

## **HR Tracker, ¶46,792, Maine governor mandates closure of all non-essential businesses and operations — STATE LAW, (Mar. 30, 2020)**

Under the authority granted to her during a State of Civil Emergency, Governor Janet Mills on March 24, 2020, issued Executive Order No. 19 (FY 2020) mandating that all non-essential businesses and operations in Maine close their physical locations that are public facing, meaning those that allow customer, vendor or other in-person contact. The Order also closes non-essential business sites that require more than ten workers to convene in a space where physical distancing is not possible. Non-essential businesses and operations may continue activities that do not involve these types of in-person contact and convenings, and should facilitate the maximum number of employees working remotely.

The Order is effective as of March 25, 2020 at 12:01 a.m. and extends for a period of 14 days through April 8, 2020 at 12:00 a.m.

It solidifies as a mandate her previous recommendation to close non-essential business sites.

Governor Mills also strongly urged all large, essential, public-facing businesses to immediately employ strategies to reduce congestion in their stores, including limiting the number of customers in the store at any one time and enhancing curbside pick-up and delivery services. These measures, aimed specifically at high-traffic retail stores in Maine that provide essential goods and services, seek to better protect both customers and employees from the threat of COVID-19.

“Today, I am taking further action to mitigate the spread of the virus, to protect the health of our loved ones and fellow citizens, and to safeguard the capacity of our health care system,” said Governor Mills. “I recognize these decisions will create significant difficulties for people and businesses across our state, but we are confronting an unprecedented challenge that is threatening the health and safety of our people.”

Non-essential businesses and operations subject to the Governor’s Executive Order include, but are not limited to, shopping malls, fitness and exercise gyms, spas, barber shops, hair salons, tattoo and piercing parlors, massage facilities, nail technicians, cosmetologists and estheticians, electrolysis services, laser hair removal services, and similar personal care and treatment facilities and services.

The Executive Order excludes businesses that provide essential services including, but not limited to: food processing, agriculture, industrial manufacturing, construction, trash collection, grocery and household goods (including convenience stores), home repair and hardware and auto repair, pharmacy and other medical facilities, biomedical, behavioral health and health care providers, child care, post offices and shipping outlets, insurance, banks, gas stations, laundromats, veterinary clinics and animal feed and supply stores, shipping stores, public transportation, and hotel and commercial lodging.

State government remains open, but offices have significantly moved to telework and dispatch from home, limited client engagement, and have required physical distancing within office buildings. The Department of Administrative and Financial Services estimates that 70 percent of state government employees, not including 24/7, emergency, and public safety personnel, are working remotely. The Governor urges Maine people to avail themselves of the state’s online services and resources.

For those essential businesses that remain open, Governor Mills strongly urged them to implement physical distancing measures. She specifically urged high-traffic retail stores in Maine that provide essential goods and services to immediately employ strategies to reduce congestion in their stores, including:

- For stores with a physical retail space of more than 5,000 feet, limiting customers to no more than 100 at any one time;
- Enhancing their curbside pick-up and delivery services;
- Staggering their hours for shoppers of a certain age;
- Closing fitting rooms;

- Cautioning customers against handling merchandise they are not purchasing;
- Marking six-foot measurements by the cashier stations and reminding customers to remain six feet apart while in store;
- Staggering break times for employees and require frequent hand-washing;
- Frequently sanitizing high-touch areas, such as shopping carts.

These measures come as Governor Mills seeks to strengthen physical distancing measures in Maine to better protect both customers and employees from the threat of COVID-19. Physical distancing is considered one of the most effective methods to help mitigate the spread of COVID-19.

If the function of your business is not listed, but you believe that it is essential, you may request designation as an essential business at <https://www.maine.gov/essentialservice>

Questions may also be directed to [business.answers@maine.gov](mailto:business.answers@maine.gov).

In alignment with this Order, Governor Mills today also renewed her previous Executive Order prohibiting gatherings of more than 10 people and the closure of dine-in service at restaurants and bars in Maine to extend its timeframe to April 8, 2020 at 12:00 a.m. Executive Order 19 does not modify the previous Executive Order in any other manner.

Governor Mills is taking into consideration all COVID-19 response options, including a stay-at-home restriction. She is consulting with the Maine CDC, other clinicians and health system leaders, other states that have invoked this option, and other members of her Coronavirus Response Team. Those discussions are ongoing, and include, but are not limited to the public health efficacy of such orders compared to existing measures, Maine-specific factors, and their potential secondary health and economic implications. The Governor will make recommendations based upon their advice and what she deems is in the best interest of the health and safety of Maine people.

The Governor has taken steps to protect Maine workers and small businesses impacted by COVID-19. Upon Governor Mills' request, the Small Business Administration (SBA) declared that Maine businesses are now eligible to apply for economic support loans to help them overcome any temporary loss of revenue due to COVID-19. Additionally, the emergency omnibus package she signed temporarily revises eligibility for unemployment insurance to extend it to individuals whose employment has been impacted by COVID-19. It also temporarily waives the one week waiting period for benefits so that workers may obtain benefits faster and ensures that claims for UI will not affect an employer's experience rating. It also establishes a consumer loan guarantee program through FAME, in partnership with financial institutions, to provide low- or no- interest loans for eligible people in Maine.

**Source:** State of Maine, Office of the Governor, News Release, March 24, 2020.