
A HOUSE JOINT RESOLUTION

To amend the Governor's Public Health Emergency Declaration dated July 6, 2021.

1 **WHEREAS**, on July 6, 2021 the Governor issued a Public Health Emergency
2 Declaration, and

3 **WHEREAS**, in accordance to Article VI Section 12 (c) of the Chuuk State
4 Constitution, the Legislature has sole authority to revoke, amend or extend the Public
5 Health Emergency Declaration; and

6 **WHEREAS**, the Legislature is currently convened for its Sixteenth Chuuk State
7 Legislature, First Regular Session and therefore has the powers under the Constitution to
8 revoke, amend, or extend the Declaration; and

9 **WHEREAS**, legislature has reviewed the Declaration and the decrees issued by the
10 Governor and has reviewed updated information on the Covid-19 becoming a pandemic,
11 the facts attending to the declaration, and the decrees and has had several hearings and had
12 meetings with other agencies; now, therefore,

13 **BE IT RESOLVED** by the Sixteenth Chuuk State Legislature, First Regular
14 Session that:

15 1) Pursuant to Article VI, Section 12 of the Chuuk State Constitution, the
16 Legislature has the exclusive authority to revoke, amend or extend the
17 Emergency Declaration. The Governor may not revoke, amend or extend the
18 Emergency Declaration.

19 2) Pursuant to Article VI Section 12 of the Chuuk State Constitution, the Governor
20 may issue appropriate decrees related to the Emergency Declaration, other than
21 to revoke, amend or extend the Emergency Declaration. Unless and until this
22 Emergency is revoked by the Legislature, or is expired on its own term, the
23 Governor may not issue an additional or new Emergency Declaration to address
24 the ongoing Covid-19 Pandemic.

25 3) The governor is urged to coordinate and consult with the FSM Task force and
26 the other states task forces.

1 4) The Health Emergency Declaration in the State of Chuuk dated July 6, 2021 is
2 hereby amended to read

3 **DECLARATION OF A STATE OF EMERGENCY**

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

6 **WHEREAS**, as of this Declaration there are more than 3,991,000 deaths of the
7 COVID-19 and more than 184,501,000 infections affecting two hundred twenty (220)
8 countries,

9 **WHEREAS**, the FSM President issued a declaration of emergency on January 31,
10 2020 prohibiting the travel to and from China, and other countries, states, or territories
11 which are affected by the COVID-19,

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

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

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

18 **WHEREAS**, previous special sessions of the 15th Chuuk State Legislature did not
19 extend, revoke or amend the emergency declaration,

20 **WHEREAS**, the Emergency Declaration I issued on May 22, 2021 expires
21 midnight of June 5, 2021 and request for extension or amendment has been transmitted to
22 the 16th Chuuk State Legislature,

23 **WHEREAS**, on May 31, 2021, the Congress of the Federated States of Micronesia
24 extended the FSM President's Declaration by Resolution No. 22 – 06 until September 30,
25 2021,

26 **WHEREAS**, CFSM Resolution No. 22 – 06 may grant rare exceptions on a case by
27 case basis, for certified health experts, technicians and workers assigned to assist the FSM
28 with respect to COVID-19, returning medical referral patients, including if applicable, the
29 remains of a deceased and the medical and/or family attendants and immediate family
30 members and FSM governmental officials whose duties are critical, vital and indispensable
31 to the functioning of any branch of any FSM state or the FSM national government and any

1 person arriving in the FSM on an air or sea vessel who is assessed by FSM medical
2 personnel as needing urgent medical care premised upon prior favorable advise, assessment
3 and recommendation of the FSM Task Force in consultation with the state task forces, and
4 subject to all screening detection, quarantine and isolation procedures and protocols of the
5 State of destination;

6 **WHEREAS**, the CFSM resolution no. 22 – 06 lifted all outbound travel
7 restrictions,

8 **WHEREAS**, the CFSM resolution no. 22 – 06 permits travel by air or sea between
9 and within FSM states is permitted: for essential personnel as determined by the state
10 whom the personnel is needed; people who are returning to their state of residence,
11 employment, or location of their educational institution, or for family emergency as long as
12 there are no confirmed COVID-19 cases within any of the FSM states. Only air and sea
13 travel between the FSM states, by domestic air or sea carrier is permitted, and any travel
14 that originates outside of the FSM is not permitted except as provided in this declaration.
15 Flights originating in Guam or Hawaii or any other affected area are not permitted and
16 ships originating from any affected area are not permitted. All passengers will be screened
17 at the airports or seaports prior to check in or boarding and are subject to health screening
18 procedures in the FSM state of destination. Any passenger exhibiting symptoms of
19 COVID-19 will not be permitted to board the plane or ship. Any passenger that develops
20 symptoms during transit will be permitted to enter at their final destination, but will subject
21 to quarantine/isolation requirements;

22 **WHEREAS**, the FSM President issued Presidential Decree setting national
23 standards for social distancing during this COVID-19 pandemic health emergency on
24 August 25, 2020;

25 **WHEREAS**, on March 9 – 19, 2021 the FSM Assessment team jointly conducted
26 with Chuuk COVID-19 Task Force, the table top exercise and the mock drill to assess the
27 readiness and preparedness of Chuuk State to accept and repatriate its citizens and
28 residents;

29 **WHEREAS**, on March 26, 2021, the FSM Assessment team issued a report
30 wherein various features of Chuuk State's preparedness have gaps and deficiencies that

1 should be addressed in order for Chuuk State to be ready to accept its citizens and
2 residents, including but not limited to facilities for quarantine, PUI and isolation.

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

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

11 **I. Strengthening Chuuk State Ports of Entry and incoming vessels**

12 1) All impositions and restrictions of sections 9 and 10 of CFSM resolution no.
13 22 – 06 hereby fully incorporated in so far as they are applicable subject to
14 the guidelines issued by the Department of Transportation and Public Works
15 upon the instruction of the Task Force in coordination with NORMA.

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

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

9 **II. Travel ban, impositions and restrictions**

- 10 1) All travelers to Chuuk State shall only disembark and be screened in Weno,
11 ports of entry except as provided in section I;
- 12 2) All travelers to Chuuk State from any COVID-19 affected country, state or
13 territory shall not be permitted to enter Chuuk State subject to the exceptions
14 provided in section 4 of CFSM resolution no. 22 – 06 and authorized under
15 section 7(i) therein, in consultation with the Chuuk Department of Health
16 Services.
- 17 3) All travelers as provided in the exceptions in section 4 of CFSM resolution
18 no. 22 – 06 travelling from affected by the COVID-19 shall be subjected to
19 mandatory screening/quarantine/testing/isolation procedures and protocols
20 for quarantine for a minimum of fourteen (14) days or for a period to be
21 determined by the Department of Health Services upon the direction of the
22 Task Force;
- 23 4) Except as provided by section I (2) and (3) of this emergency, all passengers
24 originating from any FSM states are permitted travel by air or sea to Chuuk,
25 Weno port of entry, as long as there are no confirmed COVID-19 cases
26 within any of the FSM states. Only air and sea travel between the FSM states
27 is permitted to enter Chuuk State, Weno ports of entry, travel that originates
28 outside of the FSM is not permitted (ie. Interstate travel is authorized only
29 via FSM flagged passenger airplanes, vessels or FSM Surveillance vessels)
30 All passengers will be screened at the airports or seaports prior to check in or
31 boarding and are subject to health screening procedures in Chuuk State,

1 Weno ports of entry only except as provided in section I Any passenger
2 exhibiting symptoms of COVID-19 will not be permitted to board the plane
3 or ship going to Chuuk State, Weno ports of entry Any passenger that
4 develops symptoms during transit will be permitted to enter at their Chuuk
5 State, Weno ports of entry, but will be subjected to protocols and
6 quarantine/isolation requirements set by Chuuk Department of Health
7 Services,

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

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

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

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

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

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

1 11) Travels by any Chuuk State Government employees or official are hereby
2 suspended until further notice, unless within the FSM states as long as those
3 states are COVID-19 free subject to the Emergency Decree of the FSM
4 President issued on August 25, 2020.

5 12) The 16th Chuuk State Legislature, board or commission of the Chuuk State
6 Government is hereby authorized to conduct its sessions, hearings or
7 meetings via teleconference/videoconference media from a site in Guam or in
8 other country, state or territory that would be agreed to by the Senate, board
9 or commission whenever appropriate to achieve a quorum or to ensure full
10 participation of its entire members, directors or commissioners as they may
11 seem fit.

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

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

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

28 The Task Force is hereby established to coordinate all activities that need to be
29 undertaken and measures that must be formulated and implemented in connection to the
30 COVID-19. The Task Force shall be responsible for setting up plans to provide all

1 necessary measures that will ensure that the movement of people in and to Chuuk State
2 does not cause the introduction of COVID-19

3 The Task Force shall be composed of the following

4 Chairman, Chief of Public Health, Department of Health Services

5 Vice-chairman, Executive Director, DEOC or as designated by the Governor

6 Members

7 1) Director, Department of Public Safety;

8 2) Acting Executive Director, Chuuk Environmental Protection Agency,

9 3) Director, Department of Public Works and Transportation,

10 4) Director, Department of Education;

11 5) Attorney General;

12 6) Two (2) designees by the President and the Speaker,

13 7) Branch manager of United Airlines;

14 8) Manager of TRANSCO;

15 9) Division Chief, Public Affairs;

16 10) Roger Arnold, Economist;

17 11) Director, Department of Administrative Services or his designee,

18 12) A legal representative designated by the Governor,

19 13) Office of the Public Information Officer; and

20 14) Representative of the Chuuk State Chamber of Commerce.

21 **IV. Funds and decrees**

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

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

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

4 **V. Transition and final clauses**

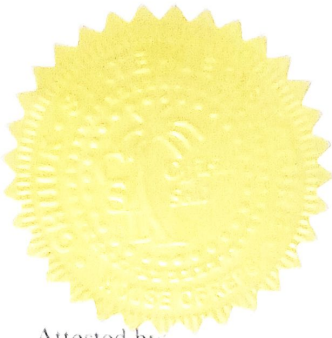
5 1) Unless sooner revoked by the Chuuk State Legislature, this Emergency
6 Declaration is in effect until September 30, 2021.

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

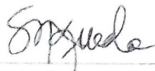
14 3) Any future amendments, extension or imposition of the FSM President and/or
15 Congress of the Federated States of Micronesia after the issuance of this
16 emergency declaration, in so far as it apply to the FSM jurisdiction, is hereby
17 fully incorporated, premise upon prior consultation of the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

19 **BE IT RESOLVED**, by the Sixteenth Chuuk State Legislature, the House of
20 Representatives with the concurrence of the Senate, that the Chuuk State Legislature has
21 hereby amend the Governor's Public Health Emergency Declaration; and

22 **BE IT FUTHER RESOLVED**, that certified copies of this resolution be
23 transmitted to the Governor of Chuuk State, President of the Federated States of
24 Micronesia, Speaker of the Congress, Chief Justice of the FSM Supreme Court, the FSM
25 National Task Force, Chief Justice of the Chuuk State Supreme Court, Chuuk COVID-19
26 Task Force, Governors of the other FSM States and all Mayors in Chuuk State.

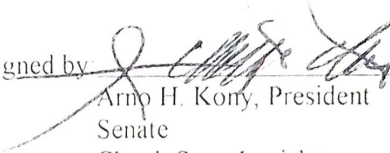


Attested by

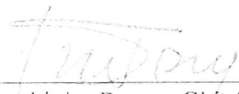

Merida Ueda, Chief Clerk
House of Representatives
Chuuk State Legislature

Signed by 
Lester D. Mersai, Speaker
House of Representatives
Chuuk State Legislature

Date 7/20/2021

Signed by 
Arno H. Kony, President
Senate
Chuuk State Legislature

Attested by


Songkinita Bossy, Chief Clerk
Senate
Chuuk State Legislature

Date: 7/20/21

HISTORY	H.J.R. NO.	:	16-01;HD-1;SD-1
	Introduced by	:	Floor Leader Wayne Olap
	Introduced Date	:	June 10, 2021
	Adopted Date	:	July 13, 2021
	H.C.R. NO.	:	None
	S.C.R. NO.	:	16-1R-24