



Office of  
The Governor

NO. 39 FY 20/21  
DATE May 19, 2021

### **AN ORDER TO REPEAL CERTAIN FACE COVERING REQUIREMENTS**

**WHEREAS**, I proclaimed a state of emergency on March 15, 2020, and most recently renewed that state of emergency on April 14, 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 face covering requirements in Executive Order 49 FY 19/20, and have amended that Order in response to changing circumstances, new information, emerging threats, and a desire to simplify and clarify the application of its terms; and

**WHEREAS**, the Maine Center for Disease Control and Prevention recognizes the U.S Center for Disease Control and Prevention's recent guidance that fully vaccinated people need not wear face coverings in most settings, based on the best available scientific information suggesting a low risk of COVID-19 transmission by and within the vaccinated population; and

**WHEREAS**, the percentage of Maine residents who are vaccinated against COVID-19 has risen, and the percentage of adults who have received first doses of the Pfizer or Moderna vaccine or single doses of the Johnson & Johnson / Janssen vaccines exceeds President Biden's target of 70 percent by July 4, 2021, which limits the spread of COVID-19 and the size of potential outbreaks; 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:

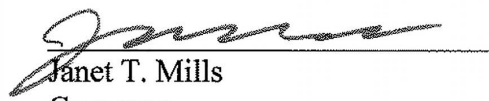
**I. ORDER**

**A. FACE COVERING MANDATE GENERALLY REPEALED**

1. **Repeal.** The requirement that face coverings be worn in all public settings, originally set forth in Executive Order 49 FY 19/20 and most recently amended in Executive Order 37 FY 20/21, is hereby repealed, except as provided in Section (I)(A)(2), below. To effectuate this repeal, contrary language in Executive Orders 49 FY 19/20 (V), 55 FY 19/20 (I)(H), 2 FY 20/21 (I)(B), 14 FY 20/21 (I)(A)(1), (2) & (4), 16 FY 20/21 (I)(A), (B) & (C), 19-A FY 20/21 (I)(A) & (B), and 37 FY 20/21 (I) is repealed.
  
2. **Schools and childcare settings.** Section I(A)(3) of Executive Order 14 FY 20/21, requiring that persons age 5 and older wear face coverings indoors in all schools and childcare settings, is not repealed and remains in effect.

**II. EFFECTIVE DATE**

This Order takes effect May 24, 2021, and shall remain in effect until repealed or amended.

 5/19/21  
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Janet T. Mills  
Governor