

Senate

Record of Committee Proceedings

Committee on Commerce, Utilities, Energy, and Rail

Senate Bill 185

Relating to: regulation of wind energy systems and granting rule-making authority.

By Senators Plale, Hopper, Hansen, Holperin, Kreitlow, Taylor, Sullivan, Miller, Risser, Wirch and Coggs; cosponsored by Representatives Soletski, Montgomery, Parisi, Black, Mason, Spanbauer, Hilgenberg, Roys, Townsend, Richards, Suder, Honadel, Pocan, Clark, Wood, Smith, Pasch, Vruwink, Molepske Jr. and Stone.

May 04, 2009 Referred to Committee on Commerce, Utilities, Energy, and Rail.

May 12, 2009 **PUBLIC HEARING HELD**

Present: (7) Senators Plale, Wirch, Erpenbach, Kreitlow,
 Cowles, Harsdorf and Kedzie.
Absent: (0) None.

Appearances For

- Eric Callisto, Madison — Public Service Commission of Wisconsin
- Michael Vickerman, Madison — Renew Wisconsin
- Curt Pawlisch, Madison — Renew Wisconsin, Wind on the Wires
- Forest Ceel, Menomonee Falls — N56 W13777 Silver Spring Drive
- Terry McGowan, Pewaukee — Operating Engineers 139
- Mark Reihl, Madison — Wisconsin State Council of Carpenters
- Bill Jordahl — Alliant Energy
- Bill Skewes, Madison — Wisconsin Utilities Association
- Joel Haubrich, Milwaukee
- John Sumi — Madison Gas & Electric
- RJ Pirlot — Wisconsin Manufacturers & Commerce
- Douglas Larson, De Pere — Orion Construction
- Lisa Sanders, Fond du Lac — Michels Corp.
- Brian Rude, LaCrosse — Dairyland Power
- Scott Reimer, Rice Lake — Rice Lake Utilities / MEUW
- Sheryl Albers, Reedsburg — Planet Turbine
- Todd Stuart, Madison — Wisconsin Industrial Energy Group Inc
- Matt Bromley, Madison — Customers First Coalition

- David Gonzalez, Reedsburg — Planet Turbine
- Yochi Kyori, Merrimac — Planet Turbine
- Curt Bjurlin, Madison — EcoEnergy
- John Meyers, Barneveld
- Tom Green — Wind Capital Group
- Jim Connors, Madison — Sierra Club
- Ryan Schryver, Madison — Clean Wisconsin
- Paul Fisk, Lodi — Lodi Utilities
- Andy Olsen, Madison
- Karen Stevenson, Madison
- Erik Zorb, Mt. Horeb — Zoreb RE, LLC

Appearances Against

- Bob Welch — CWEST
- Jerry Derr, Columbus — Wisconsin Towns Association
- Kendall Schneider, Evansville
- Bob Ziegelbauer, Madison — Representative, Wisconsin State Assembly
- Gerry Meyer, Brownsville
- Larry Wunsch, Brownsville
- Ann Wirtz, Oakfield
- Daniel Hedrich, Chilton
- Gerhald Hansel, Appleton
- Dave Vind, Arcadia
- Deloras Vind, Arcadia
- Damon Reabe, Waupun — Reabe Spraying Service
- Gary Steinich, Cambria — WCAW / CWEST
- Bruce Dahlka, Malone
- Pat Laughlin, Hilbert
- Chuck Schneider, Chilton
- Hollie Doherty, Arlington
- Sharon Wunsch, Brownsville
- Jeffrey Bump, Cambria
- Janielle Hanson, Cambria
- Kurt Toberman, Brodhead
- Graceann Toberman, Brodhead
- Richard Olivier, Cambria
- Lil Pipping, Elkhart Lake
- Scott Chase, Cambria
- Jenna Klar, Platteville
- Carrie Klar, Platteville
- Susan Klar, Platteville
- Emily Klar, Platteville
- Patrick Klar, Platteville

- Martin Rudy, Chilton
- Ric Van Sistine , Hilbert
- Betty Wolcott, OSF, Osseo — The Woodlands
- Irene Senn, West Allis — Sisters of St. Francis Assisi
- Dean Anhalt, Mishicot
- Lynn Korinek, Mishicot
- Jerome Hlinale, Two Rivers — Wind COWS
- Elizabeth Ebertz, St. Cloud
- Kathleen Weber, Malone — Town of Calumet
- Donald Reimer, Ettrick
- Douglas Fries, Norwalk — America
- James Deuth, Arlington
- Sue Deuth, Arlington — Wisconsin Taxpayer
- Lori McIlrath, Arlington — WI Taxpayers
- Joel McIlrath, Arlington
- Nancy Horton, Ettrick
- Donovan Mitchell, Brodhead — Magnolia Twsp
- Joan Lagerman, Malone
- Larry Lamont, Malone — CWEST
- James Vollmer, Malone
- Joseph Nelesen, Chilton — CCCRE
- Mary Nelesen, Chilton — CCCRE
- Tony Leonard, Eden — Town of Forest
- Cheryl Leonard, Eden
- Trena Peckham, Mishicot
- Jeff Roberts, Mishicot
- Marjean Hedrich, Chilton — CC4RE
- Matt Gaboda, Evansillve
- Kenneth Critzman, Ettrick
- Joan Mitchell, Brodhead
- John Heil, Cambria
- Debra Heil, Cambria
- Mike Schmitz, Chilton
- Joan Karl, Chilton — CCC4RE
- DuWayne Klessig, Chilton
- Marsha Tuch Schreer, Seymour — Shawano COunty
Supervisor Luebke
- Erv Selk, Chilton
- Patricia Bal, Pulaski
- Diane Hoerth, Chilton
- Dean Heimermann, Chilton — Heimermann Family- Aerial
Application/ Wind Advisory Committee Member
- Nicole Pingel, Chilton
- James Congdon, Horicon

- Ryszard Borys, Stoughton
- Kris Meixensperger, Malone — N8446 Hwy W
- Ralph Prescott, Chilton
- Dennis Malchow, Campbellsport
- Curt Kindschuh, Brownsville
- Lynda Barry-Kawula, Brodhead
- Kevin Kawula, Brodhead — Town of Spring Valley
- David Olsen, Evansville — Town of Magnolia Board
- Jim Bembinster, Evansville
- Cathy Bembinster, Evansville

Appearances for Information Only

- Glen Schwalbach, DePere
- Monica Groves Batiza, Madison — Wisconsin Counties Association

Registrations For

- Besty Abramson, Madison
- Joe Alt, Cuba City
- Steve Anderson, Madison — Johnson Controls
- Scott Arnold, Twin Lakes — Local 139
- Becky Bains, Deerfield
- Ed Blume, Madison — Madison Real Oil Group, Inc.
- Jeff Blume, Madison
- Jim Bouillion, Madison — Associated General Contractors of WI
- Dennis Briley, Waukesha
- Dan Burke, Madison
- Hillary Carroll, Madison
- Jason Childress, Madison — ATC
- William Dean, Madison
- Bob Dei, Appleton
- Chris Deisinger, Madison
- Dana Dentice, Madison
- Roger Diehl, Madison
- Mary Lou Diehl, Madison
- Nicole Diol, Madison
- Ronald Donar, Cuba City — Wind Capital
- Brenda Donar, Cuba City
- Meghan Donar, Cuba City
- Dave Drapac, Madison — Seventh Generation Energy Systems
- Kim Eagan, Middleton — White Oak Wind
- Dan Ebert — WPPI Energy
- Mark Edge, Madison

- Gerald Flakas, Delafield
- Al Fogel, Genoa — IUOE 139
- Matt Frank — Secretary, Wisconsin DNR
- John Frautz, Monroe — Renew Wisconsin
- Jessica Garrels, Madison
- Mark Gauf, Reedsburg — Local 139
- Jennifer Giegerich, Madison — WI League of Conservation Voters
- Karl Grunewald, Cedarburg
- Gary Haltaufderheide, Sun Prairie
- Paul Heinen — Wisconsin DNR
- Jenny Heinzen, Manitowoc
- Ann Hippensteel, Sturgeon Bay
- Mark Hirsch, Platteville
- Randy Hopper — Senator
- Emily Jenner, Madison
- Greg Jostens, Combined Locks — Orion Construction
- Robb Kahl, Madison — Construction Business Group
- Andrea Kaminski, Madison — League of Women Voters of Wisconsin Education Fund
- Peter Kammer — (CREWE) Clean Responsible Energy for Wisconsin's Economy
- Brian Kelly, Madison
- Steven Kerr, Hartland
- Shaina Kilcoyne, DeForest
- Amy Klusmeier, Madison
- Judith Knight, Milwaukee
- Dan Kohler, Madison — Wisconsin Environment
- Dylan Kox, Madison
- Josh Kohl, Manitowoc — Local 139
- Rebecca Larson, Madison — Xcel Energy
- Jonathan Lee, Madison
- Troy Littlejohn, LaCrosse — Operating Engineers
- Kiril Lozanov, Madison
- Jeff Lyon, Madison — Wisconsin Farm Bureau
- Travis Martrahl, Hartford — Operating Engineers
- Kate Mast, Madison — EcoEnergy
- Bill McClenahan, Madison — Invenergy Wind LLC
- Bill McClenahan, Madison — Forest County Potawatomi
- Mark McFadden, Madison
- Gaelen McFadden, Madison
- James Melcher, Madison — Laborers 464
- Scott Meske, Sun Prairie — Municipal Electrical Utilities of Wisconsin

- Ezra Meyer, Madison
- Amber Meyer Smith, Madison — Clean Wisconsin
- Emily Miota, Milwaukee
- Elmer Miller, Cuba City
- Carli Morgan, Madison
- Pat Nelson, Wisconsin Rapids — Operating Engineers
- Katie Nekola, Madison — Clean Wisconsin
- James Nodoret, Platteville — Town of Smelser
- Lindsay North, Madison
- Mark Osten, Verona
- Robert Owan, Jr., Middleton
- Randy Patrow, Eau Claire — Operating Engineers Local 139
- Gary Peterson, Madison — WI Chapter of the American Planning Association
- David Pribnow, Fond du Lac — Local 139 Operating Engineers
- Jayce Redmer, Waterford — Local 139
- Mark Redsten, Madison
- Darren Rohde, Twin Lakes — Local 139
- Mark Roman, Madison
- Scott Rubin, Madison
- Ben Schicker, Fitchburg — EcoEnergy Wind Developer
- Kerry Schumann, Madison
- Sarah Schwenker, Milwaukee
- Thomas Seiler, Manitowoc — Operating Engineers
- Noah Seligman, Madison — Wind on the Wires
- Andrew Selk, Madison
- Hugh and Rebecca Severson, Galesville
- Megan Severson, Galesville
- Leonard Shelton, Prairie du Sac
- Judy Skog, Madison
- Wes Slaymaker, Madison — WES Engineering LLC
- Daniel Sobotta, Whitehall — Operating Engineers Local 139
- Mike Stranz, Chippewa Falls — Wisconsin Farmers Union
- Robert Strous, Brooklyn
- Robert Strous, Brooklyn — Wave Wind, LLC
- Scott Thompson, Madison
- Danyl L. Thorne, Cuba City
- Scott Tyre, Madison — Capitol Navigators
- Anthony Uhl, Madison
- Karen Upper, Cross Plains
- Stuart Utley, Madison — www.madisonecobroker.com
- Dave Vitsa, Madison
- Katy Walter, Madison

- Scott Watson, Madison — Carpenters Local 314
- Amanda Wegner, Madison
- Sam G. Weiss, Rhinelander
- Shahla Werner, Madison — Sierra Club - John Muir Chapter
- Angela West Blank, Middleton
- Mathew Wessale, Madison — WISPIRG
- Elizabeth Wheeler, Madison
- Pamela Wiesen, Madison
- Judy Ziewacz, Madison — Office of Energy Independence

Registrations Against

- Becky Bartlett, Brodhead
- Kurt Bartlett, Brodhead
- Brad Boycks, Madison
- George Brandt, Arcadia
- Mary Brandt, Cuba City — Smelser Tarp
- Dave Brown, Janesville
- Herb Buhl, New Holstein
- Kay Chase, Cambria
- Cheryl Congdon, Horicon
- Jim Connors, Madison — Sierra Club - John Muir Chapter
- Marlene Cox, Tomah
- Robert Cox, Tomah
- Brett Davis — Representative, 80th Assembly District
- Terri Droessler, Cuba City
- Pete DeBoer, Cambria
- Albert Ebert, Chilton
- Inese Epstein, Norwalk
- Renee Exum, Evansville
- Danny Foote, Blair
- Candy Gehl, Hilbert
- Jane Gehl, Sherwood — CWEST - Calumet County
- Paul Gehl, Hilbert — CWEST
- Dolores Gergen, Milwaukee — Sr., Sisters of St. Francis of Assisi
- Glen Roy Heimermann, Chilton
- Ron Henry, Osseo
- Bob Hinderman, Cuba City
- Arthur Jacob Hoerth, Chilton
- Myron Johnson, Algoma — Town of Clay Banks
- William Hellis, Jr., Cuba City
- Elizabeth Karls, Chilton
- Herbert Karls, Calumet
- Janine Karls, Chilton

- Linda Kieler, Cuba City
- Kim Kieler, Cuba City
- Terry Kieler, Cuba City
- Paul Kieltyka, Ettrick
- Andrew Konopacki, Denmark
- Brooke Krause, Poynette
- Randy Krause, Poynette
- Clarence Krueger, Helbert
- Sandra Krueger, Hilbert
- Robert Krupp, Chilton
- Grace Kuntz, Chilton
- Richard Kunz, Chilton
- Carol Lamont, Malone
- Tom Larson, Madison
- Pat Lisowl, Chilton — CCC4RE
- Brad Loeffelkob, Platteville
- Paul Ludwig, Chilton
- Susan Ludwig, Chilton
- Dennis Malchow, Campbellsport
- Eugene Meyers, Chilton — Chilton
- Ione Meyers, Chilton
- Joanne Meyer, Tomah
- Harold Meyer, Tomah
- John Minnich, Madison — Madison Audubon Society & Wisconsin Audubon Council
- Arthur Moehn, Hilbert
- Doris Moehn, Hilbert
- Rose Moehn, Hilbert — CWEST
- Ron Muellenbach, Stockbridge
- Patrick Mulvaney, Norwalk — Common Sense
- Joe Nelesen, Chilton
- Mary Nelesen, Chilton
- Marjorie Nett, Chilton
- Mario Oliver, Cambria
- Anita Popp, Chilton — CCC4RE
- Elsie Popp, Chilton — CCC4RE
- Herbert Popp, Chilton — CCCRE
- Sandra Popp, Chilton
- Corde Rea, OSF, Milwaukee — Sr., Sisters of St. Francis of Assisi
- Michael Reese, Cuba City
- Robert Schmidt, Arlington
- Darlene Schmidt, Arlington
- Mary Lou Schneider, Chilton — QWEST

- Carol Selk, Chilton
- Todd Theil, Sherwood — CWEST - Calumet County
- Steve Stroo Baxts, Chilton
- Marc Strachants, Chilton
- Jill Steinich, Cambria — NCAN - CWEST
- Anita Steinich, Cambria
- Paul Steffes, Chilton
- Delmer Slager, Cambria
- Mike Schneider, Chilton — QWEST
- Wayne Udylutch, Janesville
- Mark Van Asten, Fond du Lac — Common Sense
- Karen Van Asten, Fond du Lac — Common Sense
- Dale Wegner, Arlington
- Peggy Welhouse, Poynette
- Jim Wiederholt, Cuba City
- Nancy Wiederholt, Cuba City
- Joann Wiederholt, Cuba City
- Darin Woelfer, Chilton
- Martha Woelfel, Chilton
- Kathy Utley, Sun Prairie
- Douglas Zweizig, Evansville
- Lynn Wilkon, Madison

Registrations for Information Only

- None.

August 4, 2009

EXECUTIVE SESSION HELD

Present: (7) Senators Plale, Wirch, Erpenbach, Kreitlow,
Cowles, Harsdorf and Kedzie.

Absent: (0) None.

Moved by Senator Plale, seconded by Senator Cowles that **Senate Substitute Amendment 1** be recommended for introduction.

Ayes: (7) Senators Plale, Wirch, Erpenbach, Kreitlow,
Cowles, Harsdorf and Kedzie.

Noes: (0) None.

INTRODUCTION OF SENATE SUBSTITUTE AMENDMENT 1
RECOMMENDED, Ayes 7, Noes 0

Moved by Senator Wirch, seconded by Senator Cowles that **Senate Amendment 1 to Senate Substitute Amendment 1** be recommended for introduction and adoption.

Ayes: (7) Senators Plale, Wirch, Erpenbach, Kreitlow, Cowles, Harsdorf and Kedzie.

Noes: (0) None.

INTRODUCTION AND ADOPTION OF SENATE
AMENDMENT 1 TO SENATE SUBSTITUTE AMENDMENT 1
RECOMMENDED, Ayes 7, Noes 0

Moved by Senator Cowles, seconded by Senator Plale that **Senate Amendment 2 to Senate Substitute Amendment 1** be recommended for introduction and adoption.

Ayes: (7) Senators Plale, Wirch, Erpenbach, Kreitlow, Cowles, Harsdorf and Kedzie.

Noes: (0) None.

INTRODUCTION AND ADOPTION OF SENATE
AMENDMENT 2 TO SENATE SUBSTITUTE AMENDMENT 1
RECOMMENDED, Ayes 7, Noes 0

Moved by Senator Cowles, seconded by Senator Kedzie that **Senate Amendment 3 to Senate Substitute Amendment 1** be recommended for introduction and adoption.

Ayes: (7) Senators Plale, Wirch, Erpenbach, Kreitlow, Cowles, Harsdorf and Kedzie.

Noes: (0) None.

INTRODUCTION AND ADOPTION OF SENATE
AMENDMENT 3 TO SENATE SUBSTITUTE AMENDMENT 1
RECOMMENDED, Ayes 7, Noes 0

Moved by Senator Cowles, seconded by Senator Erpenbach that **Senate Amendment 4 to Senate Substitute Amendment 1** be recommended for introduction and adoption.

Ayes: (3) Senators Erpenbach, Cowles and Harsdorf.

Noes: (4) Senators Plale, Wirch, Kreitlow and Kedzie.

INTRODUCTION AND ADOPTION OF SENATE
AMENDMENT 4 TO SENATE SUBSTITUTE AMENDMENT 1
NOT RECOMMENDED, Ayes 3, Noes 4

Moved by Senator Plale, seconded by Senator Cowles that **Senate Substitute Amendment 1** be recommended for adoption.

Ayes: (7) Senators Plale, Wirch, Erpenbach, Kreitlow,
Cowles, Harsdorf and Kedzie.

Noes: (0) None.

ADOPTION OF SENATE SUBSTITUTE AMENDMENT 1
RECOMMENDED, Ayes 7, Noes 0

Moved by Senator Plale, seconded by Senator Cowles that **Senate
Bill 185** be recommended for passage as amended.

Ayes: (6) Senators Plale, Wirch, Erpenbach, Kreitlow,
Cowles and Harsdorf.

Noes: (1) Senator Kedzie.

PASSAGE AS AMENDED RECOMMENDED, Ayes 6, Noes 1

Kevin Brady
Committee Clerk