

MAINE STATE LEGISLATURE

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SOE
ROFS

B

L.D. 980

Date: 6-3-21

(Filing No. H-368)

REPORT B
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. 726, L.D. 980, "An Act To Establish Balance in the Governor's Emergency Powers"

Amend the bill by striking out all of sections 2 and 3 and inserting the following:

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

F. The Governor, during the pendency of a state of emergency, may not reissue or renew an emergency proclamation, issue another emergency proclamation that is substantially similar to one that expired or reissue an emergency proclamation that the Legislature has terminated pursuant to paragraph G without approval of the Legislature pursuant to paragraph G, except that the Governor, based on significant changes in circumstances, may reimpose such an emergency proclamation for a single period of 3 days if the Governor calls upon the Legislature to reconsider the order and changed circumstances.

Sec. 3. 37-B MRSA §742, sub-§1, ¶G is enacted to read:

G. After 7 days have elapsed from the issuance of an emergency proclamation by the Governor, all emergency powers revert to the Legislature. Emergency proclamations may be extended or discontinued by the Legislature pursuant to this paragraph.

(1) The Legislature may extend an emergency proclamation issued pursuant to this subsection up to a maximum of 30 days by a 2/3 majority vote in each House of the Legislature. Additional 30-day extensions of the emergency proclamation may be approved, but only if done in compliance with this subparagraph.

(2) Either House of the Legislature may terminate an emergency proclamation issued pursuant to this subsection, in whole or in part, by a majority vote.

(3) Debate and voting conducted pursuant to this paragraph by each House of the Legislature may be done remotely by electronic or other means as established by each House's rules, or in the absence of such rules, as specified by the presiding officer of each House.'

ROFS

COMMITTEE AMENDMENT "*A*" to H.P. 726, L.D. 980

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

SUMMARY

This amendment makes changes in allocations to avoid a conflict.

FISCAL NOTE REQUIRED

(See attached)



130th MAINE LEGISLATURE

LD 980

LR 815(03)

An Act To Establish Balance in the Governor's Emergency Powers

Fiscal Note for Bill as Amended by Committee Amendment *A(H-368)*

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 to extend a state of emergency for up to 30 days beyond the timeframe for the initial proclamation and to approve additional 30-day extensions. It also requires a majority vote in either House to terminate the emergency proclamation. 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 or terminating a state of emergency will depend on the number of times the Legislature is required to convene in special session during the interim.