



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-1483/P1
MDK:cjs:jf

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

To: Shana
251-2883
2 pages

1 AN ACT relating to: wind energy system rules.

Analysis by the Legislative Reference Bureau

Current law requires the Public Service Commission (PSC), with the advice of the wind siting council, to promulgate rules that specify the restrictions that a city, village, town, or county (political subdivision) may impose on the installation or use of a "wind energy system," which is defined as equipment and associated facilities that convert and then store or transfer energy from the wind into usable forms of energy. The subject matter of the rules must include certain setback and decommissioning requirements, and may include visual appearance, lighting, electrical connections to the power grid, maximum audible sound levels, shadow flicker, proper means of measuring noise, interference with radio, telephone, or television signals, or other matters. Current law prohibits a political subdivision ~~from imposing a restriction that is more restrictive than the rules. Current law also~~ requires the PSC to promulgate rules regarding the process used by political subdivisions to approve wind energy systems, as well as rules regarding enforcement of the restrictions by political subdivisions.

The PSC promulgated the rules under the current law provisions described above as clearinghouse rule number 10-057. The rules are effective March 1, 2011. This bill repeals those rules and requires the PSC to submit proposed rules pursuant to the current law provisions described above to the legislative council staff no later than four months after the bill's effective date.

This bill is introduced as required by s. 227.26 (2) (f), stats., in support of the action of the Joint Committee for Review of Administrative Rules in suspending chapter PSC 128, Wis. Adm. Code, a rule of the PSC, on _____, 2011.

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

SECTION 1. Nonstatutory provisions.

(1) In this section, "commission" means the public service commission.

(2) Chapter PSC 128, Wisconsin Administrative Code, as promulgated by the commission as clearinghouse rule number 10-057, is repealed. The commission shall submit in proposed form the rules that are required under section 196.378 (4g) (b), (c), and (d) of the statutes to the legislative council staff under section 227.15 (1) of the statutes no later than the first day of the 7th month beginning after the effective date of this subsection.

(END)

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