



Roy Cooper, Governor
State of North Carolina

GOVERNOR ROY COOPER OBJECTIONS AND VETO MESSAGE:

Senate Bill 105, "AN ACT TO CLARIFY THE EXPIRATION OF A STATE OF EMERGENCY AND THE EXERCISE OF CERTAIN POWERS UNDER A STATE OF EMERGENCY AND TO CLARIFY THE ABATEMENT OF STATEWIDE IMMINENT HAZARDS."

The Emergency Management Act clearly provides the Governor with statutory authority to direct the state's response to a public health emergency that could affect the entire state's population. A devastating pandemic, like COVID-19, threatens the state's people and warrants providing the state's chief executive have the authority to manage the state's response by placing prohibitions and restrictions on activities that threaten public health and safety. The legislators who foresaw such challenges were right to vest that authority with the Governor, so that government can respond quickly and on a statewide basis to emergencies as they evolve. Placing additional bureaucratic and administrative obligations on the declaration of a state of emergency is a substantial change in the law, frustrates executive branch officials' ability to quickly and efficiently respond to such an emergency by requiring the concurrence of officials with limited involvement in managing the response, and would risk diverting focus from responding to such an emergency.

Therefore, I veto the bill.

A handwritten signature in black ink that reads "Roy Cooper".

Roy Cooper
Governor

The bill, having been vetoed, is returned to the Clerk of the North Carolina Senate on this the 2nd day of July 2020, at 1:31 pm for reconsideration by that body.

The Capitol Building, Raleigh, NC 27602
Mail: 20301 Mail Service Center, Raleigh, NC 27699-0301
Phone: (919)814-2100

received from the
Governor @ 1:31 p.m.
7/2/20
Leigh Buppel

SECTION 5. This act is effective when it becomes law and applies to the exercise of power under a state of emergency or declaration of emergency existing on or after that date or any order of abatement issued on or after that date. Any power exercised under a state of emergency or declaration of emergency existing on that date that would require a concurrence of the Council of State under G.S. 166A-19.20 or G.S. 166A-19.30, as amended by this act, shall expire two days after this act becomes law unless a concurrence of the Council of State is sought and received in accordance with G.S. 166A-19.20 or G.S. 166A-19.30, as amended by this act.

In the General Assembly read three times and ratified this the 26th day of June, 2020.

Philip E. Berger
President Pro Tempore of the Senate

Tim Moore
Speaker of the House of Representatives

VETO

Roy Cooper
Governor

Approved _____ .m. this _____ day of _____, 2020