

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 1079

H.P. 797

House of Representatives, March 6, 2007

Resolve, Establishing the Commission To Study Biofuel Use in School Districts

(EMERGENCY)

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative PRIEST of Brunswick.
Cosponsored by Senator SNOWE-MELLO of Androscoggin and
Representatives: BERRY of Bowdoinham, BRAUTIGAM of Falmouth, CONOVER of
Oakland, CROCKETT of Augusta, GERZOFSKY of Brunswick, PRESCOTT of Topsham,
SAVAGE of Falmouth, TREAT of Farmingdale.

1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** the Commission to Study Biofuel Use in School Districts is established in
4 this legislation to do a study and recommend legislation to the Second Regular Session of
5 the 123rd Legislature; and

6 **Whereas,** the study must be initiated before the 90-day period expires in order that
7 the study may be completed and a report submitted in time for submission to the next
8 regular session; and

9 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
10 the meaning of the Constitution of Maine and require the following legislation as
11 immediately necessary for the preservation of the public peace, health and safety; now,
12 therefore, be it

13 **Sec. 1. Commission established. Resolved:** That the Commission to Study
14 Biofuel Use in School Districts, referred to in this resolve as "the commission," is
15 established; and be it further

16 **Sec. 2. Commission membership. Resolved:** That the commission consists of
17 5 members appointed as follows:

- 18 1. One Senator appointed by the President of the Senate;
- 19 2. One Representative appointed by the Speaker of the House of Representatives;
- 20 3. The Commissioner of Education or the commissioner's designee;
- 21 4. The Commissioner of Environmental Protection or the commissioner's designee;
- 22 and
- 23 5. The Executive Director of the Maine School Management Association or the
24 executive director's designee; and be it further

25 **Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate
26 chair of the commission and the first-named House of Representatives member is the
27 House chair of the commission; and be it further

28 **Sec. 4. Appointments; convening of commission. Resolved:** That all
29 appointments must be made no later than 30 days following the effective date of this
30 resolve. The appointing authorities shall notify the Executive Director of the Legislative
31 Council once all appointments have been completed. Within 15 days after appointment
32 of all members, the chairs shall call and convene the first meeting of the commission,
33 which must be no later than June 1, 2007; and be it further

34 **Sec. 5. Duties. Resolved:** That the commission shall gather information and
35 request necessary data from public and private entities in order to study the current use of

1 biofuels and how their use can be encouraged in the school systems of the State; and be it
2 further

3 **Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide
4 necessary staffing services to the commission; and be it further

5 **Sec. 7. Compensation. Resolved:** That the legislative members of the
6 commission are entitled to receive the legislative per diem, as defined in the Maine
7 Revised Statutes, Title 3, section 2, and reimbursement for travel and other necessary
8 expenses related to their attendance at authorized meetings of the commission. Public
9 members not otherwise compensated by their employers or other entities that they
10 represent are entitled to receive reimbursement of necessary expenses and, upon a
11 demonstration of financial hardship, a per diem equal to the legislative per diem for their
12 attendance at authorized meetings of the commission; and be it further

13 **Sec. 8. Report. Resolved:** That, no later than January 15, 2008, the commission
14 shall submit a report that includes its findings and recommendations, including suggested
15 legislation, for presentation to the Second Regular Session of the 123rd Legislature. The
16 commission is authorized to introduce legislation related to its report to the Second
17 Regular Session of the 123rd Legislature at the time of submission of its report; and be it
18 further

19 **Sec. 9. Extension. Resolved:** That, if the commission requires a limited
20 extension of time to complete its study and make its report, it may apply to the
21 Legislative Council, which may grant an extension; and be it further

22 **Sec. 10. Commission budget. Resolved:** That the chairs of the commission,
23 with assistance from the commission's staff, shall administer the commission's budget.
24 Within 10 days after its first meeting, the commission shall present a work plan and
25 proposed budget to the Legislative Council for its approval. The commission may not
26 incur expenses that would result in the commission's exceeding its approved budget.
27 Upon request from the commission, the Executive Director of the Legislative Council
28 shall promptly provide the commission chairs and staff with a status report on the
29 commission budget, expenditures incurred and paid and available funds.

30 **Emergency clause.** In view of the emergency cited in the preamble, this
31 legislation takes effect when approved.

32 **SUMMARY**

33 This resolve establishes the Commission to Study Biofuel Use in School Districts.
34 The commission is to report to the Second Regular Session of the 123rd Legislature with
35 recommendations and legislation.