



# POHNPEI STATE GOVERNMENT

OFFICE OF THE GOVERNOR

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## CONSTITUTIONAL EMERGENCY ORDER NO. 20-02

WHEREAS, on March 11, 2020, the Governor issued Constitutional Emergency Order No. 20-01 which declared a state of emergency for the State of Pohnpei in response to the imminent threat of Covid-19, and thereafter subsequent amendments necessary to further ensure the health and safety of the people of Pohnpei; and

WHEREAS, due to the state of emergency, several measures were imposed by Pohnpei State which includes health screening, quarantine, and strengthening the state's current preventive and containment measures against Covid-19 in terms of public awareness, structural facilities, monitoring and surveillance at the airport and seaport areas and travel bans; and

WHEREAS, on April 9, 2020, the 10<sup>th</sup> Pohnpei Legislature extended Constitutional Emergency Order No. 20-01 for another 60 days counting from March 11, 2020 which expired on May 10, 2020; and

WHEREAS, given the undeniable vulnerability of the state of Pohnpei from the Covid-19 pandemic experienced all over the world and the limited resources available to combat and mitigate the effects of Covid-19, it is of paramount importance and legal duty to continue to take all the emergency precautionary measures and interventions necessary to protect and save the lives of our people;

NOW THEREFORE, I, Reed B. Oliver, Governor of the State of Pohnpei, pursuant to the authority vested upon me under Article 13, Section 9 of the Pohnpei Constitution and pursuant to 8 PC 1-102(e), do hereby declare a state of emergency for the State of Pohnpei in response to the continuous and imminent threat of COVID-19 and order as follows:

- 1) The Pohnpei Emergency Task Force is hereby reactivated.
- 2) The COVID-19 Contingency Plan for Pohnpei State is hereby elevated to the level of response of Cov-Con3. All departments, offices, and agencies are urged to perform all tasks required pursuant to their respective roles under the plan.
- 3) The Department of Treasury & Administration in cooperation with Office of Budget shall identify sources of funds necessary to carry out this order and recommend to the Governor.
- 4) Funding assistance shall be immediately requested from the Office of the President of the FSM.

5) Government travel by Pohnpei State Government employees are hereby suspended until further notice for the duration of this emergency declaration.

6) (a) No passenger is allowed to disembark in the State of Pohnpei, except crew of commercial airlines, humanitarian support aircraft and vessels, including search and rescue assets, and all cargo vessels and tankers, who may disembark only in the performance of required operational duties within the immediate airport or seaport facilities; PROVIDED that they do not come in contact with anyone including airport or seaport personnel per World Health Organization guidelines on COVID-19; and

b) PROVIDED FURTHER, that in the event of an emergency or unforeseen circumstances caused by accidents, *force majeure*, disease, illness, or other extenuating factors that may result in substantial risk, injury or loss of life to any person, the Department of Health and Social Services in coordination with relevant state agencies and the Pohnpei Task Force shall, on a case by case basis, undertake all required medical protocols and health measures relative to Covid-19 including risk assessment, quarantine or isolation requirements or a combination thereof deemed necessary, prior to allowing any person entry into the state of Pohnpei.


7) During the emergency, a civil right may be impaired only to the extent necessary for the preservation of the public peace, health or safety. In addition, competitive bidding procedures for any procurement in connection with this constitutional emergency order are hereby waived.

8) Unless revoked or amended sooner, this Constitutional Emergency Order is valid for a period of thirty (30) days counting from May 10, 2020.

Furthermore, the Department of Public Safety with the assistance of the relevant departments, offices, and agencies shall ensure that all provisions of this Constitutional Emergency Order are adhered to under the fullest extent of the law.

Copies of this order shall be transmitted to the President of the FSM, the Speaker of the 10<sup>th</sup> Pohnpei Legislature, the Chief Justice of the Pohnpei Supreme Court, the local chief executives of each municipality, members of Mwoal en Wahu, Chamber of Commerce, church leaders, and the Pohnpei Women's Advisory Council.

SO ORDERED.

  
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Reed B. Oliver  
Governor  
State of Pohnpei

Date: 05/11/2020