



BOB ZIEGELBAUER

STATE REPRESENTATIVE • TWENTY-FIFTH ASSEMBLY DISTRICT

2009-10 Issue Summary #4
May 13, 2009

“Wind Energy Regulations”

Background Information:

Under Wisconsin statute 66.0401, no county, city, town, or village may place any restriction, either directly or in effect, on the installation or use of a wind energy system, as defined in s.66.0403 (1) (m), unless the restriction satisfies one of the following conditions:

- (a) Serves to preserve or protect the public health or safety.
- (b) Does not significantly increase the cost of the system or significantly decrease its efficiency.
- (c) Allows for an alternative system of comparable cost and efficiency.

Senator Jeff Plale has reintroduced legislation creating uniform siting standards for wind energy turbines, transferring control from local governments to the Public Service Commission (PSC). Senate Bill 185 (SB185), and its Assembly companion (AB256), directs the PSC to establish by rule, permitting standards to be applied by local or state government to wind energy installations, regardless of size and location. According to Plale, “too many wind projects are victims of delay tactics and other obstructions.”

Proposals:

SB185 and AB256 are redrafts of 2007 bills, Senate Bill 544 and Assembly Bill 899, respectively. Last session, the Senate Committee on Commerce, Utilities, and Rail passed this proposed legislation on a 4-3 vote split along party lines.

On May 12, 2009, the Assembly Committee on Energy and Utilities held a joint public hearing with the Senate Committee on Commerce, Utilities, Energy, and Rail on AB256/SB185.

Rep. Ziegelbauer’s Testimony:

I’m here today to speak in opposition to these proposals which work to undermine the confidence people have in the value of local government and the even-handedness of their State government.

In the Manitowoc County area we are very interested in efficient new energy technologies. We host two valuable highly efficient nuclear plants (and if you’re really serious about producing low cost electricity for a long time we would love to put one more between those two). Our workers manufacture the towers that support the wind turbines. And, the City of Manitowoc operates a new clean coal power plant in the middle of town, a block from my house, three blocks from the Courthouse.

- continued -

STATE CAPITOL: P.O. BOX 8953, MADISON, WI 53708-8953 • (608) 266-0315 • TOLL FREE: 1-888-529-0025

FAX: (608) 282-3625 • HOME PAGE: www.bobziegelbauer.com • E-MAIL: rep.ziegelbauer@legis.wisconsin.gov

DISTRICT: 1213 S. 8TH STREET, P.O. BOX 325, MANITOWOC, WI 54221-0325

MANITOWOC COUNTY EXECUTIVE OFFICE: (920) 683-5107 • HOME: (920) 684-6783

PRINTED ON RECYCLED PAPER



BOB ZIEGELBAUER

STATE REPRESENTATIVE • TWENTY-FIFTH ASSEMBLY DISTRICT

We are “all in” on the energy economy.

The issue here is actually a fairly simple one. “Do you trust people in their local communities to make serious land use decisions on important issues?” These bills say very clearly that you do not.

Nearly five years ago when it became clear that the demand for wind power sites would include our area, Town and County government embarked on the intense process of trying to make the difficult land use policy decisions contemplated under existing state law. After a failed first attempt to create a suitable county wind power ordinance, the County Board took a “time out” by declaring a moratorium on projects while it convened a special study committee to write a new ordinance. That committee, a balanced mix of citizen and elected officials encompassing all the principal points of view, took significant public input and agonized over the implications of making wind tower siting decisions.

After more than a year of serious deliberation their work product, a comprehensive wind power ordinance was overwhelmingly passed into law by the Manitowoc County Board in 2006. That both sides of the debate came away from the process a little unhappy with the results speaks highly of the quality of the work they did. It continues to be tested, defined, and refined according to the appropriate due process that is available at the local level for these issues. This would throw all that work away.

These bills are ultimately a power grab, couched in the usual excuses; artificially created minimum requirements for alternative power generation, speculative theories about man made global warming, impatience with local decision making, and frustration with due process.

I’m here today to stand up for those local officials and the process of making local decisions throughout the State. Their work and the work of similar groups of local officials, who took their responsibilities seriously and in good faith waded in to try address controversial issues in their communities should stand; not be washed away because “Monday morning quarterbacks” from 150 miles away don’t like the result.

These proposals tell local officials to get out of the way, dodge the tough issues, and because people in Madison know better, you’ll decide.

I urge you not to pass these bills.

###