

Floor Amendment to HB 417

1 Amend the bill by replacing section 1 with the following:

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3 1 Emergency Powers; Notice; Termination at 30 Days. Amend RSA RSA 4:45, I and II to read as
4 follows:

5 I. The governor shall have the power to declare a state of emergency, as defined in RSA 21-
6 P:35, VIII, by executive order if the governor finds that a natural, technological, or man-made
7 disaster of major proportions is imminent or has occurred within this state, and that the safety and
8 welfare of the inhabitants of this state require an invocation of the provisions of this section. **When**
9 **practicable, the governor shall notify the speaker of the house of representatives and**
10 **senate president of the impending issuance of emergency orders under this section and**
11 **provide a description of such orders.** The general court shall have the same power to declare a
12 state of emergency by concurrent resolution of the house and senate. An executive order or
13 concurrent resolution declaring a state of emergency shall specify the:

- 14 (a) Nature of the emergency;
15 (b) Political subdivisions or geographic areas subject to the declaration;
16 (c) Conditions that have brought about the emergency; and
17 (d) Duration of the state of emergency, if less than [21] **30** days.

18 II.(a) A state of emergency shall terminate automatically [21] **30** days after its declaration
19 unless it is renewed under the same procedures set forth in paragraph I of this section. The
20 governor may, by executive order, renew a declaration of a state of emergency as many times as the
21 governor finds is necessary to protect the safety and welfare of the inhabitants of this state.

22 (b) If the governor finds that maintaining the state of emergency is no longer justified,
23 the governor shall issue an executive order terminating the state of emergency.

24 (c) The legislature may terminate a state of emergency **or any emergency order issued**
25 **thereunder** by concurrent resolution adopted by a majority vote of each chamber. The governor's
26 power to renew a declaration of a state of emergency shall terminate upon the adoption of a
27 concurrent resolution under this subparagraph; provided, however, that such resolution shall not
28 preclude the governor from declaring a new emergency for different circumstances under paragraph
29 I of this section.