDIT EQUAL TO THE AMOUNT PAID IN THE TAX YEAR FOR DOCUMENTED
4 REMEDIAL ACTION EXPENDITURES PURSUANT TO A REMEDIATION ACTION
5 PLAN APPROVED BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY.
6 (2) THE CREDIT ALLOWED UNDER THIS SECTION FOR A TAX YEAR
7 SHALL NOT EXCEED 50% OF THE TAXPAYER'S TAX LIABILITY FOR THAT TAX
8 YEAR BEFORE CLAIMING THE CREDIT ALLOWED UNDER THIS SECTION FOR
9 THE TAX YEAR.

1 (3) AS USED IN THIS SECTION:

2 (A) "DOCUMENTED REMEDIAL ACTION EXPENDITURES" MEANS
3 EXPENDITURES FOR REMEDIATION THAT DOES EITHER OF THE FOLLOWING:

4 (i) ASSURES THAT THE SITE ON WHICH THE REMEDIATION IS TO BE
5 DONE ACHIEVES THE RESIDENTIAL USE CRITERIA ADOPTED BY THE DEPART-
6 MENT OF ENVIRONMENTAL QUALITY PURSUANT TO PART 201 OF THE NATURAL
7 RESOURCES AND ENVIRONMENTAL PROTECTION ACT, 1994 PA 451, MCL
8 324.20101 TO 324.20142.

9 (ii) ADDRESSES A SITE AT WHICH AN IMMINENT AND SUBSTANTIAL
10 ENDANGERMENT TO PUBLIC HEALTH HAS BEEN IDENTIFIED BY THE DEPART-
11 MENT OF ENVIRONMENTAL QUALITY AND ACHIEVES THE INDUSTRIAL OR COM-
12 Mercial CLEANUP CRITERIA UNDER PART 201 OF THE NATURAL RESOURCES
13 AND ENVIRONMENTAL PROTECTION ACT, 1994 PA 451, MCL 324.20101 TO
14 324.20142.

15 (B) "QUALIFIED TAXPAYER" MEANS A TAXPAYER THAT HAS A REME-
16 DIAL ACTION PLAN APPROVED BY THE DEPARTMENT OF ENVIRONMENTAL
17 QUALITY PURSUANT TO PART 201 OF THE NATURAL RESOURCES AND ENVI-
18 RONMENTAL PROTECTION ACT, 1994 PA 451, MCL 324.20101 TO
19 324.20142, AS THE BASIS FOR THE EXPENDITURES USED TO CALCULATE
20 THE CREDIT UNDER THIS SECTION.

21 (C) "REMEDIATION" MEANS THAT TERM AS DESCRIBED IN PART 201
22 OF THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT, 1994
23 PA 451, MCL 324.20101 TO 324.20142.