

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3134/P1dn
RNK:bjk:jf

September 14, 2007

This draft requires the Department of Natural Resources (DNR) to allow wind turbines on managed forest lands as long as the wind turbines do not interfere with sound forestry practices. It requires DNR to promulgate rules establishing standards for such wind turbines. As drafted, the rules requirement does not give guidance to DNR on what the rules should address. For example, should the rules specify the size of allowable wind turbines, the number of wind turbines that would be allowed, the type of wind turbine allowed, etc.?

Because the draft depends for its administration on DNR to promulgate rules, the draft should have a delayed effective date to give DNR sufficient time to promulgate rules. And because the rule-making process can take considerable time, you might want to establish a deadline by which DNR must submit its proposed rules to the Legislative Council staff and allow DNR to promulgate emergency rules to apply before the final rules take effect.

I have prepared this draft in preliminary form to provide you with an opportunity to revise the draft, if desired, based on the issues discussed above. If you would like to discuss these issues in more detail, please feel free to contact me.

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