

JES:ty

12/10/2008

1 **AN ACT** *to create* 16.954 of the statutes; **relating to:** requiring a strategic bioenergy
2 feedstock assessment.

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

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill draft was prepared for the Joint Legislative Council's Special Committee on Domestic Biofuels. The bill draft directs the office of energy independence (OEI) to coordinate the preparation of a strategic feedstocks assessment by the specified state agencies.

This assessment must examine the current and potential bioenergy feedstocks being produced in Wisconsin, the key factors that influence the supply of and demand for these feedstocks, and the impacts of the increased use in the state of biomass for energy production. The assessment must also recommend appropriate legislation and changes in the agencies' programs and rules.

3 **SECTION 1.** 16.954 of the statutes is created to read:

4 **16.954 Strategic bioenergy feedstock assessment. (1)** In this section:

5 (a) "Affected agencies" means the departments of administration; agriculture, trade and
6 consumer protection; and natural resources; the office; and the public service commission.

7 (b) "Bioenergy feedstock" means biomass used to produce energy, including
8 transportation fuel, heat, or electricity.

9 (c) "Office" means the office of energy independence.

10 **(2)** The office shall coordinate among affected agencies the preparation of a [biennial]
11 [quadrennial] strategic bioenergy feedstock assessment that does all of the following:

12 (a) Summarize the bioenergy feedstocks currently and projected to be produced in the
13 state.

1 (b) Identify key factors that influence the supply of and demand for major bioenergy
2 feedstocks in the state, including the types and amounts of land devoted to producing these
3 feedstocks.

4 (c) Assess whether any of the factors identified under par. (b) are likely to change during
5 the period covered by the assessment and, if so, how those changes may affect the availability
6 of future bioenergy feedstocks.

7 (d) Assess the impacts of the increased use in the state of biomass for energy production
8 on all of the following:

- 9 1. Other consumers of that biomass.
10 2. Land use.
11 3. Environmental quality.
12 4. Other benefits and services derived from the natural systems in which the biomass
13 is produced.

COMMENT: An example of a benefit under subd. 4. is outdoor recreation.

14 (e) Recommend, as appropriate, legislation or changes in programs or rules of affected
15 agencies, including whether the assessment should be continued.

Alternative 1 – Periodic, Discreet Assessment

16 (3) On or before [January 1, 2011] [January 1, 2013] [and on or before January 1 of each
17 [even-numbered year thereafter] [fourth year thereafter]], the office shall submit a copy of an
18 assessment prepared under sub. (2) to the governor and the appropriate standing committees
19 in each house of the legislature under s. 13.172 (3) and shall post a copy of the assessment on
20 the office's Internet Web site.

COMMENT: Removal of the bracketed text following "[January 1, 2013]"
has the effect of requiring a one-time assessment.

Alternative 2 – Continuous Assessment

(3) The office shall conduct the assessment under sub. (2) on a continuous basis and may publish results of the assessment in stages. The office shall post a copy of the assessment on the office's Internet Web site and shall notify the governor and the appropriate standing committees in each house of the legislature under s. 13.172 (3) of significant changes in the assessment.

COMMENT: Should the bill draft also direct or request OEI to host on the Internet an electronic forum where members of the public could submit information and comments on an assessment [, view and comment on other submittals] [and collaborate on submittals, such as via a “wiki”]?

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