

MAINE STATE LEGISLATURE

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Date:

5/21/21

Minority

(Filing No. H-217)

STATE AND LOCAL GOVERNMENT

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 444, L.D. 608, "An Act Regarding the Governor's Emergency Powers"

Amend the bill in section 1 in paragraph A in the 4th and 5th lines (page 1, lines 25 and 26 in L.D.) by striking out the following: "as long as the disaster or civil emergency has been declared by the board of commissioners for that county"

Amend the bill by striking out all of section 2 and inserting the following:

'Sec. 2. 37-B MRSA §742, sub-§1, ¶F is enacted to read:

F. If an order or rule issued by the Governor, pursuant to the powers granted in paragraph C, is to be in effect for longer than 30 days, the Governor shall, before the 30th day following the issuance of the order or rule, convene the Legislature for the specific purpose of deliberating the continuation of the state of emergency and the Legislature must, by a 2/3 vote in each House, vote to extend the Governor's authority to extend that order or rule.'

Amend the bill in section 3 in subsection 2 in the 4th line (page 2, line 2 in L.D.) by striking out the following: ", and the" and inserting the following: 'for the specific purpose of deliberating the continuation of the state of emergency and the'

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, limits the purpose for which the Governor convenes the Legislature to deliberating the continuation of the state of emergency. It also removes the provision in the bill that authorizes the Governor to declare a state of emergency in a county only if the board of commissioners of that county has declared that a disaster or civil emergency exists.

FISCAL NOTE REQUIRED

(See attached)

COMMITTEE AMENDMENT



130th MAINE LEGISLATURE

LD 608

LR 303(02)

An Act Regarding the Governor's Emergency Powers

Fiscal Note for Bill as Amended by Committee Amendment

Committee: State and Local Government

Fiscal Note Required: Yes

A (H-217)

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.