

Amended Executive Order 2020-04



RALPH DLG. TORRES · MONDAY, MARCH 16, 2020 · 9 MINUTES

DECLARATION OF STATE OF PUBLIC HEALTH EMERGENCY AND CONTINUED DECLARATION OF STATE OF SIGNIFICANT EMERGENCY ESTABLISHING RESPONSE, QUARANTINE, AND PREVENTIVE CONTAINMENT MEASURES CONCERNING CORONAVIRUS DISEASE 2019 (COVID-19)

WHEREAS, Coronavirus Disease 2019 (COVID-19) is a novel virus that is the cause of severe acute respiratory illness. It was first detected in Wuhan, Hubei Province, People's Republic of China ("PRC") in December of 2019. As of 16 March, over 169,000 cases of COVID-19 have been reported in more than 140 countries and territories, with major outbreaks in mainland China, Europe, Iran, and South Korea, among others. More than 6,500 people have died from the disease.

WHEREAS, COVID-19 is considered to be highly contagious. The method or manner of transmission is not completely known. Of more concern, there is no confirmed treatment for COVID-19 other than quarantine, isolation and containment. The U.S. Centers for Disease Control ("CDC") is undertaking emergency research and developing protocols to develop a biomedical response or vaccine for COVID-19. The potential pandemic impact of COVID-19 cannot be understated.

WHEREAS, travelers from mainland China and several countries such as Hong Kong, Macau, Thailand, Australia, Malaysia, Singapore, Taiwan, South Korea have been identified with COVID-19. The recent rise of confirmed cases of COVID-19 in the Republic of Korea (South Korea) is particularly worrisome as that is a major tourism source market for the CNMI.

WHEREAS, the public health threat of a traveler carrying COVID-19 is significant and cannot be understated. The CDC states that the complete clinical picture of COVID-19 is still not fully clear. Reported illnesses have ranged from infected people with little to no symptoms to people being severely ill and dying. This is a serious public health threat. The fact that this virus has caused severe illness and sustained person-to-person spread in China and other countries is concerning. For the CNMI and its tourism dependent economy, the risk is substantial due to incubation times, the sourcing of travelers and the developing protocols to deal with a virus that has yet to be contained.

WHEREAS, on January 29, 2020, the Governor issued Executive Order 2020-01 declaring a state of significant emergency regarding the COVID-19 outbreak that ordered the Commonwealth Healthcare Corporation to implement quarantine and preventive containment measures and directed the Secretary of Finance and Special Assistant for Management and Budget to assess the fiscal impact of the outbreak on the government's budget.

WHEREAS, on January 31, 2020, the Secretary of Health & Human Services, Alex M. Azar II, declared a public health emergency for the United States to aid the nation's healthcare community in responding to COVID-19.

WHEREAS, on January 31, 2020, the President of the United States, Donald J. Trump, issued a proclamation suspending entry into the United States, including the CNMI, of all aliens, immigrants or nonimmigrants, who were physically present within the People's Republic of China, excluding the Special Administrative Regions of Hong Kong and Macau, during the 14-day period preceding their entry or attempted entry into the United States, subject to certain exceptions. This same proclamation also ordered the Secretary of Homeland Security to "take all necessary and appropriate steps to regulate the travel of persons and aircraft to the United States to facilitate the orderly medical screening and, where appropriate, quarantine of persons who enter the United States and who may have been exposed to [COVID-19]."

WHEREAS, on February 28, 2020, the Acting Governor issued Executive Order 2020-02 continuing the declaration of a state of significant emergency regarding the COVID-19 outbreak that, among other things, ordered the Commonwealth Healthcare Corporation to implement quarantine and preventive containment measures and directed the Secretary of Finance and Special Assistant for Management and Budget to assess the fiscal impact of the outbreak on the government's budget.

WHEREAS, on March 13, President Donald J. Trump declared a national emergency over the COVID-19 outbreak in the continental United States.

WHEREAS, on March 15, 2020, the government of Guam announced three confirmed cases of COVID-19 infection on the island of Guam.

WHEREAS, by this declaration of a state of significant emergency, I intend to direct and instruct the Commonwealth Healthcare Corporation ("CHCC"), Commonwealth Homeland Security & Emergency Management Office ("HSEM"), Commonwealth Ports Authority, the CNMI Customs Division and the Marianas Visitors Authority to undertake immediate emergency COVID-19 containment measures. This Declaration is necessary to protect the health and safety of our children, our senior citizens, businesses, and all other CNMI residents and visitors.

NOW THEREFORE, I, RALPH DLG. TORRES, pursuant to the authority vested in me as Governor of the Commonwealth of the Northern Mariana Islands by Article III, § 10 of the Commonwealth Constitution, the Homeland Security and Emergency Management Act of 2013, 1 CMC § 20144, and the CNMI Emergency Health Powers Act of 2003, 3 CMC §§ 2181-2195 do hereby declare a State of Significant Emergency and a State of Public Health Emergency for the Commonwealth of the Northern Mariana Islands due to the imminent threat Coronavirus Disease 2019 (COVID-19). COVID-19 poses a significant and imminent threat of harm to the community, environment and people of the CNMI and this emergency declaration issues in order to respond, quarantine and ensure the prevention of or containment of COVID-19 in the CNMI.

Additionally, I hereby invoke my authority under Article III, § 10 of the Commonwealth Constitution, the Homeland Security and Emergency Management Act of 2013, 1 CMC § 20144, and the CNMI Emergency Health Powers Act of 2003, 3 CMC §§ 2181-2195, to take all necessary measures to address the threats facing the Commonwealth of the Northern Mariana Islands including, but not limited to, the authority to:

1. Suspend all statutory or regulatory provisions as required; and
2. Utilize all available resources of the Commonwealth government and its political subdivisions as reasonably necessary to respond to the emergency.

It is hereby **ORDERED** that:

This Executive Order supersedes and replaces Executive Order 2020-02, but where relevant, shall act as a continuation of the declaration of first announced and issued in Executive Order 2020-01.

This Declaration of a State of Significant Emergency and of a State of Public Health Emergency shall take effect immediately and all memoranda, directives, and other measures taken in accordance with this Declaration shall remain in effect for thirty (30) days from the date of this Executive Order unless I, prior to the end of the thirty (30)-day period, terminate the declaration.

Under the authority of this Declaration and with the goal of mitigating or ameliorating the above described crises, I immediately direct the following:

DIRECTIVE 1: The HSEM and CHCC, any government agency acting pursuant to their requests, and any private person or entity acting pursuant to their requests, is hereby granted a temporary exemption from any Commonwealth regulation that would tend to prevent, hinder, or delay any action that HSEM or CHCC deems necessary when assisting and supporting the Commonwealth in its response to the COVID-19 threat. However, HSEM,

CHCC and other government agencies, and private persons or entities temporarily exempted from such regulations under this provision must continue to comply with regulations that would not tend to prevent, hinder, or delay actions that HSEM and CHCC deem necessary to respond to the COVID-19 threat.

DIRECTIVE 2: HSEM and CHCC are hereby authorized to utilize all available government equipment and property in the Commonwealth to respond to the COVID-19 threat.

DIRECTIVE 3: HSEM and CHCC may, after consultation with the Office of the Governor, temporarily transfer direction, personnel, and functions of government agencies to facilitate its response to the COVID-19 threat.

DIRECTIVE 4: HSEM and CHCC may prescribe routes, modes of transportation, and destinations in consultation with public safety authorities to respond to the COVID-19 threat.

DIRECTIVE 5: HSEM and CHCC, in consultation with and coordination with public safety agencies, may control or limit ingress and egress to and from stricken or threatened area, the movement of persons within areas, or the occupancy of premises therein, if such actions are reasonable and necessary to facilitate its response to a COVID-19 threat.

DIRECTIVE 6: HSEM, CHCC and the Office of the Governor will seek aid from the federal government if any such aid is available and necessary.

DIRECTIVE 7: Effective immediately, and until further notice, all government offices and all non-essential government functions are shut down for two weeks. All non-essential personnel are asked to stay home until further notice. Essential personnel shall be identified for COVID-19 public health emergency related work. Mayors of the municipalities shall have discretion in designating employees that engage in public health emergency related work.

DIRECTIVE 8: All persons who are traveling into the CNMI, who originate from a country with an identified COVID-19 outbreak, inclusive of Guam, Hawaii, and the Continental United States, must exercise self-quarantine for 14 consecutive days as prescribed by CHCC. These individuals will be enrolled in the CHCC COVID-19 text-based illness monitoring system and will be subject to monitoring and follow up with CHCC per their surveillance protocols. Failure to comply with CHCC self-quarantine protocol will subject the person to an order of isolation and quarantine. Travelers, including pilots and flight crew, with return flights within less than 14 days of arrival will be permitted to depart the CNMI.

CHCC shall coordinate with the Commonwealth Ports Authority (“CPA”), the CNMI Customs Service, Marianas Visitors Authority (“MVA”) and any other necessary government agency, commonwealth or federal, to develop and implement protocols, quarantine measures and

other increased monitoring and controls at the Commonwealth airports and seaports as to all arriving travelers, passengers and cargo for screening for COVID-19.

DIRECTIVE 9: CPA shall consult and coordinate with the FAA and airlines so as to limit travel between the islands of the CNMI to that necessary for emergencies, cargo, or government employees dealing directly with the COVID-19 threat.

DIRECTIVE 10: CHCC shall ensure that, effective immediately, gatherings of 50 people or more in a single room or single space at the same time for social, spiritual and recreational activities, including, but not limited to, community, civic, public leisure, faith-based, or sporting events, parades, concerts, festivals, fiestas, conventions, fundraiser and similar activities are prohibited throughout the islands of the CNMI.

DIRECTIVE 11: To further strengthen ongoing mitigation measures, the CNMI Government strongly recommends social distancing of at least six feet whenever possible and reasonable. Social distancing is important because COVID-19 is most likely to spread from person-to-person through direct close contact with a person while they are infectious or in the 24 hours before symptoms may appear, through close contact with a person with a confirmed infection who coughs or sneezes, or through touching objects or surfaces (such as door handles or tables) contaminated from a cough or sneeze from a person with a confirmed infection, and then touching your mouth or face.

DIRECTIVE 12: There shall be no travel by a government employee unless expressly approved by the Governor or Lt. Governor, and then only in cases of emergency or in directly dealing with the COVID-19 threat.

DIRECTIVE 13: Because of the complete suspension or reduction of flights and the resulting economic slow-down and the predictable resulting decreased revenue from visitors impacting our economy, I direct the Secretary of Finance and the Special Assistant for Management and Budget to continue to monitor the fiscal impact on the FY2020 budget and to provide a weekly (or more often if deemed necessary) report to the Governor and/or the Lt. Governor. As part of this report, the Secretary of Finance and the Special Assistant for Management and Budget shall make recommendations for adjustments to our FY2020 budget consistent with the CNMI Planning and Budgeting Act if such adjustments are deemed necessary by the Secretary and Special Assistant.

The above described Directives are in no way meant as the limits of actions or authority under this Declaration. Accordingly, I reserve the right under this Declaration to issue any and all directives necessary to prevent, mitigate or ameliorate the adverse effects of the emergency.

SIGNED AND PROMULGATED ON THIS 17th day of March, 2020

/s/

RALPH DLG. TORRES

GOVERNOR

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