



WISCONSIN LEGISLATIVE COUNCIL

SPECIAL COMMITTEE ON DOMESTIC BIOFUELS

Room 412 East
State Capitol

March 11, 2009
10:00 a.m. – 11:35 a.m.

[The following is a summary of the March 11, 2009 meeting of the Special Committee on Domestic Biofuels. The file copy of this summary has appended to it a copy of each document prepared for or submitted to the committee during the meeting. A digital recording of the meeting is available on our Web site at <http://www.legis.state.wi.us/lc>.]

Call to Order and Roll Call

Chair Kreitlow called the meeting to order. The roll was called and it was determined that a quorum was present.

COMMITTEE MEMBERS PRESENT: Senator Pat Kreitlow, Chair; Representative Scott Suder, Vice Chair; Senators Robert Cowles and Robert Jauch; Representatives Donald Friske and Mike Sheridan; and Public Members Mary Blanchard, Steve Christensen, Randy Fortenbery, Jennifer Giegerich, Jeremy Goodfellow, Steve Graham, Don Guay, Bill Johnson, Steve Loehr, John Salden, Peter Taglia, and Peter Tomasi.

COMMITTEE MEMBERS EXCUSED: Public Member Howard Bohl.

COUNCIL STAFF PRESENT: John Stolzenberg, Chief of Research Services; and Larry Konopacki, Staff Attorney.

<p>*ATTENTION: This was the final meeting of the Special Committee on Domestic Biofuels. Committee members are requested to send any corrections regarding these Minutes to the Legislative Council staff. After the incorporation of any corrections, these Minutes will be considered approved by the committee.</p>

Approval of the Minutes of the December 16, 2008 Meeting

The committee approved the minutes of the December 16, 2008 meeting by unanimous consent.

Description of Materials Distributed

Mr. Stolzenberg noted that the new versions of the bill drafts distributed to the committee reflected changes requested by the committee at its December 16th meeting and, in some cases, changes recommended by state agency staff. He indicated that a new version of the state renewable fuels program draft, WLC: 0368/4 was at member's places. This version of the draft clarifies that the standards for state gasoline-replacement and diesel-replacement renewable fuels sales are goals which the Department of Agriculture, Trade and Consumer Protection evaluates each year. Mr. Stolzenberg stated that Memo No. 8 provides background information on the state renewable fuels program in WLC: 0368/4, including a flowchart depicting the major steps in the implementation of the program and estimated amounts of the sales volume goals by year.

Discussion of Committee Assignment

Chair Kreitlow asked unanimous consent to include all of the bill drafts and draft letters in the package of the committee's recommendations, and welcomed members to request separate votes on particular votes. Ms. Blanchard requested committee discussion of WLC: 0364/3 and WLC: 0365/2.

Ms. Blanchard stated that WLC: 0365/2 was written for known biofuels, whereas she expects that hydrocarbon biofuels will soon be commercially available and these fuels will not need blending to be sold to consumers. She recommended that this bill draft be amended to apply to any type of biofuel. Following further committee discussion, Mr. Tomasi suggested that the references to ethanol and biodiesel fuels in the language inserted into the statutes by this bill draft be replaced with references to gasoline-replacement renewable fuels and diesel-replacement renewable fuels, as defined in WLC: 0368/4.

Chair Kreitlow asked the committee to vote on WLC: 0365/2, as amended by Mr. Tomasi's proposal, in the package including the committee's recommendations. The motion carried on a vote of Ayes, 18 (Senators Kreitlow, Cowles, and Jauch; Representatives Friske, Sheridan, and Suder; and Public Members Blanchard, Christensen, Fortenbery, Giegerich, Goodfellow, Graham, Guay, Johnson, Loehr, Salden, Taglia, and Tomasi); Noes, 0; and Absent, 1 (Public Member Bohl).

Ms. Blanchard expressed concern that WLC: 0364/3 would encourage production of biofuels by small producers using unsafe practices and stated that the state should not be encouraging such production. During the subsequent committee discussion, Maria Redmond, Office of Energy Independence (OEI) stated that OEI is initiating a program to address small biodiesel producer safety and quality issues in cooperation with the Green Diesel Initiatives and North Central Technical College.

Following further discussion, Chair Kreitlow asked the committee to vote on including WLC: 0364/3, without amendments, in the package of the committee's recommendations. The motion carried on a vote of Ayes, 14 (Senators Kreitlow, Cowles, and Jauch; Representatives Friske, Sheridan, and Suder; and Public Members Christensen, Fortenbery, Giegerich, Graham, Guay, Johnson, Taglia, and Tomasi); Noes, 4 (Public Members Blanchard, Goodfellow, Loehr, and Salden); Absent, 1 (Public Member Bohl).

Mr. Guay suggested that the reference to "switchgrass" be deleted from the draft letter to the Congressional Delegation, as he did not want to preclude bioenergy crops grown from woody biomass, such as hybrid poplars trees. Senator Cowles expressed concern over the potential fiscal implications of expanding the tax exemption facility bonds under the fourth item in this letter.

Following further discussion, Chair Kreitlow asked the committee to include the letter to the Congressional Delegation, with the reference to switchgrass stricken, in the package of the committee's recommendations. The motion carried on a vote of Ayes, 17 (Senators Kreitlow, and Jauch; Representatives Friske, Sheridan, and Suder; and Public Members Blanchard, Christensen, Fortenbery, Giegerich, Goodfellow, Graham, Guay, Johnson, Loehr, Salden, Taglia, and Tomasi); Noes, 1 (Senator Cowles); and Absent, 1 (Public Member Bohl).

Chair Kreitlow asked the committee to approve the package of recommendations, as amended. The motion carried on a vote of Ayes, 18 (Senators Kreitlow, Cowles, and Jauch; Representatives Friske, Sheridan, and Suder; and Public Members Blanchard, Christensen, Fortenbery, Giegerich, Goodfellow, Graham, Guay, Johnson, Loehr, Salden, Taglia, and Tomasi); and Absent, 1 (Public Member Bohl).

Chair Kreitlow thanked the committee for its work.

Adjournment

The meeting was adjourned at 11:35 a.m.

JES:LAK:ty