



State of Wisconsin

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STEPHEN R. MILLER
CHIEF

April 22, 2010

MEMORANDUM

To: Representative Tauchen

From: Joseph T. Kreye, Sr. Legislative Attorney, (608) 266-2263

Subject: Technical Memorandum to **2009 AB 936** (LRB-3589/1) by **DOR**

We received the attached technical memorandum relating to your bill. This copy is for your information and your file.

If you wish to discuss this memorandum or the necessity of revising your bill or preparing an amendment, please contact me.

MEMORANDUM

April 19, 2010

TO: Joseph Kreye
Legislative Reference Bureau

FROM: Rebecca Boldt
Department of Revenue

SUBJECT: Technical Memorandum on Assembly Bill 936 (LRB 3589/1) – Depreciation
Deductions for Property Used in Farming

The Department has the following concerns related to the bill:

Section 71.01(7r)(b)1., limits prior law to taxable years beginning after December 31, 2005, and before January 1, 2009. Subdivision (c)1., limits prior law to taxable years beginning after December 31, 2007 and before January 1, 2009. In addition, subd. (b)2. and (c)2., provide that the new treatment applies for property that is acquired and placed in service in taxable years beginning on or after January 1, 2009.

Because 2009 tax returns have already been filed, to eliminate the necessity to file amended returns, it would be preferable if all references to January 1, 2009, were changed to January 1, 2010. The same analysis applies to proposed secs. 71.22(5m)(b)2., 71.26(3)(y)2.b., 71.34(1m)(b)2., and 71.365(1m)(b)2.

If you have any questions regarding this technical memorandum, please contact Brad Caruth at 608-261-8984 or Bradley.Caruth@revenue.wi.gov.

cc: Representative Tauchen