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H.P. 895

House of Representatives, March 24, 2021

An Act To Require a Two-thirds Vote of the Legislature Every 2 Weeks To Maintain a State of Emergency Declared by the Governor

(EMERGENCY)

Received by the Clerk of the House on March 22, 2021. Referred to the Committee on State and Local Government pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

R(+ B. Hunt

ROBERT B. HUNT Clerk

Presented by Representative ANDREWS of Paris.

- 1 **Emergency preamble.** Whereas, acts and resolves of the Legislature do not 2 become effective until 90 days after adjournment unless enacted as emergencies; and 3 Whereas, this legislation needs to take effect before the expiration of the 90-day 4 period in order for its provisions to apply to the current state of emergency as soon as 5 possible; and 6 Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as 7 8 immediately necessary for the preservation of the public peace, health and safety; now, 9 therefore. 10 Be it enacted by the People of the State of Maine as follows: 11 Sec. 1. 37-B MRSA §743, sub-§2, as enacted by PL 1983, c. 594, §34, is amended 12 to read: 13 2. Limitation. No A state of emergency may not continue for longer than 30 days unless renewed by the Governor and unless approved by a 2/3 vote of the Legislature every 14 14 days after the initial 30-day period. If the Legislature is not in session, approval of the 15 16 Legislature may be obtained by polling the members of the Legislature. The Legislature, by joint resolution, may terminate a state of emergency at anytime any time. Thereupon, 17 the Governor shall issue an executive proclamation ending the state of emergency. 18 19 **Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved. 20 21 **SUMMARY** 22 This bill provides that a state of emergency may not continue for longer than 30 days 23 unless approved by a 2/3 vote of the Legislature every 14 days after the initial 30-day 24 period. If the Legislature is not in session, approval of the Legislature may be obtained by
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