

MAINE STATE LEGISLATURE

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Office of
The Governor

No. 40 FY 20/21
DATE June 30, 2021

**AN ORDER PROVIDING AN ORDERLY TRANSITION FOLLOWING THE
TERMINATION OF THE STATE OF CIVIL EMERGENCY**

WHEREAS, I first proclaimed a State of Civil Emergency on March 15, 2020, and renewed the same thereafter to authorize the use of emergency powers in order to respond to the public health, economic, and governmental impacts of the COVID-19 pandemic; and

WHEREAS, the most recent of such Proclamations expires at midnight on June 30, 2021, and circumstances do not currently require its renewal; and

WHEREAS, since March 15, 2020, I have issued various emergency Executive Orders and Proclamations in order to respond to and mitigate the widespread impacts of COVID-19; and

WHEREAS, certain of these Executive Orders and Proclamations have already been repealed or have effectively expired due to their limited purpose, while certain other Executive Orders and Proclamations will need to remain effective for some limited period to respond to ongoing impacts of COVID-19, to support recovery, and to provide for a smooth transition following the termination State of Civil Emergency; and

WHEREAS, the express purposes of the Maine Emergency Management Act include mitigating the effects of an emergency (37-B M.R.S. §§ 701(1) & 703(3-A)), and authorizing those activities that coordinate and support the recovery from an emergency (37-B M.R.S. §§ 701(1) & 703(6)); and

WHEREAS, the goal of this Order, consistent with Me. Const. Art. V, Pt. I, §12, is to faithfully execute those statutory purposes by coordinating a timely and orderly termination of emergency Orders and Proclamations as the next step in supporting the State's recovery;

NOW THEREFORE, I, Janet T. Mills, Governor of the State of Maine, pursuant to the authorities cited above and, do hereby Order as follows:

I. PURPOSE

At midnight on June 30, 2021, the current Proclamation to Renew the State of Civil Emergency dated June 11, 2021 ("Current Proclamation") expires. The purpose of this Order is to implement an orderly transition from that expiration. This Order identifies those COVID-19 Emergency

Proclamations and Executive Orders that will expire by midnight on June 30, 2021, and those select Orders or provisions that need the coordination and support of limited additional time in order to facilitate a more orderly recovery from the effects of the pandemic.

II. ORDERS

The COVID-19 Emergency Proclamations and Executive Orders shall cease to be effective according to the following schedule:

- A. The Extreme Public Health Emergency proclaimed pursuant to 22 M.R.S. §§ 802(2-A) & 801(4-A) and as referenced in the Current Proclamation and its predecessors, shall expire at midnight on June 30, 2021;
- B. The COVID-19 Insurance Emergency proclaimed pursuant to 24-A M.R.S. § 471 on March 12, 2020, shall pursuant to 24-A M.R.S. § 477, expire at midnight on July 31, 2021;
- C. Executive Orders issued pursuant to 37-B M.R.S. Ch. 13, subch. II, including Executive Order 14 FY 19/20 (March 18, 2020) through Executive Order 39 FY 20/21 (May 19, 2021), that have not already been repealed or expired by their express terms or limited purpose, shall expire as follows:
 1. Any such Order that does not expressly contain a date for its repeal, rescission, or other termination shall expire at midnight on June 30, 2021;
 2. Except as otherwise specified below, any such Order that expressly contains a date for its repeal, rescission, or other termination shall expire accordingly to its terms;
 3. Executive Order 16 FY 19/20, *An Order Suspending Provisions of Certain Healthcare Professional Licensing Statutes and Rules in Order to Facilitate the Treatment and Containment of COVID-19*, Section I (F), shall expire at midnight on August 30, 2021. All other provisions of Executive Order 16 FY 19/20 that have not already been repealed shall expire at midnight on June 30, 2021;
 4. Executive Order 20 FY 19/20, *An Order Modifying Requirements Applicable to Family Childcare Providers in Order to Facilitate the Employment of Persons Needed for the Treatment and Containment of COVID-19*, shall expire at midnight on August 30, 2021;
 5. Executive Order 27 FY 19/20, *An Order Regarding State Certified Hypodermic Apparatus Exchange Programs*, as amended by 33 FY 20/21, shall expire at midnight on August 30, 2021;
 6. Executive Order 35 FY 19/20, *An Order Suspending Provisions of Certain Licensing Statutes and Rules in Order to Facilitate*


Healthcare and Veterinary Care during the State of Emergency Created by COVID-19, Section I (A), shall expire on August 30, 2021. Licenses that have been issued under Sections I (C) & I (D) as of the effective date of this Order, which have not been surrendered, are valid until August 30, 2021. Any individual issued a license under section I (C) or I (D) whose license is in good standing and who submits a complete application for full licensure to the appropriate board or program within the Office of Professional and Occupational Regulation on or before midnight of August 30, 2021 will have the license issued under Sections I (C) or I (D) remain in effect to provide services in-person or via telehealth until the full license application is adjudicated by the board or program. All other provisions of Executive Order 35 FY 19/20 that have not already been repealed shall expire at midnight on June 30, 2021;

7. Executive Order 46 FY 19/20, *An Order Regarding Certain Law Enforcement Related Licensing Requirements and Training Deadlines*, shall expire at midnight on December 31, 2021;
8. Executive Order 48 FY 19/20, *An Order Modifying Certain Procedural Requirements for Emergency Rulemaking to Maximize Federal COVID-19 Funding for Mainecare*, shall expire six months following the termination of the Federal Proclamation of Public Health Emergency;
9. Executive Order 52 FY 19/20, *An Order Regarding Certain Education Matters*, shall expire at midnight on August 31, 2021;
10. Executive Order 3 FY 20/21, *An Order Regarding Certain Mainecare Laws*, shall expire at midnight on December 31, 2021;
11. Executive Order 7-A FY 20/21, *An Order Regarding Pre-K-12 Education and Suspending Certain Licensing Requirements within Institutional Settings*, shall expire at midnight on June 30, 2021;
12. Executive Order 23 FY 20/21, *An Order Expanding Staffing for Unemployment Appeals*, shall expire at midnight on September 30, 2021;
13. Executive Order 26 FY 20/21, *An Order Transferring Authority to Waive Overpayments from the Unemployment Insurance Commission to the Commissioner of the Department of Labor*, shall expire at midnight on August 30, 2021;

- D. Executive Orders 11 FY 20/21, 32 FY 20/21, and 36 FY 20/21 were not issued pursuant to the Governor's emergency management authority and are not affected by this Order; and
- E. The COVID-19 Abnormal Market Disruptions proclaimed pursuant to 10 M.R.S. § 1105 on March 17, 2020, and June 9, 2020, previously expired by their express terms.

III. EFFECTIVE DATE

The effective date of this Order is June 30, 2021.



Janet T. Mills
Governor