

**Subject:** [External] Concurrence on Executive Order

**Date:** Tuesday, March 17, 2020 at 12:41:22 PM Eastern Daylight Time

**From:** Polk, Will

**To:** Worley, Martha S, Josh Stein, Candy Finley, Cashwell, Pamela (CCPS), Jones, Kristi - Governor Office, Britt, Art, chris farr, Christopher McCracken, cindy.esparragoza, Causey, Mike, Troxler, Steve, folwell, dale, Dale Folwell, Forest, Dan J, Smith, David, White, Julia W, Sprayberry, Mike (NCEM), Browning, Teresa, seth Dearmin, DPI-assitant meredith.steadman , Gilchrist, Jane (CCPS), Cooper, Roy A, Hooks, Erik A. (NCDPS), Haigwood, Jennifer, Whichard, Jordan, Berry, Cherie, lisa.frazier , Lockamy, Kela W, Lt. Governor Dan Forest, McLeod, Gregory S, Moore, Susan M, Renee\_Gellerson@ncauditor.net, Hargis, Scarlett W, E. Marshall, SOS- Assistant Jennell Baughman, Beth Wood, Peruse, Charlie, Mark Johnson, Anna.Yount, Walker, Steven, McKinney, William C, Hedgecock, Zane

**Priority:** High

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Dear Members of the Council of State,

Governor Cooper is requesting your concurrence on two items to limit human suffering and limit the spread of COVID-19 cases in North Carolina.

Pursuant to N.C. Gen. Stat. § 166A-19.30(a)(1), in order to utilize all available State resources as reasonably necessary to cope with an emergency, including the transfer and direction of personnel or functions of State agencies or units thereof for the purpose of performing or facilitating emergency services; and, pursuant to N.C. Gen. Stat. § 166A-19.30(b)(5) which allows the Governor to perform and exercise such other functions, powers and duties as are necessary to promote and secure the safety and protection of the civilian population, the Governor is seeking concurrence on the following:

1. The Governor will direct the Department of Commerce to interpret flexibly, and modify or eliminate the enforcement of certain requirements for unemployment benefits to the maximum extent permitted under federal law and until the State of Emergency Declaration regarding COVID-19, dated March 10, 2020, is rescinded. The following requirements will be waived or modified:
  - a. the one-week waiting period for benefits (N.C. Gen. Stat. § 96-14.1(b));
  - b. the able to work and available to work requirements (N.C. Gen. Stat. § 96-14.9(b));
  - c. the work search requirements (N.C. Gen. Stat. § 96-14.9(b));
  - d. the actively seeking work requirements (N.C. Gen. Stat. § 96-14.9(e)); and
  - e. the "lack of work" requirement of the unemployed provisions of N.C. Gen. Stat. § 96-15.01.
  - f. employers' accounts will not be allocated charges for individuals who are paid benefits for reasons related to COVID-19 (N.C. Gen. Stat. § 96-11.2).
  
2. The Governor will limit the sale of food, beverages, wine, beer, and liquor to take out, drive-through and delivery effective at 5 pm today.

The Governor respectfully requests your concurrence on these matters by 1:15 p.m. on March 17, 2020.

Best,  
Will Polk

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