

MAINE STATE LEGISLATURE

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Date: 5/21/21

(Filing No. S- 113)

MINORITY
STATE AND LOCAL GOVERNMENT

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STATE OF MAINE
SENATE
130TH LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT " A " to S.P. 21, L.D. 14, "An Act To Require a Two-thirds Vote To Extend a State of Emergency"

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 37-B MRSA §743, sub-§2, as enacted by PL 1983, c. 594, §34, is amended to read:

2. Limitation. No A state of emergency may not continue for longer than 30 days unless renewed by the Governor after approval by a 2/3 vote of the Legislature. If the Legislature is not in session at the time, the President of the Senate and the Speaker of the House shall convene the Legislature, with the consent of a majority of the members of the Legislature of each political party, all members of the Legislature having been first polled. The Legislature, by joint resolution, may terminate a state of emergency at anytime any time. Thereupon, the Governor shall issue an executive proclamation ending the state of emergency.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment, which is the minority report of the committee, clarifies that the President of the Senate and the Speaker of the House are required to convene the Legislature in accordance with the Constitution of Maine, Article IV, Part Third, Section 1 if a vote on extending a state of emergency is needed when the Legislature is not in session.

FISCAL NOTE REQUIRED

(See attached)

COMMITTEE AMENDMENT



130th MAINE LEGISLATURE

LD 14

LR 194(02)

An Act To Require a Two-thirds Vote To Extend a State of Emergency

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-113)

Committee: State and Local Government

Fiscal Note Required: Yes

Fiscal Note

Legislative Cost/Study

Legislative Cost/Study

Current law allows the Legislature to terminate a state of emergency by joint resolution at any time. The bill requires a 2/3 vote of the Legislature in order for the Governor to extend a state of emergency. The Legislature's baseline budget for 2022-2023 includes funds for the Legislature to meet in special session on 2 days each fiscal year following the applicable statutory deadline. Whether or not there are sufficient funds to cover the cost of holding a special session for the purpose of extending a state of emergency will depend on the number of times the Legislature is required to convene in special session during the interim.