

2013 Senate Bill 448 (LRB -2927)

An Act to renumber 77.54 (6); to renumber and amend 77.54 (6r); and to create 77.54 (6) (am) 4., 77.54 (6) (am) 5. and 77.54 (6) (bn) of the statutes; relating to: the sales and use tax exemption for equipment used in a fertilizer blending, feed milling, or grain drying operation. (FE)

2013

12-16.	S.	Introduced by Senators Moulton, Shilling, Harsdorf, Grothman and Schultz ; cosponsored by Representatives Nerison, Kulp, Tauchen, A. Ott, Vruwink, Mursau, Ripp, Marklein, Brooks, Ballweg, Petryk, Murphy, Jacque and Spiros	528
12-16.	S.	Read first time and referred to Committee on Workforce Development, Forestry, Mining, and Revenue	528
12-17.	S.	Withdrawn from committee on Workforce Development, Forestry, Mining, and Revenue and rereferred to committee on Agriculture, Small Business, and Tourism pursuant to Senate Rule 46(2)(c)	530
12-18.	S.	Fiscal estimate received	
12-18.	S.	Fiscal estimate received	

2014

01-30.	S.	Public hearing held	
01-13.	S.	Executive action taken	
01-30.	S.	Report passage recommended by Committee on Agriculture, Small Business, and Tourism, Ayes 9, Noes 0	620
01-30.	S.	Available for scheduling	
02-05.	S.	Report of joint survey committee on Tax Exemptions requested	635
02-06.	S.	Referred to Joint Committee on Finance by Committee on Senate Organization, pursuant to Senate Rule 41 (1)(e), Ayes 5, Noes 0	638
02-18.	S.	Report of joint survey committee on Tax Exemptions received	679
02-19.	S.	Executive action taken	
02-20.	S.	Report passage recommended by Joint Committee on Finance, Ayes 11, Noes 3	700
02-20.	S.	Available for scheduling	
03-07.	S.	Placed on calendar 3-11-2014 pursuant to Senate Rule 18(1)	743
03-11.	S.	Placed at the foot of the 12th on the calendar of 3-11-2014, Ayes 18, Noes 15	753
03-11.	S.	Read a second time	764
03-11.	S.	Ordered to a third reading	764
03-11.	S.	Rules suspended	764
03-11.	S.	Read a third time and passed , Ayes 28, Noes 4	764
03-11.	S.	Ordered immediately messaged	765
03-12.	A.	Received from Senate	737
03-12.	A.	Read first time and referred to committee on Rules	738
03-12.	A.	Placed on calendar 3-18-2014 by Committee on Rules	
03-18.	A.	Rules suspended to withdraw from calendar of 3-18-2014 and take up	
03-18.	A.	Read a second time	
03-18.	A.	Ordered to a third reading	
03-18.	A.	Rules suspended	
03-18.	A.	Read a third time and concurred in , Ayes 95, Noes 1	
03-18.	A.	Ordered immediately messaged	
03-19.	S.	Received from Assembly concurred in	

2013
ENROLLED BILL

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ADOPTED DOCUMENTS:

Orig Engr SubAmdt


13-292715

Amendments to above (if none, write "NONE"): None

Corrections - show date (if none, write "NONE"): None

Topic Rel

3-20-14
Date


Enrolling Drafter



2013 SENATE BILL 448

December 16, 2013 - Introduced by Senators MOULTON, SHILLING, HARSDORF, GROTHMAN and SCHULTZ, cosponsored by Representatives NERISON, KULP, TAUCHEN, A. OTT, VRUWINK, MURSAU, RIPP, MARKLEIN, BROOKS, BALLWEG, PETRYK, MURPHY, JACQUE and SPIROS. Referred to Committee on Workforce Development, Forestry, Mining, and Revenue.

1 **AN ACT** *to renumber* 77.54 (6); *to renumber and amend* 77.54 (6r); and *to*
2 *create* 77.54 (6) (am) 4., 77.54 (6) (am) 5. and 77.54 (6) (bn) of the statutes;
3 **relating to:** the sales and use tax exemption for equipment used in a fertilizer
4 blending, feed milling, or grain drying operation.

Analysis by the Legislative Reference Bureau

Current law provides a sales and use tax exemption for machines and specific processing equipment used by a manufacturer in manufacturing tangible personal property. The exemption, however, does not apply, generally, to tangible personal property that is fastened to, connected to, or built into real property. Under current law, the sale of machines and specific processing equipment used to manufacture feed is exempt from the sales and use tax unless such items become part of real property.

Current law also provides a sales and use tax exemption for tangible personal property and equipment used in farming. That exemption applies to certain tangible personal property such as conveyors, feed elevators and augers, and grain dryers and grinders, regardless of the extent to which such property is fastened to, connected to, or built into real property. Under current law, a feed manufacturer is not considered to be engaged in the business of farming.

This bill provides a sales and use tax exemption for the sale of specific processing equipment used in a fertilizer blending, feed milling, or grain drying operation, including holding structures used for weighing and dropping feed or fertilizer ingredients into a mixer, wet corn holding bins, mixers, conveying

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equipment, and grinding, mixing, and saturation bins, regardless of whether such items become an addition to, a component of, or a capital improvement of real property. The exemption also applies to building materials used to construct or repair certain holding structures used in the fertilizer blending, feed milling, or grain drying operation.

Because this bill relates to an exemption from state or local taxes, it may be referred to the Joint Survey Committee on Tax Exemptions for a report to be printed as an appendix to the bill.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 77.54 (6) of the statutes is renumbered 77.54 (6) (am).

2 **SECTION 2.** 77.54 (6) (am) 4. of the statutes is created to read:

3 77.54 (6) (am) 4. Machines and specific processing equipment used exclusively
4 and directly in a fertilizer blending, feed milling, or grain drying operation, including
5 holding structures used for weighing and dropping feed or fertilizer ingredients into
6 a mixer, wet corn holding bins, grain dryers, mixers, conveying equipment, and
7 grinding, mixing, and saturation bins, regardless of whether such items become an
8 addition to, a component of, or a capital improvement of real property. The
9 exemption under this subdivision applies to repair parts, replacements, and safety
10 attachments for such machines and equipment.

11 **SECTION 3.** 77.54 (6) (am) 5. of the statutes is created to read:

12 77.54 (6) (am) 5. Building materials acquired solely for and used solely in the
13 construction or repair of holding structures used for weighing and dropping feed or
14 fertilizer ingredients into a mixer or for storage of grain, if such structures are used
15 in a fertilizer blending, feed milling, or grain drying operation.

16 **SECTION 4.** 77.54 (6) (bn) of the statutes is created to read:

