



April 8, 2021

U.S. Small Business Administration
409 3rd Street, SW
Washington, D.C. 20416

RE: Shuttered Venue Operators Grant Applications by Maine Entities

Dear U.S. Small Business Administration Representative(s):

I am pleased to write this letter in support of the applications to the Shuttered Venue Operators Grant Program by Maine's performing arts centers, museums, and other relevant venue operators and talent representatives.

Performing arts and other cultural assets are essential to Maine's economic and community well-being. These entities have been severely impacted by the COVID-19 pandemic and related business restrictions over the past year, leaving many in critical need of financial support. State ordinances limiting in-person business operations, gathering sizes, and travel into Maine have forced venues to close or to operate under extremely limited conditions, and impacted seasonal tourism upon which many of these entities depend. Enclosed you will find the Governor's Executive Orders focused on maintaining public health that have impacted businesses and non-profit organizations in this industry.

Without hesitation, I am in full support of the applications by these entities to the Shuttered Venue Operators Grant Program. Maine's art and cultural institutions have a significant impact on our residents and communities, and their continued viability is necessary for Maine's economic recovery. Thank you for your consideration of their applications and for your work to support this industry, both in the State of Maine and across the U.S.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Heather Johnson', followed by a horizontal line.

Heather Johnson, Commissioner
Maine Department of Economic and Community Development

Executive Orders – Occupancy and Gathering Limits, Travel Restrictions

March 2020 – March 2021

Contents

Executive Order 14 FY 19/20 – March 18, 2020

- Prohibits gatherings of more than 10 people through March 31, 2020.

Executive Order 19 FY 19/20 – March 24, 2020

- Prohibits non-essential businesses from engaging in public-facing activities through April 8, 2020.
- Extends 10-person gathering limit through April 8, 2020.

Executive Order 28 FY 19/20 – March 31, 2020

- Orders all Maine residents to stay at home except for certain essential activities through April 30, 2020.
- Sets in-store gathering limits for essential retail businesses. Non-essential businesses must continue to limit their activities pursuant to Executive Order 19 FY 19/20.

Executive Order 34 FY 19/20 – April 3, 2020

- Sets travel restrictions for any persons traveling to Maine.

Executive Order 19-A FY 19/20 – April 7, 2020

- Extends Executive Order 19 FY 19/20 through April 30, 2020.

Executive Order 28-A FY 19/20 – April 10, 2020

- Updates the in-store gathering limits for essential retail businesses established in Executive Order 28 FY 19/20. All other provisions of Executive Order 28 FY 19/20 remain in effect.

Executive Order 49 FY 19/20 – April 29, 2020

- Extends Executive Orders 14, 19, 28, and 34 FY 19/20 through May 31, 2020.

Executive Order 55 FY 19/20 – May 29, 2020

- Increases gathering limit from 10 to 50 people.
- Begins to phase out activity restrictions for certain non-essential businesses.
- Eases stay at home order so that people may access the increased business activities that are reopened.

Executive Order 57 FY 19/20 – June 9, 2020

- Modifies the travel restrictions established in Executive Order 34 FY 19/20.

Executive Order 28-A-2 FY 19/20 – June 16, 2020

- Updates the in-store customer limits for retail establishments established in Executive Order 28-A FY 19/20.

Executive Order 6 FY 20/21 – August 1, 2020

- Establishes new outdoor gathering limits. The 50-person limit remains in place for indoor gatherings.

Executive Order 14 FY 20/21 – October 6, 2020

- Updates the indoor gathering limit for establishments that require seating for all invitees. The indoor gathering limit remains at 50 people for all other establishments.

Executive Order 16 FY 20/21 – November 4, 2020

- Reinstates the 50-person indoor gathering limit for all establishments.

Executive Order 35 FY 20/21 – March 5, 2021

- Updates indoor gathering and in-store customer limits, outdoor gathering limits, and travel restrictions.



OFFICE OF
THE GOVERNOR

NO. 14 FY 19/20
DATE March 18, 2020

AN ORDER TO PROTECT PUBLIC HEALTH

WHEREAS, I proclaimed a state of emergency on March 15, 2020 to authorize the use of emergency powers in order to expand and expedite the State's response to the threats posed by COVID-19;

WHEREAS, the State has taken many essential actions and additional actions are necessary;

WHEREAS, the immediate implementation of this Order is necessary to limit the number of common discretionary and primarily social gatherings of persons in numbers sufficiently large enough to pose a risk of transmission of COVID-19 due to their close proximity;

WHEREAS, allowing the congregation of persons, especially at restaurants and bars, constitutes an imminent health threat within the meaning of 10-144 C.M.R. Ch. 201, §6 and 10-144 C.M.R. Ch. 200, Ch. 1, §§1-2;

NOW, THEREFORE, I, Janet T. Mills, Governor of the State of Maine, pursuant to 37-B M.R.S. Ch. 13, do hereby Order as follows:


I. ORDERS

Effective 6 P.M. March 18, 2020 and until midnight of March 31, 2020:

- A. **Certain Gatherings.** Gatherings of more than 10 people are prohibited throughout the State. Gatherings subject to this Order are those that are primarily social, personal, and discretionary events other than employment. Such gatherings include, without limitation, community, civic, public, leisure, and faith-based events; social clubs; sporting events with spectators; concerts, conventions, fundraisers, parades, fairs, and festivals; and any similar event or activity in a venue such as an auditorium, stadium, arena, large conference room, meeting hall, theatre, gymnasium, fitness center or private club.
- B. **Restaurants and Bars.** All restaurants and bars shall close their dine-in facilities. Such businesses that offer carry-out, delivery, and drive-through food and beverage service may continue to do so but eating and drinking inside restaurants and bars is temporarily prohibited.

II. EFFECTIVE DATE AND REVIEW

The effective date of this Order is March 18, 2020. This Order shall be reviewed prior to its expiration date for a determination of the need for revision and renewal.



Janet T. Mills
Governor



OFFICE OF
THE GOVERNOR

NO. 19 FY 19/20
DATE March 24, 2020

AN ORDER REGARDING ESSENTIAL BUSINESSES AND OPERATIONS

WHEREAS, I proclaimed a state of emergency on March 15, 2020 to authorize the use of emergency powers in order to expand and expedite the State's response to the serious health and safety risks of COVID-19; and

WHEREAS, Executive Order No. 14 FY 19/20 dated March 18, 2020 restricted certain social gatherings and certain use of restaurants and bars, and strongly recommended use of social distancing to reduce the transmission of COVID-19, which is highly contagious; and

WHEREAS, the Maine Center for Disease Control and Prevention advises that additional social distancing measures are warranted to slow the spread of this life-threatening virus in order to save lives and improve the ability of the health care system to respond; and

WHEREAS, a governor's emergency powers expressly include the authorities to:

- a. Control the movement of persons and occupancy of premises within the State pursuant to 37-B M.R.S. §742(1)(C)(8);
- b. Enlist the aid of any person to assist in the effort to control the emergency and aid in the caring for the safety of persons pursuant to 37-B M.R.S. §742(1)(C)(5) and 37-B M.R.S. §827;
- c. Utilize all available resources of the State as reasonably necessary to cope with the emergency pursuant to 37-B M.R.S. §742(1)(C)(2); and
- d. Take whatever action is necessary to mitigate a danger that may exist within the State pursuant to 37-B M.R.S. §742(1)(C)(12);

NOW, THEREFORE, I, Janet T. Mills, Governor of the State of Maine, pursuant to 37-B M.R.S. Ch. 13, including but not limited to the provisions referenced above, do hereby Order as follows:

I. EFFECTIVE DATE

This Order takes effect at 12:01 AM on March 25, 2020 and terminates at 12:00 AM on April 8, 2020 unless amended, rescinded or renewed.

II. ORDERS

A. BUSINESSES AND OPERATIONS COVERED BY THIS ORDER

For purposes of this Order, covered businesses include any for-profit, non-profit, or entities, regardless of the nature of the service, the function it performs, or its corporate or entity structure and their operations.

B. ACTIVITIES OF ESSENTIAL BUSINESSES AND OPERATIONS

All Essential Businesses and Operations shall continue their activities consistent with the guidance on social distancing set for the below. For purposes of this Order, Essential Businesses and Operations are those:

1. Identified by the United States Department of Homeland Security, Cybersecurity & Infrastructure Security Agency Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response dated March 19, 2020. A copy thereof is attached and incorporated herein by this reference; and
2. In addition or for clarity here in Maine, include the following: food processing and agriculture; fishing and aquaculture; industrial manufacturing; construction and maintenance of essential infrastructure; trash collection and transfer stations; grocery and household goods (including convenience stores); forest products; essential home repair, hardware and auto repair; pharmacy and other medical, psychiatric, and long-term care facilities; group homes and residential treatment facilities; biomedical, life science, behavioral health, health care, dental care, and long-term services and supports providers and organizations; child care providers; post offices and shipping outlets; banks and credit unions; gas stations and laundromats; veterinary clinics, animal welfare and animal feed and supply stores; truck delivery and distribution of goods; public transportation; legal, business, professional, environmental permitting and insurance services; hotel and commercial lodging; and all utilities such as electricity, water, wastewater, and telecommunications.

Essential Businesses and Operations shall to maximum extent practicable have their employees work remotely and otherwise comply with social distancing requirements set forth below, including maintaining six-foot social distancing for both employees and members of the public at all times, including but not limited to, when customers are standing in line.

As urged in Maine Center for Disease Control and Prevention guidance on March 15, 2020, non-urgent medical and dental procedures, elective surgeries, and appointments should be postponed based on consultations between individuals and providers; the use of telehealth and telephone consultation is strongly encouraged.

C. ACTIVITIES OF NON-ESSENTIAL BUSINESS AND OPERATIONS

All Non-Essential Businesses and Operations must cease activities at sites that are public facing and thereby allow customer, vendor or other in-person contact; or are at sites that require more than 10 workers to convene in space where social distancing is not possible. Non-Essential Businesses and Operations may continue those activities that:

1. do not allow customer, vendor or other visitor in-person contact;
2. do not require more than 10 workers to convene in space where social distancing is not possible; and
3. are facilitated to the maximum extent practicable by employees working remotely.

Such permitted activities may include taking orders by phone, email or other remote means and preparing such orders by delivery; maintaining the value of the business's inventory; preserving the condition of the business's physical plant and equipment; ensuring security; and processing payroll, employee benefits and related functions.

For clarity, Non-Essential Business and Operations include, but are not limited to, shopping malls, theaters, casinos, fitness and exercise gyms, spas, barber shops, hair salons, tattoo and piercing parlors, parlors, massage facilities, nail technicians, cosmetologists and estheticians, electrolysis services, laser hair removal services, and similar personal care and treatment facilities and services.

D. SOCIAL DISTANCING REQUIREMENTS FOR ALL BUSINESSES

Businesses covered by this Order, especially "big box" stores that attract more people, shall make all best efforts to implement and actively enforce social distancing requirements in and around their facilities including but not limited to:

1. Designate with signage, tape, or by other means six-foot spacing for employees and customers in line to maintain appropriate distance;
2. Have hand sanitizer and sanitizing products readily available for employees and customers;
3. Implement separate operating hours for elderly and vulnerable customers; and
4. Post online whether a facility is open and how best to reach the facility and continue services by phone or remotely.

III. EXECUTIVE 14 FY 19/20 CONTINUED

Executive 14 FY 19/20 dated March 18, 2020, restricting certain gatherings of more than 10 people and closure of certain services by restaurants and bars is hereby renewed and extended to apply until April 8, 2020 unless otherwise directed.

IV. INTERPRETATION

The Department of Economic and Community Development is designated as the lead agency for addressing questions regarding the interpretation and application of this Order.

V. ENFORCEMENT

This Order may be enforced by any governmental department or official that regulates licenses, permits or any other authorization to operate a business or occupy a building. A violation of this Order may be construed a violation of any such license, permit and other authorization to which pertinent penalties may be assessed. This Order may also pursuant to 37-B M.R.S. Section 786 be enforced by law enforcement if necessary.



Janet T. Mills
Governor



OFFICE OF
THE GOVERNOR

NO. 28 FY 19/20
DATE March 31, 2020
Corrected 2

**AN ORDER REGARDING FURTHER RESTRICTIONS ON
PUBLIC CONTACT AND MOVEMENT, SCHOOLS, VEHICLE TRAVEL
AND RETAIL BUSINESS OPERATIONS**

WHEREAS, I proclaimed a state of emergency on March 15, 2020 to authorize the use of emergency powers in order to expand and expedite the State's response to the serious health and safety risks of the highly contagious COVID-19; and

WHEREAS, Executive Order No. 14 FY 19/20 dated March 18, 2020 restricted certain social gatherings and certain use of restaurants and bars, prohibited gatherings of more than ten people that are primarily social, personal or discretionary events, and strongly recommended use of social distancing to reduce the transmission of COVID-19; and

WHEREAS, Executive Order No. 19 FY 19/20 dated March 24, 2020 restricted the operations of essential and non-essential business in order to further reduce the transmission of COVID-19; and

WHEREAS, because of unhealthy crowds, the Maine Department of Agriculture, Conservation and Forestry has closed many state-owned beaches and other public venues; and

WHEREAS, other New England states have seen a dramatic rise in positive COVID-19 tests and deaths related to the COVID-19 virus in recent days; and

WHEREAS, the Maine Center for Disease Control and Prevention advises that additional social/physical distancing measures are warranted to slow the spread of this life-threatening virus in order to save lives and improve the ability of the health care system to respond; and

WHEREAS, on March 28, 2020, the President of the United States and his Coronavirus Response Team extended the national guidelines for social distancing and other measures to quell the virus to April 30; and

WHEREAS, a governor's emergency powers expressly include the authorities to:

- a. Control the movement of persons and occupancy of premises within the State pursuant to 37-B M.R.S. §742(1)(C)(8);

- b. Enlist the aid of any person to assist in the effort to control the emergency and aid in the caring for the safety of persons pursuant to 37-B M.R.S. §742(1)(C)(5) and 37-B M.R.S. §827;
- c. Utilize all available resources of the State as reasonably necessary to cope with the emergency pursuant to 37-B M.R.S. §742(1)(C)(2); and
- d. Take whatever action is necessary to mitigate a danger that may exist within the State pursuant to 37-B M.R.S. §742(1)(C)(12);

NOW, THEREFORE, I, Janet T. Mills, Governor of the State of Maine, pursuant to 37-B M.R.S. Ch. 13, including but not limited to the provisions referenced above, do hereby Order as follows:

I. STAY AT HOME

A. ORDER

All persons living in the State of Maine are hereby ordered, effective as of 12:01AM on April 2, 2020 to stay at their homes or places of residence (“homes”) except:

- 1. To conduct or participate in Essential Activities (defined below);
- 2. Workers at Essential Businesses and Operations that are not required to close pursuant to Executive Orders 19 FY 19/20 may travel:
 - a. between their Homes and those businesses and organizations;
 - b. to and from child care; and
 - c. to and from customers for the purpose of delivering goods or performing services; and
- 3. Workers of Non-Essential Businesses and Operations under Executive Orders 19 FY 19/20 may travel:
 - a. between their Homes and those Non-Essential Businesses for the purpose of engaging in Minimal Operations; and
 - b. to and from customers for the purpose of delivering goods.

B. ESSENTIAL ACTIVITIES

For purposes of this section, “Essential Activities” means:

- 1. Obtaining necessary supplies or services for one’s self, family, household members, pets, or livestock, including, without limitation: groceries, supplies for household consumption or use, supplies and equipment needed

to work from home, laundry, and products needed to maintain safety, sanitation, and essential maintenance of the home or residence;

2. Engaging in activities essential for the health and safety of one's self, one's family, household members, pets, or livestock, including such things as accessing child care, seeking medical or behavioral health or emergency services, and obtaining medication or medical supplies;
3. Caring for a family member, friend, pet, or livestock in another household or location, including, without limitation, transporting a family member, friend, pet, or livestock animal for essential health and safety activities, and obtaining necessary supplies and services;
4. Traveling to and from an educational institution for purposes of receiving meals or instructional materials for distance learning;
5. Engaging in outdoor exercise activities, such as fishing, walking, hiking, running or biking, but only in compliance with the gathering restriction in Executive Order 14 FY 19/20 and all applicable social distancing guidance published by the U.S. and Maine Centers for Disease Control and Prevention;
6. Travel required by a law enforcement officer or court order; and
7. Traveling to and from a federal, State, or local government building for a necessary purpose.

When out of the home or when at work at an essential business, all individuals shall maintain a minimum distance of six feet from other persons.

II. VEHICLE TRAVEL

- A. No one shall use public transportation unless absolutely necessary, for an essential reason or for an essential job that cannot be done from home.
- B. Persons traveling in private vehicles shall limit passengers to persons within their immediate household, unless transporting for medical necessity.

III. SCHOOL CLOSURES

Public and private k-12 schools statewide have terminated in-classroom instruction in accordance with my recommendation of March 15, 2020. It is hereby Ordered that all such schools shall remain closed for classroom or other in-person instruction until at least May 1, 2020 unless otherwise ordered.

IV. ESSENTIAL RETAIL BUSINESSES AND OPERATIONS

A. APPLICATION

This section applies to those retailers identified as Essential Businesses and Operations by the Department of Economic and Community Development. All Non-Essential Businesses and Operations must continue to limit their activities consistent with Executive Order 19 FY 19/20 and this Order.

B. PRIORITIZING REMOTE ORDER AND CURBSIDE PICK-UP

To reduce the risk of community spread, essential stores shall:

1. Prioritize opportunities to offer and transact as much business as possible by curbside order-pick up or other like limited in-person contact method.
2. Broadly advertise and promote this method, including how to best reach the facility and continue services by telephone or remotely.

C. IN-STORE GATHERING LIMITS

To reduce the risk of community spread, essential stores with retail space of:

1. Less than 7,500 square feet shall limit the number of customers in the store at one time to 5. Examples of such stores typically include gas stations and convenience and specialty food stores
2. More than 7,500 and less than 25,000 square feet shall limit the number of customers in the store at one time to 15. Examples of such stores typically include stand-alone pharmacies and certain hardware stores.
3. More than 25,000 and less than 50,000 square feet shall limit the number of customers in the store at one time to 50. Examples of such stores typically include mid-sized and locally owned grocery stores.
4. More than 50,000 and less than 75,000 square feet shall limit the number of customers in the store at one time to 75. Examples of such stores typically include chain grocery stores.
5. More than 75,000 square feet shall limit the number of customers in the store at one time to 100. Examples of such stores typically include Lowes, Wal-Mart, Target and Home Depot.

Such retailers shall actively monitor and enforce these limits. Any customer lines outside the store must enforce the six-foot separation requirement between waiting customers and such line areas shall be marked with signage and ground lines designed to impose that distancing.

D. ADDITIONAL IN-STORE REQUIREMENTS

To reduce the risk of community spread, essential stores shall:

1. Implement and actively enforce social distancing requirements in and around their facilities.
2. Prominently post signage at all public entrances instructing customers to remain six feet away from other people inside and outside the store.
3. Mark every customer line with signage and floor lines designed to impose social distancing.
4. Disinfect the handles of every used cart and basket prior to customer reuse.
5. Take all reasonable steps to minimize customer handling of unpurchased merchandise.
6. Offer separate operating hours for persons over the age of 60 and customers with medical conditions to be the only customers in the store.

E. ADDITIONAL REQUIREMENT FOR ESSENTIAL STORES WITH MORE THAN 75,000 SQUARE FEET

Essential stores with more than 75,000 square feet shall as soon as practicable install protective shields between the customer and checkout and pharmacy personnel.

F. COMPLIANCE

A violation of this Order may be construed to be a violation of any such license, permit and other authorization to which pertinent penalties may be assessed. Failure to comply may result in further on-site restrictions or closure until the violations are remedied.

G. INTERPRETATION

The Department of Economic and Community Development is designated as the lead agency for addressing questions regarding the interpretation and application of this section of the Order.

V. PREEMPTION

This Order preempts any local ordinance or emergency order of the same subject matter that is less restrictive than or otherwise inconsistent with this Order.

VI. ENFORCEMENT


Pursuant to 37-B M.R.S. §786, this Order shall be enforced by law enforcement as necessary and violations are a class E crime subject to up to six months in jail and a \$1000 fine. In addition, compliance with Section IV of this Order may also be enforced by government officials who regulate licenses, permits or any other authorization to operate a business or occupy a building.

VII. EXECUTIVE ORDER 14 FY 19/20 EXTENDED

The previous requirement that all restaurants and bars shall close their dine-in facilities remains in effect until at least April 30, 2020 unless otherwise ordered.

VIII. EFFECTIVE DATE

This Order takes effect at 12:01 AM on April 2, 2020 and shall remain in effect until at least April 30, 2020 unless otherwise ordered.


Janet T. Mills
Governor



OFFICE OF
THE GOVERNOR

NO. 34 FY 19/20

DATE April 3, 2020

**AN ORDER ESTABLISHING QUARANTINE RESTRICTIONS ON TRAVELERS
ARRIVING IN MAINE**

WHEREAS, I proclaimed a state of emergency on March 15, 2020 to authorize the use of emergency powers in order to expand and expedite the State's response to the serious health and safety risks of the highly contagious COVID-19; and

WHEREAS, Executive Order No. 14 FY 19/20 dated March 18, 2020 restricted certain social gatherings and certain use of restaurants and bars, and prohibited gatherings of more than ten people to reduce the transmission of COVID-19; and

WHEREAS, because of unhealthy crowds, the Maine Department of Agriculture, Conservation and Forestry has closed many state-owned beaches and other public venues; and

WHEREAS, many Maine residents and property owners are returning to Maine as the weather warms; and

WHEREAS, aggressive and sustained efforts are necessary to slow the spread of the COVID-19 virus and lessen the strain on Maine's health care system as the COVID-19 virus continues to spread and threatens to overwhelm the State's ability to respond; and

WHEREAS, due to extensive community transmission of COVID-19 in the states of New York, New Jersey and Connecticut, the U.S. Centers for Disease Control and prevention ("USCDC"), on March 28, 2020 advised residents of those states to refrain from non-essential domestic travel for 14 days, and the President of the United States and his Coronavirus Task Force have issued an advisory to limit travel between and among certain states, and several states have begun to impose quarantine and lodging restrictions in order to dissuade and limit such travel; and

WHEREAS, on March 31, 2020, I issued Executive Order 28 FY 19/20 directing all people to stay at home or their place of residence, leaving only for specified essential reasons; and

WHEREAS, Executive Order 19 FY 19/20, dated March 24, 2020, ordered the closure of for-profit, non-profit, and other entities, with an exception for Essential Businesses and Operations, including, inter alia, hotel and commercial lodging; and

WHEREAS, I have determined, in light of the significant risk posed by the further spread of this dangerous disease to the people of this State and to the viability of our health care system, there is

a need to direct residents and non-residents alike traveling from outside the State to self-monitor and home quarantine for a period of 14 days, and to restrict the operation of hotels and lodging to further effectuate that purpose; and

WHEREAS, a governor's emergency powers expressly include the authorities to:

- a. Control the ingress and egress of persons and occupancy of premises within the State pursuant to 37-B M.R.S. §742(1)(C)(8);
- b. Control the movement of persons and occupancy of premises within the State pursuant to 37-B M.R.S. §742(1)(C)(8);
- c. Enlist the aid of any person to assist in the effort to control the emergency and aid in the caring for the safety of persons pursuant to 37-B M.R.S. §742(1)(C)(5) and 37-B M.R.S. §827;
- d. Utilize all available resources of the State as reasonably necessary to cope with the emergency pursuant to 37-B M.R.S. §742(1)(C)(2); and
- e. Take whatever action is necessary to mitigate a danger that may exist within the State pursuant to 37-B M.R.S. §742(1)(C)(12);

NOW, THEREFORE, I, Janet T. Mills, Governor of the State of Maine, pursuant to 37-B M.R.S. Ch. 13, including but not limited to the provisions referenced above, do hereby Order as follows:

I. ORDERS

1. To preserve the public health and safety, to ensure the public health and health delivery system are capable of serving all, and to help protect those at the highest risk and vulnerability, any person, resident or non-resident, traveling into Maine must immediately self-quarantine for 14 days or for the balance of 14 days dating from the day of arrival, except when engaging in essential services as defined in Executive Order 19FY 19/20.

2. The Department of Transportation and the Maine Turnpike Authority are hereby directed to post a summary of this Order at all major points of entry into Maine and on highway message boards. The Portland Jetport, the Bangor International Airport and all other Maine airports, all bus stations and passenger train stations are also directed to post the substance of this Order.

3. Guidance for self-quarantine may be made available by the Maine Center for Disease Control and Prevention.

4. Visitors are instructed not to travel to Maine if they are displaying symptoms of COVID-19, and are advised not to travel to Maine if they are travelling from cities and regions identified as COVID-19 "hot spots," including, among others, the cities of Detroit, Chicago and New York City. In addition, residents of the States of New York, New Jersey and Connecticut should refrain from travel to Maine in strict compliance with USCDC travel guidance issued Saturday, March 28, 2020 and any subsequent travel guidance that may be issued during the pendency of this Order.

5. For the purpose of clarifying Essential Services as defined in 19FY 19/20, effective April 5, 2020 at 12:00 noon, all lodging operations and accommodations shall close except to the extent of providing lodging for the purposes stated below. Lodging operations and accommodations are defined to include, but not limited to, hotels, motels, bed and breakfasts, inns, short term rentals, such as those made available through VRBO, Homeaway, AirBnb and other services, parks for recreational vehicles and campgrounds, and all public and private camping facilities. Lodging may be provided only for the following purposes:

- a. Housing vulnerable populations, including children in emergency placements, persons at risk of domestic violence, and homeless individuals as permitted by the State.
- b. Providing accommodations for health care workers, or other workers deemed necessary to support public health, public safety or critical infrastructure.
- c. Use of lodging properties as self-quarantine or self-isolation facilities as arranged by the State.
- d. Limited verifiable extenuating circumstances for the care and safety of residents as otherwise approved by the State.

On-line reservations shall be suspended, and lodging providers shall post a prominent notice on their web platforms to advise potential guests that reservations for lodging in Maine, as allowed above, shall be accepted by phone only.

Lodging providers may permit existing guests to remain through the end of their scheduled stay but may not allow stay extensions or new reservations, except for the purposes set forth above.

6. All state agencies and departments, including the offices of elected officials in the Executive Branch, which register, regulate or license lodging facilities, shall provide an electronic advisory regarding the suspension of lodging operations, consistent with this Executive Order.

II. IMPLEMENTATION


This Order is subject to amendment and additional guidance as necessary.

III. ENFORCEMENT

Pursuant to 37-B M.R.S. sec. 786, this Order shall be enforced by law enforcement, as necessary, including through means of community policing. A violation of this Order may be charged as a Class E crime subject to a penalty of up to six months in jail and a \$1,000 fine. In addition, this Order may be enforced by any governmental department or official that regulates, licenses, permits or any otherwise authorizes the operation or occupancy of buildings, parks and campgrounds. A violation of this Order may be construed to be a violation of any such license, permit or other authorization to which pertinent penalties may be assessed.

IV. EFFECTIVE DATE

Except as otherwise set forth herein, this Executive Order shall take effect upon signing and shall continue in full force and effect until at least April 30, 2020, at which time the Governor, in consultation with the Maine Department of Health and Human Services, the Maine Center for Disease Control and Prevention, the Department of Public Safety, and the Maine Emergency Management Agency, shall assess the emergency and determine whether to amend or extend this Order.



Janet T. Mills
Governor



Office of
The Governor

No. 19-A FY 19/20
DATE April 7, 2020

**AN ORDER EXTENDING THE EFFECTIVE DATE OF
EXECUTIVE ORDER 19 FY 19/20**

WHEREAS, I proclaimed a state of emergency on March 15, 2020 to authorize the use of emergency powers in order to expand and expedite the State's response to the serious health and safety risks of COVID-19; and

WHEREAS, a governor's emergency powers expressly include the authorities to:

- a. Control the movement of persons and occupancy of premises within the State pursuant to 37-B M.R.S. §742(1)(C)(8);
- b. Enlist the aid of any person to assist in the effort to control the emergency and aid in the caring for the safety of persons pursuant to 37-B M.R.S. §742(1)(C)(5) and 37-B M.R.S. §827;
- c. Utilize all available resources of the State as reasonably necessary to cope with the emergency pursuant to 37-B M.R.S. §742(1)(C)(2);
- d. Take whatever action is necessary to mitigate a danger that may exist within the State pursuant to 37-B M.R.S. §742(1)(C)(12); and

WHEREAS, Executive Order No. 19 FY 19/20 dated March 24, 2020 restricted the operations of essential and non-essential business in order to further reduce the transmission of COVID-19 and set an expiration date of April 8, 2020; and

WHEREAS, this Order is necessary to extend the effective date of Executive Order 19 FY 19/20 to align with dates set forth in related subsequent Executive Orders 28 and 34 FY 19/20;

NOW, THEREFORE, I, Janet T. Mills, Governor of the State of Maine, pursuant to 37-B M.R.S. Ch. 13, including but not limited to the provisions referenced above, do hereby Order as follows:

I. ORDER

The effective date of Executive Order 19 FY 19/20 is extended through April 30, 2020.

II. EFFECTIVE DATE

This Order takes effect April 7, 2020.



Janet T. Mills
Governor



Office of
The Governor

No. 28-A FY 19/20
DATE April 10, 2020

**AN ORDER UPDATING
EXECUTIVE ORDER 28 FY 19/20**

WHEREAS, I proclaimed a state of emergency on March 15, 2020 to authorize the use of emergency powers in order to expand and expedite the State's response to the serious health and safety risks of COVID-19; and

WHEREAS, a governor's emergency powers expressly include the authorities to:

- a. Control the movement of persons and occupancy of premises within the State pursuant to 37-B M.R.S. §742(1)(C)(8);
- b. Enlist the aid of any person to assist in the effort to control the emergency and aid in the caring for the safety of persons pursuant to 37-B M.R.S. §742(1)(C)(5) and 37-B M.R.S. §827;
- c. Utilize all available resources of the State as reasonably necessary to cope with the emergency pursuant to 37-B M.R.S. §742(1)(C)(2);
- d. Take whatever action is necessary to mitigate a danger that may exist within the State pursuant to 37-B M.R.S. §742(1)(C)(12); and

WHEREAS, Executive Order No. 28 FY 19/20 dated March 31, 2020 provided for a number of restrictions, including in pertinent part limitations on the number of customers in a retail store at one time; and

WHEREAS, this Order is necessary to update Executive Order 28 FY 19/20 to align with recent experience;

NOW, THEREFORE, I, Janet T. Mills, Governor of the State of Maine, pursuant to 37-B M.R.S. Ch. 13, including but not limited to the provisions referenced above, do hereby Order as follows:

I. ORDER

Section IV.C of Executive Order 28 FY 19/20 is superseded by the following:

C. IN-STORE GATHERING LIMITS

To reduce the risk of community spread, essential stores with retail space of:

1. Less than 7,500 square feet shall limit the number of customers in the store at one time to 5.
2. More than 7,500 and less than 12,000 square feet shall limit the number of customers in the store at one time to 15.
3. More than 12,000 and less than 18,000 square feet shall limit the number of customers in the store at one time to 35.
4. More than 18,000 and less than 40,000 square feet shall limit the number of customers in the store at one time to 45.
5. More than 40,000 and less than 60, 000 square feet shall limit the number of customers in the store at one time to 70.
6. More than 60,000 square feet shall limit the number of customers in the store at one time to 100.

Such retailers shall actively monitor and enforce these limits. Any customer lines outside the store must enforce the six-foot separation requirement between waiting customers and such line areas shall be marked with signage and ground lines designed to impose that distancing.

II. OTHER

All other provisions of Executive Order 28 FY 19/20 remain in effect.

III. EFFECTIVE DATE

This Order takes effect April 10, 2020.



Janet T. Mills
Governor



Office of
The Governor

No. 49 FY 19/20
DATE April 29, 2020

AN ORDER TO STAY SAFER AT HOME

WHEREAS, I proclaimed a state of emergency on March 15, 2020 and a renewed state of emergency on April 14, 2020 to authorize the use of emergency powers in order to expand and expedite the State's response to the serious health and safety risks of the highly contagious COVID-19; and

WHEREAS, between March 18th and April 3rd I issued Executive Orders 14, 19, 28 and 34 FY 19/20 that, for the reasons and upon the authorities stated therein, imposed until April 30th certain emergency rules and limitations necessary to respond to COVID-19; and

WHEREAS, it is necessary to extend the effective dates of those Orders to continue to protect public health while, at the same time, implementing the *Together We Are Maine: Restarting Maine's Economy Plan (hereinafter Restarting Plan)*, as the deliberative process to identify how certain restrictions on businesses and activities can be safely and incrementally eased over time;

NOW, THEREFORE, I, Janet T. Mills, Governor of the State of Maine, pursuant to 37-B M.R.S. Ch. 13, including but not limited to the authorities cited in the Proclamations and Orders referenced above, do hereby Order as follows:

I. PURPOSE

The purposes of this Order are to continue to prioritize protection of public health and safety by keeping certain existing public safety measures for business and personal activities in effect through May 31, 2020 and to implement the *Restarting Plan* to assess how certain restrictions may, consistent with expert public health guidance, be safely eased to permit more economic and personal activity.

II. CONTINUED PRIORITY OF PUBLIC HEALTH

Protection of public health and our health care delivery system shall remain the first priority. The Commissioner of the Department of Health and Human Services (DHHS) and the Director of the Maine Center for Disease Control and Prevention (CDC) shall continue to advise on COVID-19 trends and metrics to guide the timing, pace and scope of any easing of current restrictions. Maine CDC currently tracks, subject to change, three primary metrics:

- A. a downward trajectory of reported influenza-like illnesses and COVID-like syndromic cases;
- B. a downward trajectory of documented cases and newly hospitalized patients; and
- C. the capacity of Maine's hospital systems to treat all patients without crisis care and the ability of the State to engage in a robust testing program.

III. EXISTING EXECUTIVE ORDERS EXTENDED

To continue to protect public health, the effective dates of Executive Orders 14, 19, 28 and 34 FY 19/20 are hereby extended through May 31, 2020 unless sooner amended. All other provisions of such Orders remain in effect and subject to interpretive guidance. Such guidance includes, but is not limited to, the implementation of the *Restarting Plan*, incorporated into this Order by this reference.

IV. STAGES OF THE RESTARTING PLAN

Starting May 1, 2020, and consistent with Maine CDC/DHHS tracking metrics and recommendations, the Commissioner of the Department of Economic and Community Development (DECD) shall implement the *Restarting Plan* and identify businesses and activities where current restrictions may be adjusted to safely allow for more economic and personal activity. Businesses and activities so identified may receive a conditional approval consistent with the *Restarting Plan*. Any such approval is subject to change depending upon the demonstrated efficacy of the conditions imposed or the changing or general needs of public health. Any such approval is also subject to suspension or revocation depending upon actual and consistent compliance with such conditions. DHHS shall issue guidance for DECD and others on the process for health services identified in the *Restarting Plan*.

V. CLOTH FACE COVERINGS

Consistent with guidance from the United States Centers for Disease Control and Prevention individuals must wear cloth face coverings in public settings where other physical distancing measures are difficult to maintain.

- A. **Definitions.** For purposes of this section, the following terms have the following meanings.

1. "Public settings" mean:
 - a. indoor spaces that are accessible to the public such as grocery stores, retail stores, pharmacies and health care facilities;
 - b. outdoor spaces such as playgrounds, busy parking lots, and other areas such as lines for take-out service where the public typically gathers in a smaller area; and
 - c. public transportation such as a taxi, Uber, Lyft, ride-sharing or similar service; ferry, bus, or train; and any semi-enclosed transit stop or waiting area.

Employers in settings that are not typically accessible to the public may determine the persons who should wear a cloth face covering at their workplace and shall permit any employee who wants to wear a covering to do so.

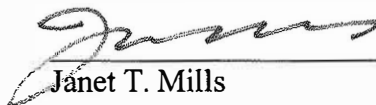
2. "Individual" means any person in such settings irrespective of whether the person is an employee, customer, vendor, invitee or other.
3. "Cloth Face Covering" is a protection that covers the nose and mouth; fits snugly but comfortably against the side of the face; is secured with ties or ear loops; has multiple layers of fabric; allows for breathing without restriction; and is able to be laundered and machine dried without damage or change to its shape.

B. Exceptions. Cloth face coverings are not required for children under age 2, a child in a child care setting, or for anyone who has trouble breathing or related medical conditions, or who is otherwise unable to remove the mask without assistance. A person who cannot wear a cloth face covering because of a medical condition is not required to produce medical documentation of the condition, provided that an employer may require such documentation from an employee in accordance with state and federal law.

C. Other. Cloth face coverings are not a replacement for adhering to social distancing protocols. As recommended by current CDC guidance, surgical masks and N-95 respirators are critical supplies that will remain be reserved for health care workers, medical first responders, and other workers as recommended by Federal guidance.

VI. EFFECTIVE DATE

This Order takes effect on April 29, 2020, with section V taking effect on May 1, 2020.



Janet T. Mills
Governor



Office of
The Governor

No. 55 FY 19/20
DATE May 29, 2020

AN ORDER TO FURTHER IMPLEMENT THE RESTARTING PLAN

WHEREAS, I proclaimed a state of emergency on March 15, 2020 and renewed states of emergency on April 14, 2020 and May 13, 2020 to authorize the use of emergency powers in order to expand and expedite the State's response to the serious health and safety risks of the highly contagious COVID-19; and

WHEREAS, between March 18th and April 29th I issued FY 19/20 Executive Orders 14 (Gatherings, Restaurants and Bars), 19 (Essential Businesses), 28 (Stay at Home), 34 (Travel into Maine) and 49 (Extending those Orders while Restarting) that, for the reasons and upon the authorities stated therein, imposed until May 31st certain emergency rules and limitations necessary to respond to COVID-19; and

WHEREAS, on April 29, 2020 I announced the implementation of the *Together We Are Maine: Restarting Maine's Economy Plan* (Restarting Plan), as the deliberative process to safely ease and lift prior restrictions on businesses and activities starting on May 1st, with successive phased-in actions to follow based on progress in limiting the spread of COVID-19; and

WHEREAS, in implementing the Restarting Plan it has become necessary to phase out, align and continue certain prior Executive Orders governing such businesses and activities;

NOW, THEREFORE, I, Janet T. Mills, Governor of the State of Maine, pursuant to 37-B M.R.S. Ch. 13, including but not limited to the authorities cited in the Proclamations and Orders referenced above, do hereby Order as follows:

I. ORDERS

This section updates the application of certain prior FY 19/20 Executive Orders, as issued, amended and extended, governing the following businesses and activities addressed therein.

A. GATHERINGS

Effective June 1, 2020, and unless or until otherwise advised by guidance from the Maine Center for Disease Control and Prevention (CDC) and Department of Health and Human Services (DHHS), the restriction set forth in Executive Order 14 §I(A) on gatherings shall increase from 10 to 50 persons.

B. EATING ESTABLISHMENTS AND BARS

The restrictions on eating establishments and bars set forth in Executive Order 14 §I(B) shall continue to be eased consistent with the implementation of the Restarting Plan as advised by DHHS and CDC. The restrictions remain in effect upon those businesses not yet authorized to open until they are authorized under the Restarting Plan.

C. ESSENTIAL/ NON-ESSENTIAL BUSINESS OPERATIONS

The distinction between essential and non-essential businesses set forth in Executive Order 19 shall continue to be phased out consistent with the implementation of the Restarting Plan. Any essential or non-essential business not authorized by Executive Order 19 or the Restarting Plan to be open shall continue to comply with pertinent provisions of Executive Order 19 until so authorized. Any business authorized now to be open shall comply with the pertinent COVID-19 Prevention Checklist or other State of Maine Guidance.

D. WORK FROM HOME

Until further notice, all businesses and operations shall to the extent practicable continue to have their employees work remotely consistent with Executive Order 19 §II(B). If a business or operation determines that remote work is not or is no longer practicable, such business or operation shall comply at the worksite with the pertinent COVID-19 Prevention Checklist or other State of Maine Guidance.

E. STAY SAFER AT HOME

The directives in Executive Order 28 §I(A) and Executive Order 49 §III that people “Stay Safer at Home” unless engaging in a service or activity authorized by Executive Order 19 or Executive Order 28 are eased to the extent that people may access the increased business and personal activities that are being reopened. Until further notice, persons who are over age 60 or who have a medically compromised condition are strongly urged to limit their movement and activities that expose them to persons other than immediate household members, and to avoid large gatherings, especially those occurring indoors or in otherwise confined settings.

F. VEHICLE TRAVEL

Until further notice, and in lieu of the restrictions set forth in Executive Order 28 §II, no one shall use public transportation unless necessary for an essential purpose; persons traveling in private vehicles shall limit passengers to their immediate household members; and commercial transportation must adhere to the pertinent COVID-19 Prevention Checklist.

G. LODGING AND TRAVELERS INTO MAINE

The closure of lodging set forth in Executive Order 34 §I(5) shall be eased consistent with the implementation of the Restarting Plan as advised by DHHS and CDC. The other interstate travel-related measures set forth in Executive Order 34 remain under review and remain in effect until further notice.

H. CLOTH FACE COVERINGS

In addition to the provisions set forth in Executive Order 49 §V, cloth face coverings shall be worn at large gatherings, including those held outside. Each place of business accessible to the public shall, as soon as reasonably practicable and not later than June 5, 2020, post readily visible signs notifying customers of the requirement to wear cloth face coverings in that setting. Such businesses may deny entry or service to a person who is not wearing a covering and is not otherwise exempt from the requirement to do so.

II. INTERPRETATION AND AMENDMENT

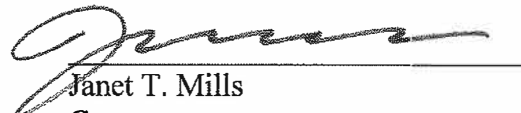
This Order is subject to interpretative guidance.

III. ENFORCEMENT

This Order is subject to all available methods of enforcement including, but not limited to, those identified in Executive Orders 14, 19, 28 and 34 FY 19/20.

IV. EFFECTIVE DATE

This Order takes effect May 31, 2020 and shall remain in effect until rescinded.



Janet T. Mills
Governor



Office of
The Governor

No. 57 FY 19/20
DATE June 9, 2020

AN ORDER REGARDING TRAVELERS INTO MAINE

WHEREAS, COVID-19 is a novel severe acute and highly contagious respiratory illness that threatens lives (more than 100,000 killed nationwide) and health care delivery systems (at least 450,000 health-care workers infected worldwide); and

WHEREAS, there is currently no known cure, effective treatment or vaccine for COVID-19 and, because people may be infected but asymptomatic, they may unwittingly infect others; and

WHEREAS, the medical and scientific uncertainties related to this pandemic present a dynamic and fact-intensive challenge for managing the safety and the health of Maine people and the stability of our health care delivery system; and

WHEREAS, I proclaimed a state of emergency on March 15, 2020 and renewed states of emergency on April 14, 2020 and May 13, 2020 to authorize the use of emergency powers in order to protect Maine citizens and their health care delivery system in response to COVID-19; and

WHEREAS, Maine has a population of 1.3 million citizens, a health care system designed for that population which, as of June 8, 2020, had, for example, 2,305 COVID-19 cases and 198 available ICU beds, and 673 ventilators available for current and new COVID-19 and non-COVID-19 patients requiring access to such equipment; and

WHEREAS, potentially posing a challenge to this surge capacity are the seasonal residents, vacationers and day-trippers who are starting to come to Maine in significant numbers, with most travelling by vehicle and primarily to popular destinations in certain coastal towns, islands, beaches, lakes and state parks; and

WHEREAS, last summer Maine had approximately 22 million non-resident visits and these day and overnight tourists often tripled the size of our densely populated beach towns and inland lake areas; and

WHEREAS, this summer Maine is projected to have at least 7 to 10 million such visits, with approximately half coming from states with per capita COVID-19 case rates that are eight to eleven times higher than that of Maine, and this volume, even if lower than last summer, still presents a significant threat to the public health of our tourism industry workers, our citizens, especially our many older citizens (the Maine population is one of the oldest in the nation) and, by extension, our health care delivery system; and

WHEREAS, the Maine Center for Disease Control and Prevention (Maine CDC) has the training, experience, and expertise to assess how best to protect public health, and Maine CDC advises that sustained efforts remain necessary to limit the spread of COVID-19 and reduce these risks; and

WHEREAS, on April 3, 2020 I issued Executive Order 34 FY 19/20 (extended by Executive Orders 49 and 55) that, for the reasons and upon the authorities stated therein, imposed certain temporary emergency rules and limitations governing travel into Maine to protect the people of this State and the viability of our health care system; and

WHEREAS, Maine CDC advises that quarantine, a tool used by approximately half of the states and the United States since the start of the pandemic, remains necessary as one measure to protect our citizens and our health care system from the risk of increased exposure and transmission; and

WHEREAS, on April 29, 2020 I announced our *We Are Maine: Restarting Maine's Economy Plan* (Restarting Plan), a key component of which is the significant increase in testing capacity to identify and limit points and the rate of transmission, and this Order takes advantage of that testing which is now more widely available since the date Executive Order 34 FY 19/20 was issued to enable travel to be both safer and less burdensome; and

WHEREAS, this Order is based upon the best available medical and scientific evidence and the most practicable options available to implement certain targeted measures that can protect public health; and

WHEREAS, this Order exercises expressly delegated emergency powers that include the authorities to:

- a. Control the ingress and egress of persons and occupancy of premises within the State pursuant to 37-B M.R.S. §742(1)(C)(8);
- b. Control the movement of persons within the State pursuant to 37-B M.R.S. §742(1)(C)(8);
- c. Enlist the aid of any person to assist in the effort to control the emergency and aid in the caring for the safety of persons pursuant to 37-B M.R.S. §742(1)(C)(5) and 37-B M.R.S. §827;
- d. Utilize all available resources of the State as reasonably necessary to cope with the emergency pursuant to 37-B M.R.S. §742(1)(C)(2); and

- e. Take whatever action is necessary to mitigate a danger that may exist within the State pursuant to 37-B M.R.S. §742(1)(C)(12), including delegating authority vested in the Governor under 37-B M.R.S. Ch. 13 pursuant to 37-B M.R.S. §741(3)(H);

NOW, THEREFORE, I, Janet T. Mills, Governor of the State of Maine, pursuant to 37-B M.R.S. Ch. 13, including but not limited to the authorities cited above and Proclamations and Orders referenced above, do hereby Order as follows:

I. PREFACE

This Order authorizes the implementation of the *Keep Maine Healthy: A Plan for Tourism in Maine Amid COVID-19* (Keep Maine Healthy Plan), incorporated herein by this reference. This Plan as adopted by this Order is multi-tiered and based on a preference for science-based tests, screenings, and disease prevention practices.

This Order repeals and replaces Executive Order 34 FY 19/20 and the extension of that Order provided in §III of Executive Order 49 and §I (G) of Executive Order 55 FY 19/20. This Order also modifies as provided in Part II below the 14-day quarantine requirement set forth in the Restarting Plan.

II. ORDER

Unless exempted as set forth below, all persons, residents and non-residents of Maine, who travel into Maine from other states, shall either:

- A. Receive a recent negative test for COVID-19 in accordance with standards established by Maine CDC and set forth in the Keep Maine Healthy Plan; or
- B. Quarantine for 14 days upon arrival in Maine. This quarantine requirement shall be construed consistent with the quarantine guidance applied under Executive Order 34 FY 19/20.

Compliance by an individual subject to this requirement is ascertained through a certificate of compliance developed by the Department of Economic and Community Development (DECD) in consultation with Maine CDC. This certificate shall be used by lodging operations and accommodations as a prerequisite to check-in. Lodging operations and accommodations must collect (on paper or electronically) a complete certificate stating compliance with this Order from each individual subject to this requirement as a prerequisite to check-in.

For purposes of this Order, lodging operations and accommodations are defined to include, but not be limited to, hotels, motels, bed and breakfasts, inns, short term rentals, such as those made available through VRBO, Homeaway, AirBnb and other services, parks for recreational vehicles and campgrounds, and all public and private camping facilities.

This section shall not apply to residents of New Hampshire and Vermont, or to Maine residents returning from travel to New Hampshire and Vermont. It shall also not apply to residents of additional states, and to Maine residents returning from travel to such states as Maine CDC determines at a future date to have a low likelihood of introducing COVID-19 into Maine.

III. APPLICATION

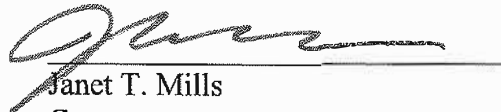
The application of this Order and the Keep Maine Healthy Plan shall be monitored and adjusted for appropriate or necessary changes, including interpretative guidance given by the Maine CDC, the Department of Health and Human Services or DECD.

IV. ENFORCEMENT

This Order may be enforced by any governmental department or official that regulates licenses, permits or otherwise authorizes the operation or occupancy of lodging operations and accommodations, businesses, buildings, parks and campgrounds. A violation of this Order may be construed to be a violation of any such license, permit and other authorization to which pertinent penalties may be assessed. Pursuant to 37-B M.R.S.A. section 786, this Order may also be enforced by law enforcement as necessary.

V. EFFECTIVE DATE

This Order takes effect June 9, 2020 and shall remain in effect unless sooner amended, renewed or terminated. The effective date of certain sections of this Order shall be as set forth in the Keep Maine Healthy Plan, currently July 1, 2020 for section II of this Order, except for the subsection relating to New Hampshire and Vermont residents which is currently June 12, 2020.


Janet T. Mills
Governor



Office of
The Governor

No. 28-A-2 FY 19/20
DATE June 16, 2020

AN ORDER REAMENDING EXECUTIVE ORDER 28 FY 19/20

WHEREAS, I proclaimed a state of emergency on March 15, 2020 and renewed states of emergency on April 14, 2020, May 13, 2020 and June 11, 2020 to authorize the use of emergency powers in order to protect Maine citizens and their health care delivery system in response to COVID-19; and

WHEREAS, on March 31, 2020 in consultation with the Maine Center for Disease Control and Prevention (Maine CDC) I issued Executive Order 28 FY 19/20 that, for the reasons and upon the authorities stated therein, provided for a number of restrictions, including in pertinent part limitations on the number of customers in a retail establishment at one time; and

WHEREAS, on April 10, 2020 in consultation with the Maine CDC I issued Executive Order 28-A FY 19/20 that, for the reasons and upon the authorities stated therein, increased those customer limits; and

WHEREAS, this Order is necessary to amend Executive Order 28-A FY 19/20 to align with the recent Maine CDC review;

NOW, THEREFORE, I, Janet T. Mills, Governor of the State of Maine, pursuant to 37-B M.R.S. Ch. 13, including but not limited to the provisions cited in the Executive Orders referenced above, do hereby Order as follows:

I. ORDER

Executive Order 28-A FY 19/20, which amended section IV (C) of Executive Order 28 FY 19/20, is repealed and replaced with the following amendment of that section:

C. IN-STORE CUSTOMER LIMITS

To reduce the risk of community spread, retail establishments shall limit the number of customers in the store at one time to five customers per 1,000 square feet of shopping space, with no more than five customers in establishments with fewer than 1,000 square feet of shopping space. For purposes of this subsection, "shopping space" means the areas to which customers typically have access and excludes employee-only spaces such as stock, supply, storage, break and office areas. Stores shall as soon as practicable post at customer entrances


a notice informing customers of the store's shopping space square footage and customer limit, and actively monitor and enforce their limit. Stores must enforce the six-foot separation requirement between customers waiting in any lines that form outside the store. Such areas shall be marked with signage and ground lines designed to impose that distancing.

II. SAFETY MEASURES CONTINUED

All other requirements and standards set forth in pertinent Executive Orders, COVID-19 Prevention Checklists and Maine CDC and the Department of Economic and Community Development (DECD) guidance remain in effect to continue the protection of public health.

III. EFFECTIVE DATE

This Order takes effect June 16, 2020.


Janet T. Mills
Governor



Office of
The Governor

No. 6 FY 20/21
DATE August 1, 2020

**AN ORDER REGARDING OUTDOOR GATHERINGS
AND FACE COVERINGS FOR CHILDREN**

WHEREAS, I proclaimed a state of emergency on March 15, 2020 and renewed states of emergency on April 14, 2020, May 13, 2020, June 9, 2020 and July 8, 2020 to authorize the use of emergency powers in order to expand and expedite the State's response to the serious health and safety risks of the highly contagious COVID-19; and

WHEREAS, on March 18th Executive Order 14 FY 19/20, for the reasons and upon the authorities set forth therein, established a gathering limit of 10 persons, and on May 29th Executive Order 55 FY 19/20, for the reasons and upon the authorities set forth therein, increased that limit to 50 persons; and

WHEREAS, Maine Center for Disease Control and Prevention (CDC) and Department of Health and Human Services (DHHS) currently advise that the limit on the number of persons gathering outdoors can safely be increased at this time; and

WHEREAS, the CDC and DHHS further currently advise providing clarity on the use by children of face coverings as defined in Executive Order 2 FY 20/21 and previously referenced in Executive Orders 49 and 55 FY 19/20; and

WHEREAS, a governor's emergency powers include under 37-B M.R.S. Ch. 13 the authorities to control the movement, ingress and egress of persons and occupancy of premises within the State pursuant to § 742(1)(C)(8), to take whatever action is necessary to abate or mitigate the danger of this pandemic pursuant to § 742(1)(C)(12), to utilize all available resources of the State Government as reasonably necessary to cope with this pandemic pursuant to § 742(1)(C)(2), and to delegate pursuant to § 741(3)(H) any authority vested in the Governor under 37-B M.R.S. Ch. 13;

NOW, THEREFORE, I, Janet T. Mills, Governor of the State of Maine, pursuant to 37-B M.R.S. Ch. 13, including but not limited to the authorities cited in the Proclamations, Orders and provisions referenced above, do hereby Order as follows:

I. ORDERS

- A. Outdoor Gatherings.** The limit on the number of persons for outdoor gatherings is 5 people per 1,000 sq. ft of occupiable outdoor space or not more than 100 persons whichever is less. The limit on the number of persons for indoor gatherings remains at 50 persons as set forth in Executive Order 55 FY 19/20.
- B. Exceptions to Face Coverings for Children.** The exceptions provided in section V.B. of Executive Order 49 FY 19/20 for “children under age 2” and “a child in a child-care setting” are repealed and replaced by the following: “Face coverings are recommended for children ages 2 to 4 unless deemed developmentally inappropriate. Face coverings are required for all children age 5 and older in public settings, including school and child care settings.” This provision shall be interpreted and applied consistently with the remainder of Executive Order 49, pertinent provision of Executive Orders 55 FY 19/20 and 2 FY 20/21, and related COVID-19 prevention checklists and guidance.

II. INTERPRETATION

This Order is subject to interpretative guidance by Maine CDC, DHHS and the Department of Economic and Community Development.

III. ENFORCEMENT

This Order is subject to all available methods of enforcement including, but not limited to, those identified in previous Executive Orders FY 19/20 and FY 20/21.

IV. EFFECTIVE DATE

This Order is effective August 1, 2020 and, unless sooner amended or rescinded, shall expire upon termination of the COVID-19 state of emergency.


Janet T. Mills
Governor



Office of
The Governor

NO. 14 FY 20/21
DATE October 6, 2020

**AN ORDER TO IMPLEMENT PHASE FOUR
OF THE RESTARTING MAINE'S ECONOMY PLAN**

WHEREAS, I proclaimed a state of emergency on March 15, 2020 and renewed states of emergency on April 14, 2020, May 13, 2020, June 9, 2020, July 8, 2020, August 5, 2020, September 2, 2020, and September 30, 2020 to authorize the use of emergency powers in order to expand and expedite the State's response to the serious health and safety risks of the highly contagious COVID-19 virus; and

WHEREAS, on April 29, 2020 I announced the implementation of the *Restarting Maine's Economy Plan* (Restarting Plan), as the deliberative process to ease restrictions safely on businesses and activities starting on May 1st, with successive phased-in actions to follow based on progress in limiting the spread of COVID-19; and

WHEREAS, I have implemented the first three phases of the Restarting Plan through Executive Orders and agency guidance while responding to changing circumstances, new information, and emerging threats; and

WHEREAS, the protective measures in the Restarting Plan have mitigated many of the harmful public health and economic impacts of COVID-19 in Maine; and

WHEREAS, with the arrival of Fall and approach of Winter, Maine is now positioned to implement Phase Four of the Restarting Plan; and

WHEREAS, additional modifications to the Restarting Plan and the Executive Orders implementing it are now necessary and appropriate to prevent backsliding in public health while providing reasonable increases in opportunities for certain activities; and

WHEREAS, the Maine Center for Disease Control (Maine CDC) now advises that the indoor gathering limit can be increased safely, and that face covering requirements should be expanded and modified in certain respects; and

WHEREAS, a governor's emergency powers include under 37-B M.R.S. Ch. 13 the authorities to limit occupancy of premises within the State pursuant to § 742(1)(C)(8), to take whatever action is necessary to abate or mitigate the danger of this pandemic pursuant to § 742(1)(C)(12), to utilize all available resources of the State Government as reasonably necessary to cope with this pandemic pursuant to § 742(1)(C)(2), and to delegate any authority vested in the Governor under 37-B M.R.S. Ch. 13 pursuant to § 741(3)(H);

NOW, THEREFORE, I, Janet T. Mills, Governor of the State of Maine, pursuant to 37-B M.R.S. Ch. 13, including but not limited to the authorities cited in the Proclamations, Orders and provisions referenced above, do hereby Order as follows:

I. ORDERS

A. FACE COVERINGS

- 1. Publicly accessible portions of government facilities.** To clarify the scope of settings subject to guidance and ensure public health protections within government buildings, the definition of “public setting” in section V(A)(1) of Executive Order 49 FY 19/20 is clarified by adding the following subsections:

- (d) Portions of municipal, county, and state government buildings and grounds that are typically accessible to the public, including parking lots, walkways, lobbies, waiting areas, elevators, service desks, and related hallways. For the purpose of this section, government buildings and grounds include those privately owned and leased for government use;
- (e) Other locations that Maine CDC, DHHS, and DECD identify as presenting a risk of transmission of the virus.

- 2. Publicly accessible portions of retail, commercial and certain other establishments.** To ensure public health protections within retail and commercial establishments, section I(B) of Executive Order 2 FY 20/21 is amended as follows:

Retail stores with over 50,000 square feet of shopping space (as defined in Executive Order 28-A-2 FY 19/20), eating establishments, bars, tasting rooms, social clubs, and lodging operations and accommodations (as defined in Executive Order 57 FY 19/20) shall implement measures requiring customers and employees to wear face coverings in publicly accessible areas consistent with guidance. Such measures may, for example, include denial of entry or service. The establishment’s responsibility under this section is in addition to compliance with all other applicable Executive Orders, State of Maine guidance and the Restarting Maine’s Economy COVID-19 Prevention Checklists, including requirements governing the use of signage.

3. **Schools and childcare settings.** To ensure public health protections within schools and childcare settings, section V(B) of Executive Order 49 FY 19/20, and section I(B) of Executive Order 6 FY 20/21, are repealed and replaced by the following:

Face coverings are recommended for children ages 2 to 4 unless deemed developmentally inappropriate. Face coverings are required for all persons age 5 and older in all school and childcare settings, both public and private.

4. **Exceptions:** Face coverings are not required for a person:

- (a) Under age 2;
- (b) During vigorous exercise;
- (c) Who has trouble breathing or related medical conditions, or who is otherwise unable to put on or remove the mask without assistance;
- (d) With a developmental issue that is complicated or irritated by a face covering.

A person who cannot wear a cloth face covering because of a medical or developmental condition is not required to produce medical documentation of the condition, provided that an employer may require such documentation from an employee, and a school may require such documentation from a student in accordance with state and federal law. Nothing in this Order should be interpreted as preventing an establishment, governmental facility, or school from making accommodations on an individualized basis to the extent required by state or federal disabilities laws.

B. INDOOR GATHERINGS

Section I(A) of Executive Order 14 FY 19/20 and section I(A) of Executive Order 55 FY 19/20 are amended as follows:

1. For establishments that provide and require seating for all invitees, the indoor gathering limit is 50% of the facility's permitted occupancy limit or 100 persons, whichever is less. For the purposes of this section, such establishments include restaurants, bars, tasting rooms, houses of worship, social clubs, school cafeterias, and other establishments identified in the Restarting Plan.
2. For establishments that do not provide and require seating for all invitees, the indoor gathering limit is 50.
3. All indoor gatherings are subject to applicable location and activity-based requirements issued by Maine CDC, Maine Department of Health and Human Services (DHHS), and Maine Department of Economic and Community

Development (DECD).

II. INTERPRETATION AND AMENDMENT

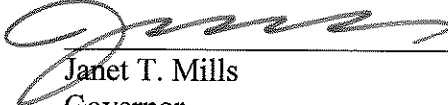
This Order is subject to interpretative guidance from Maine CDC, DHHS, and DECD.

III. ENFORCEMENT

This Order is subject to all available methods of enforcement.

IV. EFFECTIVE DATE

This Order takes effect October 13, 2020 and shall remain in effect until rescinded. Bars and tasting rooms are subject to an activity-specific reopening date under interpretive guidance from Maine CDC, DHHS, and DECD.



Janet T. Mills
Governor



Office of
The Governor

NO. 16 FY 20/21
DATE November 4, 2020

AN ORDER TO REVISE INDOOR GATHERING LIMITS, STRENGTHEN FACE COVERING REQUIREMENTS AND DELEGATE CERTAIN AUTHORITY

WHEREAS, I proclaimed a state of emergency on March 15, 2020 and renewed states of emergency on April 14, 2020, May 13, 2020, June 9, 2020, July 8, 2020, August 5, 2020, September 2, 2020, September 30, 2020, and October 29, 2020 to authorize the use of emergency powers in order to expand and expedite the State's response to the serious health and safety risks of the highly contagious COVID-19 virus; and

WHEREAS, Maine is currently experiencing a significant increase in COVID-19 cases, hospitalizations, and positivity rates, while data and case investigations are providing evidence of widespread community transmission; and

WHEREAS, I instituted indoor gathering limits in Executive Order 14 FY 19/20 and face covering requirements in Executive Order 49 FY 19/20, and have amended those Orders in response to changing circumstances, new information, emerging threats, and a desire to simply and clarify the application of the terms of those Orders; and

WHEREAS, the Maine Center for Disease Control (Maine CDC) now advises that additional amendments to indoor gathering limits and face covering requirements are necessary and appropriate in light of the upward trajectory in the State's cases, hospitalizations, and positivity rates; and

WHEREAS, a governor's emergency powers under 37-B M.R.S. Ch. 13 include the authorities to limit occupancy of premises within the State pursuant to § 742(1)(C)(8); to take whatever action is necessary to abate or mitigate the danger of this pandemic pursuant to § 742(1)(C)(12); to utilize all available resources of the State Government as reasonably necessary to cope with this pandemic pursuant to § 742(1)(C)(2); and to delegate any authority vested in the Governor under 37-B M.R.S. Ch. 13 pursuant to § 741(3)(H);

NOW, THEREFORE, I, Janet T. Mills, Governor of the State of Maine, pursuant to 37-B M.R.S. Ch. 13, including but not limited to the authorities cited in the Proclamations, Orders and statutory

provisions referenced above, do hereby Order as follows:

I. ORDER

A. PHYSICAL DISTANCING EXCEPTION TO FACE COVERING REQUIREMENTS REPEALED

1. **Requirement.** Face covering requirements, including those set forth in Executive Orders 49 FY 19/20, 2 FY 20/21, and 14 FY 20/21, apply in public settings regardless of the ability to maintain physical distance.
2. **Contrary language repealed.** Contrary language in Section V of Executive Order 49 FY 19/20 is hereby repealed.

B. “PUBLIC SETTINGS” TO BE BROADLY CONSTRUED

1. **“Public settings” defined.** The term “public settings” is to be broadly construed and includes:
 - a. Indoor spaces that are accessible to the public, including but not limited to restaurants, grocery stores, retail stores, pharmacies, health care facilities, social clubs, auditoriums, theaters, stadiums, arenas, concert halls, convention centers, meeting halls, gymnasiums, rinks, fitness centers, houses of worship, transportation centers, indoor parking garages as well as other public accommodations;
 - b. Outdoor spaces including but not limited to playgrounds, parking lots, sidewalks, athletic and sports venues, and other areas such as lines for take-out service where the public typically gathers in a smaller area;
 - c. Public transportation such as a taxi, Uber, Lyft, ride-sharing or similar service; ferry, bus, or train; and any semi-enclosed transit stop or waiting area;
 - d. Portions of municipal, county, state, and private buildings and grounds that are typically accessible to the public, including parking lots, walkways, lobbies, waiting areas, elevators, service desks, and related hallways. For the purpose of this section, government buildings and grounds include those privately owned and leased for government use; and
 - e. Other locations that the Commissioner of the Department of Economic and Community Development (DECD) and the Commissioner of the Department of Health and Human Services (DHHS) identify as presenting a risk of transmission of the virus pursuant to Section III, below.
2. **Contrary language repealed.** Section V(A)(1) of Executive Order 49 FY 19/20 and section I(A)(1) of Executive order 14 FY 20/21 are hereby repealed.

C. NOTICE REQUIRED FOR INDOOR PUBLIC SETTINGS

1. **Requirement.** Owners and operators of indoor public settings shall, as soon as practicable, post plainly visible signs notifying entrants of the requirement to wear cloth face coverings, and may deny service or entry for non-compliance with the Governor's face covering requirements.

D. FIFTY-PERSON INDOOR GATHERING LIMIT

1. **Requirement.** The indoor gathering limit is returned to 50 persons, as provided for in Section I(A) of Executive Order 55 FY 19/20.
2. **Contrary language repealed.** Sections I(B)(1) & (2) of Executive Order 14 FY 20/21 are hereby repealed.

II. INTERPRETATION

This Order is subject to interpretative guidance from Maine CDC, DHHS, the Maine Department of Economic and Community Development (DECD), and the Maine Department of Education (DOE).

III. DELEGATION OF AUTHORITY

I hereby delegate authority to the Commissioners of DECD and DHHS, pursuant to 37-B M.R.S. §§ 741(3)(H) & 742(12), to issue activity-specific requirements designed to minimize the risk of transmission of the COVID-19 virus, as necessary and appropriate to implement this Order and the *Restarting Maine's Economy Plan*, identified and incorporated within Executive Order 49 FY 19/20. In issuing such additional requirements, the Commissioners of DECD and DHHS shall:

- A. Consult the Director of Maine CDC, and other agency commissioners and administrators that the Commissioners of DECD and DHHS determine possess relevant expertise;
- B. Consult with the Attorney General or his designee;
- C. Consider the best available and most current information;
- D. Prioritize the protection of public health, while giving consideration to the impact of the requirements on the daily lives of Maine people, Maine businesses, and the Maine economy; and
- E. Conspicuously post such requirements on the DECD website.


All requirements issued pursuant to this section are subject to modification or rescission by the Governor. Requirements issued pursuant to this section shall be enforceable in the same manner as an Executive Order and are not "rules" within the meaning of 5 M.R.S. § 8002(9). To the extent applicable, the requirements of chapter 377-A and subchapters 2 & 2-A of chapter 375 of Title 5 the Maine Revised Statutes, are suspended with respect to the issuance of said requirements.

IV. ENFORCEMENT

This Order is subject to all available methods of enforcement. Any violation of requirements adopted pursuant to Section III of this Order is a violation of this Order.

V. EFFECTIVE DATE

This Order takes effect November 4, 2020 and shall remain in effect until repealed or amended.



Janet T. Mills
Governor



Office of
The Governor

NO. 35 FY 20/21
DATE March 5, 2021

**AN ORDER AMENDING GATHERING LIMITS AND TRAVEL RESTRICTIONS
TO REFLECT CURRENT CONDITIONS AND THE BEST AVAILABLE SCIENCE**

WHEREAS, I proclaimed a state of emergency on March 15, 2020, and most recently renewed that state of emergency February 17, 2021, to authorize the use of emergency powers in order to expand and expedite the State's response to the serious health and safety risks of the highly contagious COVID-19 virus; and

WHEREAS, I instituted gathering limits in Executive Order 14 FY 19/20 and have amended that Order when appropriate in response to changing circumstances and new information; and

WHEREAS, I instituted testing and quarantine requirements for all persons, residents and non-residents, traveling into Maine in Executive Order 57 FY 19/20 and have amended that Order when appropriate in response to changing circumstances and new information; and

WHEREAS, the Maine Center for Disease Control (Maine CDC) now advises that it is appropriate to modify both gathering limits and testing and quarantine requirements to reflect new information and the best available science; and

WHEREAS, future modifications of the testing and quarantine requirements may likewise be necessary and appropriate to ensure that it continues to be based on the best available science; and

WHEREAS, a governor's emergency powers under 37-B M.R.S. Ch. 13 include the authorities to limit occupancy of premises and control the ingress and egress, and movement of persons, within the State pursuant to § 742(1)(C)(8); to take whatever action is necessary to abate or mitigate the danger of this pandemic pursuant to § 742(1)(C)(12); to utilize all available resources of the State Government as reasonably necessary to cope with this pandemic pursuant to § 742(1)(C)(2); and to delegate any authority vested in the Governor under 37-B M.R.S. Ch. 13 pursuant to § 741(3)(H);

NOW, THEREFORE, I, Janet T. Mills, Governor of the State of Maine, pursuant to 37-B M.R.S. Ch. 13, including but not limited to the authorities cited in the Proclamations, Orders and

provisions referenced above, do hereby Order as follows:

I. ORDERS

A. GATHERINGS AND IN-STORE CUSTOMER LIMITS

1. **Indoor gatherings and in-store customer limits.** Indoor gathering limits and in-store customer limits are amended as follows:
 - a. **From March 26, 2021 through May 23, 2021:** 50% of permitted occupancy, 5 persons per 1,000 sq. ft., or 50 persons, whichever is greatest;
 - b. **May 24, 2021 and thereafter:** 75% of permitted occupancy, 5 persons per 1,000 sq. ft., or 50 persons, whichever is greatest.
2. **Outdoor gatherings.** Any outdoor gathering taking place at a facility or event that is subject to a permitted occupancy limit is subject to the following limits:
 - a. **From March 26, 2021 through May 23, 2021:** 75% of permitted occupancy;
 - b. **May 24, 2021 and thereafter:** 100% of permitted occupancy.
3. **Prior Orders amended and superseded.** To the extent inconsistent with this Order, Section I(A) of Executive Order 55 FY 19/20, Section I(B) of Executive Order 56 FY 19/20, Section II of Executive Order 57 FY 19/20, Section I(D) of Executive Order 16 FY 20/21, and Section I(A)(1) of Executive Order 31 FY 20/21 are hereby amended and superseded. Section I of Executive Order 28-A-2 FY 19/20 and Section I(A) of Executive Order 6 FY 20/21 are hereby repealed.
4. **Additional requirements.** All gatherings are subject to applicable location and activity-specific requirements issued by the Commissioner of the Department of Health and Human Services (DHHS) and the Commissioner of Economic and Community Development (DECD).

B. CHANGES TO TRAVEL POLICY

1. **Effective March 5, 2021.** The testing and quarantine requirements set forth in Section II of Executive Order 57 FY 19/20, as amended by Executive Order 18 FY 20/21, do not apply to:
 - a. Persons who have been fully vaccinated against COVID-19, or who have contracted COVID-19 and completed their isolation period.
 - b. For purposes of this section, a person is considered “fully vaccinated”

after at least 14 days following completion of the COVID-19 vaccination series. A person is considered to have “fully completed their isolation period” when either (1) at least 10 days have passed following symptom onset and after resolution of fever for at least 24 hours without use of fever-reducing medications; or (2) for those who never develop symptoms, 10 days after the date of their first positive test result for the virus that causes COVID-19.

II. INTERPRETATION AND AMENDMENT


This Order is subject to interpretative guidance from Maine CDC, the Department of Health and Human Services, and the Department of Economic and Community Development.

III. ENFORCEMENT

This Order is subject to all available methods of enforcement.

IV. EFFECTIVE DATE

This Order takes effect March 5, 2021 and shall remain in effect until repealed or amended.


Janet T. Mills
Governor