NORTH Dakota | Governor Doug Burgum

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EXECUTIVE ORDER 2020-04

WHEREAS, COVID-19 is a severe respiratory illness, caused by the SARS-CoV-2 virus, a new strain of coronavirus that is spread from person to person, posing a serious threat to the health and safety of the residents of North Dakota; and,

WHEREAS, United States Department of Health and Human Services Secretary Alex Azar declared a national public health emergency for COVID-19 on January 27, 2020; and

WHEREAS, the World Health Organization declared COVID-19 a global pandemic on March 11, 2020; and,

WHEREAS, on March 13, 2020, President Donald Trump issued a declaration of national emergency due to the growing COVID-19 crisis in the United States; and,

WHEREAS, to date, the Centers for Disease Control and Prevention (CDC) reports more than 132,000 confirmed COVID-19 cases in 123 countries worldwide and more than 1600 confirmed cases in the United States; and,

WHEREAS, on March 13, a state of emergency was declared in the State of North Dakota through Executive Order 2020-03, in response to the public health crisis resulting from the novel coronavirus (COVID-19); this Order activated the North Dakota State Emergency Operations Plan (SEOP) to assist local and tribal officials, to prevent injuries and save lives, alleviate hardships, implement appropriate response and recovery actions and future mitigation measures, and facilitate restoration of services and infrastructure; and,

WHEREAS, on March 15, 2020, the CDC issued new and more restrictive guidance that recommends limiting events and mass gatherings to no more than 50 people; and,

WHEREAS, in consultation with our health care providers, we are aware of gaps in our health care system related to testing and treatment of COVID-19 requiring a more aggressive approach to ensure the pandemic doesn't overwhelm our health care system.

NOW THEREFORE, Doug Burgum, Governor of North Dakota, by virtue of the authority under Article V, Section 1 of the North Dakota Constitution and North Dakota Century Code 37-17.1, hereby declares a state of emergency in North Dakota in response to the public health crisis resulting from the novel coronavirus (COVID-19) that requires further community mitigation measures in addition to those set forth in Executive Order 2020-03.

It is hereby ordered that all K-12 schools in North Dakota, both public and non-public, will be closed to students from Monday, March 16 to Friday, March 20, 2020. Essential school district staff are directed to report to work on March 16 and 17 (Monday and Tuesday) to develop plans for fragile and special needs students, future continuity of food nutritional programs and alternate learning plans.

This order is issued on the foregoing bases and under the following conditions:

1. The Governor is vested with the executive authority pursuant to Article V, Section 1 of the North Dakota Constitution; and,
2. The Governor is vested with statutory authority to issue executive orders to minimize or avert the effects of a public health emergency pursuant to Chapter 37-17.1 of the North Dakota Century Code; and,
3. The Governor and the State Health Officer are vested with the statutory authority under North Dakota Century Code 23-07.6 to implement appropriate isolation and quarantine measures; and,
4. The Governor is vested with statutory authority under North Dakota Century Code Chapter 39-12-23 to permit and prescribe definite excess limitations as to size and weight for the operation of motor vehicles in emergencies and to meet unusual conditions for the general welfare of the public; and,
5. A coordinated and effective effort of all state departments is required to minimize the impact of disasters and emergencies in this state.

This order is in effect immediately and shall remain in effect until it is rescinded.

Executed at Bismarck, North Dakota, this 15th day of March, 2020.

Doug Burgum
Governor

ATTEST:

Secretary of State