

Wisconsin Senate won't order new wind rules

TODD RICHMOND - Associated Press - Associated Press

Republicans in the Wisconsin's Senate failed Wednesday to force state regulators to develop new wind farm siting rules after one of their own broke ranks for the second straight day.

Sen. Dale Schultz, a moderate Republican from Richland Center, refused to support a bill that would have forced the Public Service Commission to craft new rules for the industry. Republicans hold a razor-thin 17-16 majority in the chamber and need Schultz to pass anything. But Schultz said the bill would have created too much uncertainty for wind developers, who have already been waiting for a year for the state to revise its regulations. He said jobs are at stake in his district.

"I just want to us to get this industry up and doing well," Schultz said.

Schultz's move brings an end to a fight that began in 2009, when former Democratic Gov. Jim Doyle signed a bill calling for the PSC to develop uniform wind turbine construction and setback standards. Wind developers hoped blanket regulations would help them overcome what they said were a patchwork of ultra-restrictive local ordinances that were crippling their industry.

The PSC spent most of 2010 developing the rules. The final package called for turbines to be built at least 1,250 feet from nearby homes.

Republicans argued that standard would put turbines too close to homes, causing health problems and driving down property values. Republican Gov. Scott Walker immediately introduced a bill after he took office in January 2011 that would have increased the set back to 1,800 from neighbors' property lines.

The bill died, but Republicans who control the Legislature's rules committee suspended the PSC's regulations last March on the day they were to take effect. The PSC worked with wind developers to find a compromise that would please Republicans, but came up with nothing.

In the meantime, at least three wind developers have either suspended or canceled their plans for farms in Wisconsin, citing the uncertain regulatory climate, according to Wind on the Wires, a group of wind developers and wind energy experts that opposes rule changes in Wisconsin.

The rules committee needs legislation upholding the suspension before the session ends next week or the old rules will go back into effect. Republicans wrote a bill that would repeal the rules for good and order the PSC to come up with new ones within six months. The Wisconsin Realtors Association registered in support of the measure.

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They put the bill on Wednesday's calendar. When debate began on the measure Sen. Frank Lasee, R-Bellevue, gave a quick speech arguing turbines cause health problems for people near them, then acknowledged Republicans didn't have the votes and pulled the bill back to committee.

"We should get past the green-energy-at-any-cost when it harms people," he said. "I wonder how it would be if they were 40-foot oil derricks."

Asked later who was against the bill, Lasee responded, "All the Democrats and Schultz."

A similar scenario played out Tuesday in the Senate. Republicans were about to take up a bill that would streamline the state's mining permitting process to help Gogebic Taconite open a giant iron mine in northwestern Wisconsin and were forced to pull it back after Schultz refused to support it. He argued that bill limited public challenges to permit decisions and jeopardized the environment.

He defended his position Wednesday, saying the wind industry needs to know where it stands.

"We've had a year without any stable policy for an emerging industry," he said. "If we send (the rules) back we further the indecision in this state."

A message left at the realtors' association late Wednesday afternoon wasn't immediately returned. Josh Gackle, regional policy manager for Wind on the Wires, called the existing rules a compromise that provides certainty.

"We continue to urge the Legislature to leave it as is," Gackle said. "We're grateful that today that it appears they have decided to do so."

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