Office of
The Governor

No. 2 FY 20/21
DATE July 8, 2020

AN ORDER STRENGTHENING THE USE OF FACE COVERINGS

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 9, 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 April 29, 2020 I issued Executive Order 49 FY 19/20 that, for the reasons and upon the authorities stated therein, set forth certain provisions regarding on the use of face coverings including, for example, requiring customers to wear face coverings in places such as retail stores; and

WHEREAS, on May 29, 2020 I issued Executive Order 55 FY 19/20 that, for the reasons and upon the authorities stated therein, set forth certain additional provisions regarding the use of face coverings including, for example, authorizing establishments to deny entry or service to persons who are not wearing face coverings; and

WHEREAS, this Order is based upon the best available medical and scientific evidence as it continues to evolve including, for example, the recommendation to have more universal use of face coverings, particularly in certain settings; and

WHEREAS, it is now desirable to strengthen enforcement of Executive Orders 49 and 55 FY 19/20 in order to protect public health, particularly in those regions, cities and coastal counties that typically see an influx of people during the busy summer months;

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 37-B M.R.S. § 741(3)(H), § 742(1)(C)(2) and the authorities cited in the Proclamations and Orders referenced above, do hereby Order as follows:

I. ORDERS

This Order strengthens Executive Orders 49 and 55 FY 19/20 by providing the following:

A. "Cloth face coverings" or "face coverings" shall be construed to include disposable face coverings of similar quality as well as face shields, provided that such face shield extends below the chin and covers the ears.

B. 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, and lodging operations and accommodations (as defined in Executive Order 57 FY 19/20) located in the Counties of Cumberland, Hancock, Knox, Lincoln, Sagadahoc, Waldo and York, or in the Municipalities of Auburn, Augusta, Bangor, Brewer, and Lewiston shall implement measures requiring customers to wear face coverings. 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 applicable Executive Orders, State of Maine guidance and the Restarting Maine's Economy COVID-19 Prevention Checklists, including the use of signage stating that face coverings are required.

II. ADDITIONAL ENFORCEMENT

This Order may also be enforced by any governmental department or official that regulates licenses, permits or otherwise authorizes the operation or occupancy of eating establishments, bars or tasting rooms, lodging operations and accommodations, businesses, buildings, parks and campgrounds. Municipalities are authorized to enforce the use of face coverings on streets and sidewalks, in parks and other public spaces where individuals are gathering and not able to maintain at least six feet of physical distance from one another, and to enforce the gathering limits. 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.

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 and enforcement guidance provided by the Maine Center for Disease Control and Prevention (CDC), Department of Health and Human Services (DHHS) and Department of Economic and Community Development (DECD).

IV. EFFECTIVE DATE

This Order takes effect July 8, 2020 and shall remain in effect unless sooner amended, renewed or terminated.

Janet T. Mills
Governor