Office of
The Governor

No. 8-A FY 20/21
DATE January 25, 2021

AN ORDER TO AMEND EO 8 FY 20/21 TO ENSURE SCHOOL BUDGETS MAY BE ADOPTED BY REFERENDUM FOR THE UPCOMING SCHOOL BIUDGET YEAR AND TO PROTECT THE PUBLIC HEALTH DURING THE COVID-19 EMERGENCY

WHEREAS, I proclaimed a state of emergency on March 15, 2020 and a renewed state of emergency on April 14, 2020, May 13, 2020, June 10, 2020, July 8, 2020, August 5, 2020, September 2, 2020, September 30, 2020, October 29, 2020, November 24, 2020, December 22, 2020, and January 13, 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; and

WHEREAS, in Executive Order 8 FY 20/21 ("Executive Order 8") I entered orders to reduce the risk that voters, poll workers and election officials participating in the state primary and in municipal and school district elections would be exposed to COVID-19, which is highly contagious and presents a serious risk to life and health; and

WHEREAS, Executive Order 8, Part E was directed toward voter approval of school budgets for FY 2020/2021 only; and

WHEREAS, school districts across the State of Maine must begin planning for the FY 2021/2022 school budget year as soon as possible; and

WHEREAS, a governor's emergency powers pursuant to 37-B M.R.S. §742(l)(C)(l)&(13)(a) and §834 expressly include the authority to suspend the enforcement of statutes, orders or rules where strict compliance therewith would in any way prevent, hinder or delay necessary action in coping with the emergency, and to adjust time frames and deadlines imposed by law;

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 as follows:

I. ORDER

The language related to School Budget Elections in Executive Order 8 FY 20/21 issued on August 26, 2021 is amended at Part E, Section 1 to read as follows:

E. School budget elections.

1. For school budget year 2021/2022 only, voter approval of the school budget may be by referendum vote, notwithstanding any statute to the contrary.

The remainder of Executive Order 8 that is not inconsistent with this order remains in effect.

II. Interpretation

This order is subject to interpretation of the Department of Education.

III. EFFECTIVE DATE

This Order shall take effect on January 25, 2021, and, shall terminate 30 days after the termination of the COVID-19 state of emergency unless sooner amended, renewed, terminated or expanded in view of emerging circumstances.

Janet T. Mills
Governor