

Dear Senator Baldacci,  
Representative Matlack,  
and distinguished members of the Committee on State and Local Government,

My name is Patricia Collins, and I live in Windham, Maine.

I come to you today to ask that you vote, Ought to Pass as amended on LD 980, HP0726.

It is my personal opinion the Governor of the state of Maine should be required to operate in full cooperation and accountability with the Legislative branches of government, with full Transparency to and for the good of Maine Residents and Businesses, regardless of the powers granted in the state of emergency.

The Governor's powers should be limited to issue and maintain powers pursuant to an emergency proclamation, including:

1. Limiting the length of the time period of an emergency proclamation to 7 days.
2. Requiring an extension of an emergency proclamation beyond 7 days to be approved by a 2/3 vote of each House of the Legislature.
3. Allowing the Senate or House, individually, by a majority vote, to discontinue an emergency proclamation.
4. Prohibiting the Governor, during a state of emergency, from reissuing or renewing an emergency proclamation, issuing a similar proclamation to one that has expired or reissuing an emergency proclamation that the Legislature has discontinued; and
5. Providing that a violation by the Governor of the exercise of emergency powers is an impeachable offense.

The Legislature should be allowed to debate and vote by remote or other electronic means on the extension or discontinuation of a Governor's emergency proclamation.

This bill should require the emergency powers exercised by the Governor, a person within the executive branch or a municipal official that bind, curtail, or infringe on the rights of private parties to be narrowly tailored to serve a compelling health or safety purpose and to be limited in duration, applicability, and scope to reduce any infringement of individual liberty.

Finally, this bill should give a state court jurisdiction to hear a case challenging the legality of the exercise of emergency powers and requires the court to expedite consideration of the case to the extent practicable. Inequality in the applicability of impact of emergency orders on analogous groups, situations and circumstances may constitute one ground among others for a court to invalidate or enjoin an emergency order, or some of its applications, on the basis that it is not narrowly tailored to serve a compelling public health or safety purpose.

Thank you for your time, and I respectfully ask that you vote Ought to Pass LD 980, HP0726.

Sincerely,

Patricia Collins  
Windham, Maine