

MAINE STATE LEGISLATURE

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ROB

Date 6/21/23

Minority

LD 1876

(Filing No H-690)

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STATE AND LOCAL GOVERNMENT

Reproduced and distributed under the direction of the Clerk of the House

STATE OF MAINE

HOUSE OF REPRESENTATIVES

131ST LEGISLATURE

FIRST SPECIAL SESSION

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COMMITTEE AMENDMENT "A" to HP 1201, LD 1876, "An Act to Enhance
Legislative Participation in the Governor's Use of Emergency Powers"

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Amend the bill in section 2 in subsection 1 by inserting after paragraph G the following:

'H. If an order 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 20th day following issuance of the order, convene the Legislature for the Legislature to consider whether to extend or terminate the order pursuant to subsection 2.'

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Amend the bill in section 3 in subsection 2 in the first 2 lines (page 4, lines 30 and 31 in LD) by striking out the following "As long as each House of the Legislature is able to assemble either in person or remotely as authorized by a joint order passed by the Legislature, a" and inserting the following 'A'

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

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SUMMARY

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This amendment, which is the minority report of the committee, requires the Governor to convene the Legislature before the 20th day following issuance of an emergency order if the emergency order is to be in effect for longer than 30 days. The amendment removes the provision in the bill that an emergency order may extend indefinitely if the Legislature is unable to meet in person or remotely.

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FISCAL NOTE REQUIRED

(See attached)

COMMITTEE AMENDMENT



131st MAINE LEGISLATURE

LD 1876

LR 1421(02)

An Act to Enhance Legislative Participation in the Governor's Use of Emergency Powers

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-690)

Committee: State and Local Government

Fiscal Note Required: Yes

Fiscal Note

Legislative Cost/Study

Fiscal Detail and Notes

The bill requires a 3/5 vote of each House of the Legislature to extend a state of emergency that is to be in effect for longer than 30 days. The bill also requires the approval of the Legislature in order for an emergency proclamation to be reissued or renewed if it is substantially similar to one that has expired, or to be reissued if it was terminated by the Legislature. The bill further allows the Legislature, by joint resolution, to terminate a state of emergency at any time by the vote of a majority of each House of the Legislature. The Legislature's baseline budget for 2024-2025 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 these purposes will depend on the number of times the Legislature is required to convene in special session during the interim.

The Legislature's baseline budget for 2024-2025 includes funds for the Legislative Council to meet monthly during the interim.