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