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Date: (Filing No. H-)

STATE AND LOCAL GOVERNMENT

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

COMMITTEE AMENDMENT “ ” to H.P. 87, L.D. 131, “An Act To Amend the Governor's Emergency Powers”

Amend the bill by striking out all of section 5 and inserting the following:

'Sec. 5. 37-B MRSA §742, sub-§1, ¶F is enacted to read:

F. In dealing with a declared state of emergency under this subsection, the following powers may not be invoked:

(1) The eminent domain powers granted in section 821; and

(2) The enforcement powers granted in section 786, unless the Governor specifically invokes those powers by an order issued pursuant to a civil emergency proclamation and approved by 2/3 of the membership of the Legislative Council. That order must specify those emergency orders or rules that are enforceable pursuant to this subparagraph and must further specify the enforcement activities emergency management organizations are to pursue. An enforcement action may not be taken pursuant to this subparagraph without publication of the order authorizing the action in a manner reasonably calculated to give affected persons adequate notice of the order or rule to be enforced and the sanctions to be applied. Publication of the order may include publication on the Internet.'

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, corrects a statutory allocation to avoid a conflict.

FISCAL NOTE REQUIRED

(See attached)

COMMITTEE AMENDMENT