

MAINE STATE LEGISLATURE

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L.D. 1137

Date: 5/21/21 Minority

(Filing No. H-216)

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. 815, L.D. 1137, "An Act To Limit the Governor's Emergency Powers by Requiring a Two-thirds Vote of the Legislature To Continue an Emergency after 90 Days"

Amend the bill by striking out all of section 1 and inserting the following:

'Sec. 1. 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 90 days, the Governor shall, before the 80th day following the issuance of the initial or subsequent order or rule, convene the Legislature, 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 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 Governor is required to convene the Legislature before the 80th day following the issuance of the initial and any subsequent emergency order or rule.

FISCAL NOTE REQUIRED

(See attached)

COMMITTEE AMENDMENT



Approved: 05/12/21 *mac*

130th MAINE LEGISLATURE

LD 1137

LR 1432(02)

**An Act To Limit the Governor's Emergency Powers by Requiring a Two-thirds Vote of the
Legislature To Continue an Emergency after 90 Days**

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-216)
Committee: State and Local Government
Fiscal Note Required: Yes

Fiscal Note

Legislative Cost/Study

Legislative Cost/Study

The bill requires a 2/3 vote of the Legislature to extend a state of emergency for longer than 90 days and to extend the Governor's authority to extend an order or rule issued pursuant to the state of emergency for longer than 90 days. 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 will depend on the number of times the Legislature is required to convene in special session during the interim.