A RESOLUTION

Amending Constitutional Emergency Order No. 20-01 by extending the period in which the amended Order is valid in the realization that the risks are greater than ever of the COVID-19 pandemic reaching our shores with devastating effects on our people, our economy and our State.

WHEREAS, on March 11, 2020, the World Health Organization declared the Coronavirus (COVID-19) outbreak a pandemic and placed every country globally at risk due to the alarming rate of the spread of COVID-19; and

WHEREAS, confirmed cases of COVID-19 continue to rise globally and have now moved into our region of the world with the State of Hawaii, the Territory of Guam and the Commonwealth of the Northern Mariana Islands, all reporting increasing numbers of confirmed cases and deaths due to COVID-19; and

WHEREAS, on March 11, 2020, the Governor declared a Constitutional State of Emergency for the State of Pohnpei, labeled as Constitutional Emergency Order No. 20-01, which sets the level of response to the imminent threat of COVID-19 for all incoming passengers on flights and vessels to have a medical certificate and be placed in a mandatory 14-day quarantine at designated quarantined areas; and

WHEREAS, on March 21, 2020, the Governor issued an amendment to the Constitutional Emergency Order by ordering a lockdown of the State of Pohnpei, banning all incoming passengers into the State of Pohnpei, except for crews on commercial aircraft and vessels in performance of their duties, provided that they do not come in contact with any ground-based personnel; and

WHEREAS, Article 13, Section 9 of the Pohnpei Constitution specifies that:


(1) The Governor may declare a state of emergency
and issue appropriate decrees, to preserve the public peace, health, or safety, at a time of extreme emergency caused by civil disturbance, epidemic, natural disaster, or immediate threat of war.

(2) A declaration of emergency may impair a civil right only to the extent actually necessary to preserve peace, health, or safety. A declaration of emergency may be subject to judicial review.

(3) The Legislature may amend or revoke a declaration of emergency at any time by resolution. Unless the declaration expires earlier, the Legislature shall convene within thirty days to consider the declaration of emergency. Unless a declaration expires earlier, is revoked, amended, or repealed, a declaration of emergency shall be in effect for thirty days.”; and

WHEREAS, pursuant to this provision of the Constitution, Constitutional Emergency Order No. 20-01 will expire on April 11, 2020, unless amended by the Pohnpêi Legislature; and

WHEREAS, it is the sense of the Pohnpei Legislature that the risks are greater than ever of this dangerous disease reaching our shores with devastating effects on our people, our economy and our State; now, therefore,

BE IT RESOLVED by the Tenth Pohnpei Legislature, First Special Session, 2020, that Paragraph 7) of the NOW, THEREFORE, clause of the amended Constitutional Emergency Order No. 20-01 is hereby further
amended to read as follows:

"7) Unless revoked or amended sooner, this Constitutional
Emergency Order is valid for a period of sixty (60) days counting from
March 11, 2020."; and

BE IT FURTHER RESOLVED that certified copies of this
resolution be transmitted to the Governor of Pohnpei, to the Chief Justice of
the Pohnpei Supreme Court, to the President of the Federated States of
Micronesia, to the Speaker of the Congress of the Federated States of
Micronesia, and to the Chief Justice of the FSM Supreme Court.

ADOPTED BY THE POHNPEI LEGISLATURE ON THE 9th DAY OF

[Signature]
Speaker, Pohnpei Legislature

[Signature]
Attest: Legislative Clerk