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DECLARATION OF A STATE OF EMERGENCY

A DECLARATION OF A STATE OF EMERGENCY RELATIVE TO THE COVID-19 WORLDWIDE PANDEMIC

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WHEREAS, as of this Declaration there are more than 1,681,000 deaths of the COVID-19 and more than 76,006,000 infections affecting two hundred eighteen (218) countries;

WHEREAS, the FSM President issued a declaration of emergency on January 31, 2020 prohibiting the travel to and from China, and other countries, states, or territories which are affected by the COVID-19;

WHEREAS, on February 7, 2020, I issued a declaration of emergency relative to the COVID-19 pandemic;

WHEREAS, the February 7, 2020 emergency declaration was valid only for fifteen (15) days or until February 22, 2020;

WHEREAS, the Chuuk State Legislature extended the emergency declaration for another ninety (90) days or until May 22, 2020;

WHEREAS, the House of Senate of the Chuuk State Legislature obtain a quorum on July 20, 2020 for the first special session of the 2nd regular session of the 15th Chuuk State Legislature to consider the extension of the emergency declaration and other pending legislations;

WHEREAS, the Emergency Declaration I issued on December 6, 2020 expires midnight of December 20, 2020;

WHEREAS, as of this declaration, the Governor's request to extend the emergency declaration to the 15th Chuuk State Legislature is still pending;

WHEREAS, on November 25, 2020, the Congress of the Federated States of Micronesia extended the FSM President's Declaration by Resolution No. 21 – 228 until January 31, 2021;

WHEREAS, CFSM resolution no. 21 – 228 may grant rare exceptions on a case by case basis, for certified health experts, technicians and workers assigned to assist the FSM with respect to COVID-19, returning medical referral patients, including if applicable, the remains of a deceased and the medical and/or family attendants and immediate family members and FSM governmental officials whose duties are critical, vital and indispensable to the functioning of any branch of any FSM state or the FSM national government, premised upon prior favorable advise, assessment and recommendation of the FSM Task Force in consultation with the state task forces, and subject to all screening detection, quarantine and isolation procedures and protocols of the State of destination;

WHEREAS, the CFSM resolution no. 21 – 228 lifted all outbound travel restrictions;

WHEREAS, the CFSM resolution no. 21 – 228 permits travel by air or sea between and within FSM states is permitted: for essential personnel as determined by the state whom the personnel is needed; people who are returning to their state of residence, employment, or location of their educational institution; or for family emergency as long as there are no confirmed COVID-19 cases within any of the FSM states. Only air and sea travel between the FSM states, by domestic air or sea carrier is permitted, and any travel that originates outside of the FSM is not permitted except as provided in this declaration. Flights originating in Guam or Hawaii or any other affected area are not permitted and ships originating from any affected area are not permitted. All passengers will be screened at the airports or seaports prior to check in or boarding and are subject to health screening procedures in the FSM state of destination. Any passenger exhibiting symptoms of COVID-19 will not be permitted to board the plane or ship. Any passenger that develops symptoms during transit will be permitted to enter at their final destination, but will subject to quarantine/isolation requirements;

WHEREAS, the FSM President issued Presidential Decree setting national standards for social distancing during this COVID-19 pandemic health emergency;

WHEREAS, although the Task Force reported that our readiness plan, there are still gaps, loopholes and deficiencies or inadequate guidelines, protocols, limited quarantine facilities, the existing medical facilities, supplies, medicines, manpower, laboratory equipment (such as only twenty one (21) operational ventilators) are running low and requires that as a matter of precautionary measure, Chuuk State needs to be ready for any possible carrier of the COVID-19 to infect any citizen or resident of Chuuk State;

WHEREAS, the need to screen all incoming passengers from the airport and seaport by competent medical staff equipped with the necessary medical



tools to ensure that the COVID-19 will not affect any citizens or residents of Chuuk State including sufficient numbers of test kits and gene Xpert equipment;

WHEREAS, to ensure incoming travelers to Chuuk State from countries affected by the COVID-19 from spreading in our state; an isolation or quarantine area should be fully set up, operational and manned with all necessary protocols and guidelines fully adopted or promulgated;

WHEREAS, in the interest of saving lives, preparation of the quarantine and isolation areas, stock piling of medical inventories, laboratory equipment and providing confidence building to health workers, this declaration becomes necessary; and

Now, pursuant to the authority vested in the Governor by Article VI, section 12 of the Chuuk State Constitution required preserving public peace, health, or safety at a time of extreme emergency caused by the worldwide pandemic of the COVID-19 due to the absence of medicines, vaccines, inadequate or very limited medical resources and facilities, I hereby issue this declaration of emergency and hereby decree as follows:

I. Strengthening Chuuk State Ports of Entry and incoming vessels

1) All impositions and restrictions of sections 9 and 10 of CFSM resolution no. 21 – 228 are hereby fully incorporated in so far as they are applicable subject to the guidelines issued by the Department of Transportation and Public Works upon the instruction of the Task Force in coordination with NORMA.

2) All crews/passengers of the FSM surveillance patrol or interstate vessel shall produce pre-boarding or departure screening records from the health department of the state of origin, and shall be subject to screening by the health workers of the Department of Health Services or on board screening health workers from the FSM National Government upon the direction of the State Task Force before disembarking from Weno/Mortlocks/Northwest point of entries in Chuuk State. Any crews/passengers exhibiting any symptoms of COVID-19 shall be subject to quarantine/isolation procedures and protocols of Chuuk State in Weno port of entry. Once a positive COVID-19 is confirmed from other FSM state where the FSM surveillance patrol or interstate vessel originates, all crews/passengers shall be considered as person under investigation and shall be subject to screening/quarantine/testing/isolation procedures and protocols of Chuuk State.

3) All crews/passengers at Weno ports of entry shall undergo mandatory screening, mandatory quarantine if COVID-19 symptoms are apparent, honestly answer the screening questionnaires provided, and comply with all the guidelines and protocols adopted and imposed by the Task Force and Department of Health Services. However, for purposes of screening protocols and guidelines, if the FSM surveillance patrol or interstate vessel has on board screening health workers or available health assistants in Mortlocks/Northwest islands to conduct the screening, crews or passengers without symptoms may disembark in Mortlocks/Northwest regions port of entries.

II. Travel ban, impositions and restrictions

1) All travelers to Chuuk State shall only disembark and be screened in Weno, ports of entry except as provided herein;

2) All travelers to Chuuk State from any COVID-19 affected country, state or territory shall not be permitted to enter Chuuk State subject to the exceptions provided in section 4 and 7(i) of CFSM resolution no. 21 – 228, in consultation with the Chuuk Department of Health Services.

3) All travelers as provided in the exceptions in section 4 and 7(i) of CFSM resolution no. 21 – 228 travelling from affected by the COVID-19 shall be subjected to mandatory screening/quarantine/testing/isolation procedures and protocols for quarantine for a minimum of fourteen days (14) or for a longer period to be determined by the Department of Health Services upon the direction of the Task Force;

4) Except as provided by section I (2) and (3) of this emergency, all passengers originating from any FSM states are permitted travel by air or sea to Chuuk, Weno port of entry, as long as there are no confirmed COVID-19 cases within any of the FSM states. Only air and sea travel between the FSM states is permitted to enter Chuuk State, Weno ports of entry, travel that originates outside of the FSM is not permitted. (ie. Interstate travel is authorized only via FSM flagged passenger airplanes, vessels or FSM Surveillance vessels). All passengers will be screened at the airports or seaports prior to check in or boarding and are subject to health screening procedures in Chuuk State, Weno ports of entry only. Any passenger exhibiting symptoms of COVID-19 will not be permitted to board the plane or ship going to Chuuk State, Weno ports of entry. Any passenger that develops symptoms during transit will be permitted to enter at their Chuuk State, Weno ports of entry, but will be subjected to protocols and quarantine/isolation requirements set by Chuuk Department of Health Services;

5) Any person who is tested positive for COVID-19 shall be placed in isolation for a period to be determined by the Chuuk Department of Health Services;

6) All person who may be exposed with COVID-19 and symptoms of high fever, coughing, flu like symptoms and shortness of breath shall submit to and comply with the investigations, treatment and procedures in accordance with the instructions and protocol of the Chuuk Department of Health Services;

7) Classes in all schools' levels shall be suspended until further notice upon prior assessment of the Department of Health Services regarding readiness of the schools involving health protocols as proposed in their plans and recommended by the Task Force's approval complying with all the existing procedures, protocols, social/physical distancing, observing proper hygiene and other preventive and educational awareness;

8) All school teachers during the suspension of classes shall assist the educational awareness program on proper hygiene, social distancing and prevention of COVID-19 infection and other duties as may be assigned at the direction of the Task Force;

9) All departments, offices, agencies, instrumentalities, centers, commissions or employees of the government shall continue to work and/or be assigned to any COVID-19 related program or activities;



10) All persons shall faithfully comply with the protocols, procedures, program and instructions of the Task Force relative to the proper hygiene, social distancing, and prevention of COVID-19 infection and treatment;

11) Official travels by any Chuuk State Government employees or officials are hereby suspended until further notice;

12) The 15th Chuuk State Legislature, board or commission of the Chuuk State Government is hereby authorized to conduct its sessions, hearings or meetings via teleconference/videoconference media from a site in Guam or in other country, state or territory that would be agreed to by the Senate, board or commission whenever appropriate to achieve a quorum or to ensure full participation of its entire members, directors or commissioners as they may seem fit;

13) Any board or commission of the Chuuk State Government established by law whose proceedings or actions to be taken are affected or impaired by this COVID-19 pandemic by the absence of their members or commissioners in Chuuk State, the Governor may temporarily appoint a replacement of the absent member of the board or commission so as not to jeopardize its operations. The temporary replacement shall exercise full power and authority of the absent member of the board or commission as if he is a full pledge member of the board or commission. The temporary replacement of any board or commission shall automatically cease once the absent member of the board or commission physically report to work in Chuuk State;

14) Any person who willfully disobeys any of the mandates, restrictions, guidelines, protocols, special operating procedures set by the Task Force, or decree set by this declaration shall be prosecuted or be held liable in accordance with law.

III. Establishment of the Task Force; composition; duties and responsibilities; reporting

The Task Force is hereby re-established and all its authorities, powers, duties and responsibilities are also reinstated herein.

IV. Funds and decrees

1) Pursuant to Article 6, section 12 (a) of the Chuuk State Constitution, the Governor may issue appropriate decrees in connection with the emergency declaration and all its amendments. The Task Force shall monitor the implementation, enforcement and full compliance of Decrees and provide timely reporting.

2) Applicable financial management and public service system laws and regulations and other applicable and relevant statutes and rules are hereby suspended to the extent necessary to effectuate the purposes of this Declaration.

3) Pursuant to Article 6, section 12 (b) of the Chuuk State Constitution this declaration may impair civil rights to the extent actually required for the preservation of health, peace or safety.

V. Transition and final clauses

1) Pursuant to Article 6, section 12 of the Chuuk State Constitution, this emergency declaration is valid for fifteen (15) days (until midnight of January 4, 2021) unless amended, extended or revoked by the Chuuk State Legislature.

2) Unless inconsistent to this emergency declaration, all existing readiness/contingency plans, its annexes, social distancing guidelines, procedures and protocols issued by the any departments, task force committees duly adopted by the current Task Force, financial or budgetary plans, preparations, and any other issuances, decrees, or actions taken and adopted by the current Task Force is hereby fully incorporated, adopted as if issued, created, established or imposed by the Task Force reestablished herein.

3) Any future amendments, extension or imposition of the FSM President and/or Congress of the Federated States of Micronesia after the issuance of this emergency declaration, in so far as it applies to the FSM jurisdiction, is hereby fully incorporated, premise upon prior consultation of the FSM and State task forces.

SO ORDERED AND DECREED this 21st day of December 2020.


JOHNSON ELIMO
Governor
Chuuk State