

54:32B-8.36

NJSA 54:32B-8.36 (Recycling equipment--exempt from sales tax)

LAWS 1981 CHAPTER 546

Bill No. A3490

Sponsor(s) Dalton and others

Date Introduced June 15, 1981

Committee: Assembly Revenue, Finance & Appropriations

Senate -----

Amended during passage Yes ~~Yes~~ Amendments during passage denoted by asterisks

Date of Passage: Assembly Jan. 4, 1982

Senate Jan. 11, 1982

Date of approval Jan. 12, 1982

Following statements are attached if available:

Sponsor statement Yes ~~Yes~~

Committee Statement: Assembly Yes ~~Yes~~

Senate Yes ~~Yes~~ No

Fiscal Note Yes ~~Yes~~ No

Veto Message Yes ~~Yes~~ No

Message on signing Yes ~~Yes~~ No

Following were printed:

Reports: Yes ~~Yes~~ No

Hearings: Yes ~~Yes~~ No

Recommendations for legislation in:

- 974.90 New Jersey Advisory Committee on Recycling.
- P777 State of N.J. Draft plan on recycling.
- 1980c June, 1980. Newark, 1980.

(See p.46)

(over)

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6/22/81

974.90 New Jersey Advisory Committee on Recycling.
P777 Recycling in the 1980's.... Sept., 1980.
1980m Newark, 1980.

(See p. 33)

Note: Public hearings mentioned in reports were not transcribed.

ASSEMBLY, No. 3490

STATE OF NEW JERSEY

INTRODUCED JUNE 15, 1981

By Assemblymen DALTON, RILEY, Assemblywoman KALIK
and Assemblyman VAN WAGNER

Referred to Committee on Revenue, Finance and Appropriations

A SUPPLEMENT to the "Sales and Use Tax Act," approved April
27, 1966 (P. L. 1966, c. 30; C. 54:32B-1 et seq.).

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. Receipts from the sales of recycling equipment are exempt
2 from the tax imposed under the "Sales and Use Tax Act." For
3 purposes of this section "recycling equipment" means any equip-
4 ment which is used exclusively to sort and prepare solid waste for
5 recycling or in the recycling of solid waste. "Recycling equipment"
6 does not include any equipment used in a process after the first
7 marketable product is produced or, in the case of recycling iron
8 or steel, any equipment used to reduce the waste to molten state
9 and in any process thereafter.

1 2. This act shall take effect immediately.

STATEMENT

The purpose of this bill is to encourage recycling within the State by exempting sales of recycling equipment from the "Sales and Use Tax Act," P. L. 1966, c. 30, C. 54:32B-1 et seq. The laws governing the types of equipment that may be exempted have been the subject of somewhat exclusionary interpretations. The metals and glass industries are currently allowed to exempt several recycling-related-equipment purchases from the sales tax. The paper recycling industry, however, continues to pay a sales tax on similar recycling related equipment. This bill would unify exemptions for recycling-related purchases throughout these industries. Some examples of recycling equipment are bins, sheds for collection and storage of recycling materials, and compactors used to prepare materials for shipment.

ASSEMBLY REVENUE, FINANCE AND APPROPRIATIONS
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 3490

STATE OF NEW JERSEY

DATED: DECEMBER 3, 1981

The purpose of this bill is to encourage recycling within the State by exempting sales of recycling equipment from the "Sales and Use Tax Act," P. L. 1966, c. 30, C. 54:32B-1 et seq. The laws governing the types of equipment that may be exempted have been the subject of somewhat exclusionary interpretations. The metals and glass industries are currently allowed to exempt several recycling-related-equipment purchases from the sales tax. The paper recycling industry, however, continues to pay a sales tax on similar recycling related equipment. This bill would unify exemptions for recycling-related purchases throughout these industries. Some examples of recycling equipment are bins, sheds for collection and storage of recycling materials, and compactors used to prepare materials for shipment.

FISCAL IMPACT

While a fiscal note is not available on this bill, the Division of Taxation provided the committee with a revenue loss estimate of \$200,000.00 to \$250,000.00.

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ASSEMBLY, No. 3490

STATE OF NEW JERSEY

INTRODUCED JUNE 15, 1981

By Assemblymen DALTON, RILEY, Assemblywoman KALIK
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Referred to Committee on Revenue, Finance and Appropriations

A SUPPLEMENT to the "Sales and Use Tax Act," approved April
27, 1966 (P. L. 1966, c. 30; C. 54:32B-1 et seq.).

1 BE IT ENACTED *by the Senate and General Assembly of the State*
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1 1. Receipts from the sales of recycling equipment are exempt
2 from the tax imposed under the "Sales and Use Tax Act." For
3 purposes of this section "recycling equipment" means any equip-
4 ment which is used exclusively to sort and prepare solid waste for
5 recycling or in the recycling of solid waste. "Recycling equipment"
6 does not include **conventional motor vehicles or,** any equipment
7 used in a process after the first marketable product is produced or,
8 in the case of recycling iron or steel, any equipment used to reduce
9 the waste to molten state and in any process thereafter.

1 2. This act shall take effect immediately.

A-3603, sponsored by [redacted] "Local Public Contracts Law" to permit a municipality to enter into a contract wherein energy conservation work and services would be performed for the municipality and would be paid for with a percentage of the savings in energy costs. The contract could run for a maximum of ten years.

A-3055, sponsored by Assemblyman Raymond Lesniak (D-Union), empowers the Department of Environmental Protection to designate dangerous pesticides and establish a fee schedule for the enforcement of the Pesticide Control Act.

A-3547, sponsored by Assemblyman Daniel Dalton (D-Camden), would shield real estate from levies or judgements for the payment of wage taxes and penalties. The intent of the bill is to block the City of Philadelphia from attaching or disposing of the property of New Jersey residents to satisfy judgements for unpaid Philadelphia city wage taxes. However, the legislation does not deny recognition of the wage tax judgements, simply one method of enforcement.

A-3378, sponsored by Assemblyman Martin Herman (D-Gloucester), appropriates \$350,000 from the Clean Waters Fund for a loan to Logan Township. The loan would be utilized for provision of potable water supplies to home where private wells have been contaminated by the discharge of hazardous substances.

A-3199, sponsored by Assemblyman Robert Hollenbeck (D-Bergen), establishes a "Drought Surcharge Fund", pursuant to Executive Order 104, financed from levies collected from excess water users and appropriates monies to the Drought Coordinator in the D.E.P. for water conservation educational and promotion programs, administrative costs to the D.E.P. and water purveyors. The bill also provides that customers and users who paid fines for excess water usage may apply for reimbursement in cases of hardship or improper levies.

A-3490, sponsored by Assemblyman Daniel Dalton (D-Camden), extends State sales tax exemptions available to the metals and glass recycling industry to the paper recycling industry.

NOTE: This list is not complete. Descriptions of signed legislation will be issued as soon as possible.

- 20 c. "Exploitation" means the act or process of using a person or
21 his resources for another person's profit or advantage.

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