



HOUSE OF REPRESENTATIVES

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Senator Baldacci, Representative Matlack and esteemed members of the Committee on State and Local Government, I am Representative Heidi Sampson, serving the good people of HD 21, Alfred, Limerick, Shapleigh, Newfield and Parsonsfield. I present to you, LD 980 *An Act To Establish Balance in the Governor's Emergency Powers*.

Legislative powers belong to the people exercised through representatives in the legislature. That is you and me, folks. You and I have an obligation and have a duty to represent the people of this state, We each swear an oath to honor the Constitution of Maine and the United States Constitution. We therefore must align our policies accordingly. This is not a light matter. For a full year, we have been unable to effectively do our job. To that end, pure legislative power may not be delegated to the Executive Branch. It is therefore our responsibility to restore and re-establish the defined separation of powers which have been lost this past year.

To that end, I will outline the points this bill addresses.

1. An emergency proclamation is limited to 7 days
2. To extend an emergency proclamation, the legislature must vote with a super majority.
3. A simple majority vote of the legislature will discontinue an emergency proclamation
4. The Chief Executive is prohibited from reissuing or renewing an emergency proclamation, issuing similar proclamations to one that has expired or reissuing an emergency proclamation the Legislature has discontinued during the time period of the state of emergency.
5. This bill states that a violation by the Chief Executive of emergency powers, is an impeachable offense.

Additionally, this bill allows for debate, to vote remotely or through some electronic means on the extension or discontinuation of a Chief Executives emergency proclamation.

The focus of emergency powers must be limited in duration for the purpose of reducing the scope of infringement of individual's liberties.

This bill also encourages the state courts to expedite consideration of legal challenges and may invalidate or enjoin an emergency order.

Finally, I am speaking to you, my fellow legislators.

With over a dozen bills being heard today, all addressing the same topic of the Governor's overreaching, unconstitutional and unilateral actions over this past year, it is clear the people of Maine are deeply troubled. This imbalance in governing authority is of paramount concern to them. It is my hope you recognize and genuinely consider the weight of the information being raised today and look not just to this current Chief Executive, but to all future ones as well. No Governor should have this type of unilateral power. We have a representative form of government. You can assure we preserve it.

Thank you,

Representative Heidi Sampson