Office of
The Governor

No. 27 FY 20/21
DATE January 13, 2021

AN ORDER EXTENDING THE EFFECTIVENESS OF CERTAIN PROVISIONS OF MAINE'S EMERGENCY COVID-19 RESPONSE STATUTES

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, October 29, 2020, November 24, 2020, and December 22, 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, it is necessary to protect the public health and prevent the spread of COVID-19 by avoiding large gatherings and observing social distancing guidelines; and

WHEREAS, the Legislature expressly provided in P.L. 2019 Ch. 617, Pt. A that for the duration of the COVID-19 state of emergency, and for 30 days following the termination of that state of emergency, compulsory school attendance requirements would be waived and school nutrition services would continue despite school closures due to COVID-19, and

WHEREAS, Maine, like all states, continues to manage the COVID-19 virus and the Maine Department of Education (DOE) is supporting all pre-K-12 schools for in-person, remote, and a hybrid of in-person and remote learning; and

WHEREAS, municipal governments are required to alter their usual operations in response to the pandemic; and

WHEREAS, P.L. 2019, Ch. 617, Pt. D, § D-2 suspended enforcement of 30-A M.R.S. § 5603(2)(A) and authorized municipal treasurer may disburse money on the authority of a warrant to disburse money without first having a vote of the municipal officers in a public meeting if those officers have seen and signed the warrant for the duration of the COVID-19 state of emergency, and for 30 days following the termination of that state of emergency; and

WHEREAS, while the Legislature indicated its intent to provide these changes in Part A and Part D, Section D-2 for the duration of the declared COVID-19 state of emergency, the Legislature also included a repeal date of January 15, 2021 for P.L. 2019, Ch. 617, Pt. A and Pt. D; and

WHEREAS, the Governor's emergency powers expressly include the authorities to suspend the enforcement of statutes or agency rules inconsistent with managing the emergency pursuant to 37-B M.R.S. §§ 742(1)(C) and 834, make, amend or rescind a necessary order or rules related to the emergency pursuant to 37-B M.R.S. § 741(3)(A), and may delegate, pursuant to 37-B M.R.S. § 741(3)(H), any authority vested in the Governor under 37-B, 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 provisions cited above, do hereby Order the following:

I. ORDER

A. The repeal date of January 15, 2021 contained in P.L. 2019, Ch. 617, Pt. A, § A-1 is suspended for the duration of a state of emergency declared by the Governor due to COVID-19, and for 30 days following the termination of that emergency.

B. The repeal date of January 15, 2021 contained in P.L. 2019, Ch. 617, Pt. D, § D-4 is suspended from application to P.L. 2019, Ch. 617, Pt. D, § D-2 for the duration of a state of emergency declared by the Governor due to COVID-19, and for 30 days following the termination of that emergency.

II. INTERPRETATION

This Order is subject to interpretation from the Maine Department of Education.

III. EFFECTIVE DATE

This Order is effective January 13, 2021, shall remain in effect until amended, rescinded, or until 30 days after the State of Civil Emergency to Protect the Public Health is terminated, whichever occurs first.

Janet T. Mills
Governor