

EXECUTIVE ORDER NO. 50

WHEREAS, beginning Saturday, January 19, 2019, the State of New Jersey is expected to experience a major winter storm causing hazardous weather conditions including heavy and wet snow, sleet, heavy and freezing rain, ice, bitter cold, sustained high winds, tidal and coastal flooding, and main stream and river flooding; and

WHEREAS, the National Weather Service has issued storm warnings for a substantial portion of the State, including a Winter Storm Warning for the northern portion of New Jersey, and a Winter Storm Watch throughout central New Jersey; and

WHEREAS, this severe winter storm is expected to produce hazardous travel conditions across the State due to heavy snowfall, ice accumulations, and reductions in visibility; and

WHEREAS, this major winter storm may cause downed power lines and trees, resulting in power outages, and is expected to impede the normal operation of public and private entities; and

WHEREAS, these severe weather conditions may make it difficult or impossible for citizens to obtain the necessities of life, as well as essential services such as police, fire, and first aid; and

WHEREAS, this impending major winter storm constitutes an imminent hazard that threatens and presently endangers the health, safety, and resources of the residents of the State; and

WHEREAS, this situation may become too large in scope to be handled in its entirety by the normal county and municipal operating services in some parts of this State, and this situation may spread to other parts of the State; and

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. App.A: 9-33 et seq., N.J.S.A. 38A:3-6.1, and N.J.S.A. 38A:2-4 and all amendments and supplements thereto, confer upon the Governor of the State of

New Jersey certain emergency powers;

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, in order to protect the health, safety, and welfare of the people of the State of New Jersey DO DECLARE and PROCLAIM that a State of Emergency exists throughout the State of New Jersey, effective at 12:00 p.m., Eastern Standard Time, on January 19, 2019; and I hereby ORDER and DIRECT the following:

1. I authorize and empower the State Director of Emergency Management, who is the Superintendent of State Police, to implement the State Emergency Operations Plan and to direct the activation of county and municipal emergency operations plans, as necessary, and to coordinate the recovery effort from this emergency with all governmental agencies, volunteer organizations, and the private sector.

2. I authorize and empower, in accordance with N.J.S.A. App. A:9-33, et seq., as supplemented and amended, the State Director of Emergency Management, who is the Superintendent of State Police, through the police agencies under his control, to determine and control the direction of the flow of vehicular traffic on any State or interstate highway, municipal or county road, and any access road, including the right to detour, reroute, or divert any or all traffic and to prevent ingress or egress from any area that, in the State Director's discretion, is deemed necessary for the protection of the health, safety, and welfare of the public, and to remove parked or abandoned vehicles from such roadways as conditions warrant.

3. I authorize and empower the Attorney General, pursuant to the provisions of N.J.S.A. 39:4-213, acting through the Superintendent of State Police, to determine and control the direction of the flow of vehicular traffic on any State or

interstate highway, municipal or county road, and any access road, including the right to detour, reroute, or divert any or all traffic, to prevent ingress or egress, and to determine the type of vehicle or vehicles to be operated on such roadways. I further authorize all law enforcement officers to enforce any such order of the Attorney General or Superintendent of State Police within their respective municipalities.

4. I authorize and empower the State Director of Emergency Management to order the evacuation of all persons, except for those emergency and governmental personnel whose presence the State Director deems necessary, from any area where their continued presence would present a danger to their health, safety, or welfare because of the conditions created by this emergency.

5. I authorize and empower the State Director of Emergency Management to utilize all facilities owned, rented, operated, and maintained by the State of New Jersey to house and shelter persons who may need to be evacuated from a residence, dwelling, building, structure, or vehicle during the course of this emergency.

6. I authorize and empower the executive head of any agency or instrumentality of the State government with authority to promulgate rules to waive, suspend, or modify any existing rule, where the enforcement of which would be detrimental to the public welfare during this emergency, notwithstanding the provisions of the Administrative Procedure Act or any law to the contrary for the duration of this Executive Order, subject to my prior approval and in consultation with the State Director of Emergency Management. Any such waiver, modification, or suspension shall be promulgated in accordance with N.J.S.A. App.A:9-45.

7. I authorize and empower the Adjutant General, in accordance with N.J.S.A. 38A:2-4 and N.J.S.A. 38A:3-6.1, to order

to active duty such members of the New Jersey National Guard who, in the Adjutant General's judgment, are necessary to provide aid to those localities where there is a threat or danger to the public health, safety, and welfare and to authorize the employment of any supporting vehicles, equipment, communications, or supplies as may be necessary to support the members so ordered.

8. In accordance with the N.J.S.A. App.A:9-34 and N.J.S.A. App.A:9-51, I reserve the right to utilize and employ all available resources of the State government and of each and every political subdivision of the State, whether of persons, properties, or instrumentalities, and to commandeer and utilize any personal services and any privately-owned property necessary to protect against this emergency.

9. In accordance with N.J.S.A. App. A:9-40, no municipality, county, or any other agency or political subdivision of this State shall enact or enforce any order, rule, regulation, ordinance, or resolution which will or might in any way conflict with any of the provisions of this Order, or which will in any way interfere with or impede the achievement of the purposes of this Order.

10. It shall be the duty of every person or entity in this State or doing business in this State and of the members of the governing body and every official, employee, or agent of every political subdivision in this State and of each member of all other governmental bodies, agencies, and authorities in this State of any nature whatsoever, to cooperate fully with the State Director of Emergency Management in all matters concerning this state of emergency.

11. In accordance with N.J.S.A. App. A:9-34, N.J.S.A. App. A:9-40.6, and N.J.S.A. 40A:14-156.4, no municipality or public or

semipublic agency shall send public works, fire, police, emergency medical, or other personnel or equipment into any non-contiguous disaster-stricken municipality within this State, nor to any disaster-stricken municipality outside this State, unless and until such aid has been directed by the county emergency management coordinator or his deputies in consultation with the State Director of Emergency Management.

12. This Order shall take effect at 12:00 p.m., Eastern Standard Time, on January 19, 2019, and shall remain in effect until such time as it is determined by me that an emergency no longer exists.

[seal]

GIVEN, under my hand and seal this
18th day of January,
Two Thousand and Nineteen,
and of the Independence of
the United States, the Two
Hundred and Forty-Third.

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Deputy Chief Counsel to the Governor

EXECUTIVE ORDER NO. 51

WHEREAS, Executive Order No. 50 (2019), declaring a State of Emergency, was issued on January 18, 2019, because of a major winter storm scheduled to arrive on January 19, 2019; and

WHEREAS, the severity of the conditions necessitating the declaration of a State of Emergency has passed;

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The State of Emergency declared in Executive Order No. 50 (2019) is terminated effective at 7:00 a.m., Eastern Standard Time, on January 21, 2019.

[seal]

GIVEN, under my hand and seal this
21st day of January,
Two Thousand and Nineteen,
and of the Independence of
the United States, the Two
Hundred and Forty-Third.

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Deputy Chief Counsel to the Governor

EXECUTIVE ORDER NO. 52

WHEREAS, my administration has spent our first year in office focused on the central task of growing New Jersey's economy in a way that works for all New Jersey families; and

WHEREAS, during my first week in office, I issued Executive Order No. 3 (2018), which ordered the Office of the State Comptroller ("State Comptroller") to conduct a complete performance audit of the tax incentive programs administered by the Economic Development Authority ("EDA"); and

WHEREAS, the State Comptroller has completed this audit, which has revealed grossly inadequate compliance and enforcement efforts by the EDA that failed to ensure that the tax incentive programs operated to the benefit of the State's economy; and

WHEREAS, the State Comptroller's audit notably concluded that "[k]ey internal controls were lacking or nonexistent for the monitoring and oversight of recipient performance" and that "EDA relied only on recipient-reported data and recipient certifications" with respect to job creation and retention; and

WHEREAS, from a sample of approximately 10 percent of the EDA's certified projects that was projected to create or retain roughly 15,000 jobs, the State Comptroller's audit revealed that nearly 3,000 of those jobs could not be substantiated as being created or retained; and

WHEREAS, the State Comptroller's audit concluded that incentive awards were "improperly awarded, overstated, and overpaid" and specifically noted five commercial projects where the EDA failed to comply with the applicable statute and regulations and improperly awarded \$179 million in incentives; and

WHEREAS, the State Comptroller's audit further found that numerous recipients hired employees at the end of the annual reporting period, indicating that their job creation or retention numbers were artificially inflated; and

WHEREAS, it is plainly unacceptable that billions of dollars in taxpayer money were awarded to companies based on promises of job creation and retention that often did not materialize; and

WHEREAS, legislators, advocacy groups, and numerous observers have all voiced their outrage that the EDA did not have proper enforcement mechanisms in place; and

WHEREAS, while the State Comptroller's audit has demonstrated the deficiencies in the EDA's tax incentive programs, the taxpayers of New Jersey deserve a thorough explanation of how and why these tax incentive programs operated with minimal oversight and accountability; and

WHEREAS, with the Grow NJ and Economic Redevelopment and Growth ("ERG") programs scheduled to expire on July 1, 2019, a public accounting of the decisions regarding the operation of these tax incentive programs will help inform lawmakers in their deliberations about whether and in what form these programs should be renewed, and what types of controls are needed both in the law and in practice;

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. There is hereby established the Task Force on EDA's Tax Incentives (the "Task Force"). The mission of the Task Force shall be to conduct an in-depth examination of the deficiencies in the design, implementation, and oversight of Grow NJ and ERG, including those identified in the State Comptroller's performance audit, to inform consideration regarding the planning, development and execution of any future iterations of these or similar tax incentive programs.

2. The Task Force will hold public hearings and shall ask individuals to testify who can provide insight into the design, implementation, and oversight of these programs.

3. The Task Force shall be led by a chairperson, who shall be appointed by and serve at the pleasure of the Governor. The Governor may appoint additional members to the Task Force as needed, who shall also serve at the pleasure of the Governor. The chairperson and any additional members of the Task Force shall serve without compensation.

4. The Task Force is authorized to call upon any department, office, division or agency of this State to supply it with data and any other information or assistance available to such agency as the Task Force deems necessary to execute its duties under this Order. Each department, office, division or agency of this State is hereby required, to the extent not inconsistent with law, to cooperate fully with the Task Force within the limits of its statutory authority and to furnish it with such assistance on as timely a basis as is necessary to accomplish the purpose of this Order. Requests for legal assistance by the Task Force shall be made to the Attorney General upon the determination of the chairperson.

5. The Task Force shall seek to obtain voluntary cooperation from any individuals or entities who have access to information pertinent to the Task Force's mission. If the Task Force encounters individuals or entities who refuse to cooperate, it may refer the matter to the State Comptroller, which may exercise its subpoena authority, or to the EDA, which may exercise its authority to compel information from recipients pursuant to the terms of the incentive programs and grants.

6. The Task Force, which shall be purely advisory in nature, shall report its findings to the Governor and the Legislature as appropriate.

7. This Order shall take effect immediately.

GIVEN, under my hand and seal this
24th day of January,
Two Thousand and Nineteen,
and of the Independence of
the United States, the Two
Hundred and Forty-Third.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 53

WHEREAS, United States Army Private First Class Jamie R. Riley was a longtime resident of Fair Haven, New Jersey; and

WHEREAS, Private First Class Riley was a graduate of Red Bank Catholic High School; and

WHEREAS, Private First Class Riley joined the United States Army in January 2018 and was most recently stationed at Fort Bliss, which is headquartered in El Paso, Texas; and

WHEREAS, Private First Class Riley was assigned to the 1st Battalion, 36th Infantry Regiment, 1st Stryker Brigade Combat Team; and

WHEREAS, in his time serving our country, Private First Class Riley earned the National Defense Service Medal, the Global War on Terrorism Service Medal, the Army Service Ribbon, and the Air Assault Badge; and

WHEREAS, Private First Class Riley was a beloved son and brother, whose presence will be missed by his family, his friends, his fellow servicemembers, and by the people of New Jersey whom are grateful for his service; and

WHEREAS, it is with immense sadness that we mourn Private First Class Riley's sudden passing, and extend our deepest sympathy to his family, friends, and colleagues; and

WHEREAS, it is appropriate to honor the exemplary character, outstanding achievements, and cherished memory of Private First Class Riley, and to mark his passing;

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The flag of the United States of America and the flag of New Jersey shall be flown at half-staff at all State departments,

offices, agencies, and instrumentalities during appropriate hours on Monday, February 4, 2019, in recognition and mourning of a courageous and loyal American soldier, Private First Class Jamie R. Riley.

2. This Order shall take effect immediately.

GIVEN, under my hand and seal this
30th day of January,
Two Thousand and Nineteen,
and of the Independence of
the United States, the Two
Hundred and Forty-Third.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 54

WHEREAS, Barbra "Babs" Casbar Siperstein was a dedicated advocate and long-time activist for the transgender community; and

WHEREAS, Babs Siperstein was born in 1942 as Barry Siperstein, grew up in Jersey City and served in the United States Army; and

WHEREAS, Babs Siperstein received a Bachelor of Arts degree from Rutgers University and an MBA in Public Accounting from Pace University; and

WHEREAS, Babs Siperstein was married to the love of her life, Carol Ann, for 34 years until Carol Ann's passing in 2001; and

WHEREAS, Babs Siperstein was a devoted and beloved mother and grandmother; and

WHEREAS, Babs Siperstein owned and operated Siperstein Fords Paint Corporation in Fords, New Jersey with her daughter and formerly bred and owned Standardbred race horses; and

WHEREAS, Babs Siperstein transitioned when she was nearly 50 years old; and

WHEREAS, Babs Siperstein was instrumental in the implementation of many successful measures to include transgender people in anti-bullying laws, bias crimes and non-discrimination laws, as well as general LGBTQ equality laws in New Jersey; and

WHEREAS, Babs Siperstein worked tirelessly to ban conversion therapy and to expand and improve the delivery of health care to transgender patients; and

WHEREAS, Babs Siperstein was New Jersey's first transgender delegate to the Democratic National Convention; and

WHEREAS, Babs Siperstein served on Governor-elect Jon Corzine's Labor and Workforce Development Policy Group after his election in 2005; and

WHEREAS, Babs Siperstein co-authorized the Dallas Principles in 2009 and spoke at the National Equality March on the National Mall in Washington, DC that same year; and

WHEREAS, Babs Siperstein became the first openly transgender member of the Democratic National Committee in 2009 and served on the Executive Committee of the Democratic National Committee from 2011 through 2017; and

WHEREAS, I had the pleasure to work with Babs Siperstein during her service on the Education, Access, and Opportunity Transition Advisory Committee prior to my inauguration in 2018; and

WHEREAS, Babs Siperstein also served as Deputy Vice Chair of the New Jersey Democratic State Committee, Vice President of the bipartisan Women's Political Caucus of New Jersey, Political Director of the Gender Rights Advocacy Association of New Jersey, President of the New Jersey Stonewall Democrats, Co-Chair of the National Stonewall Democrats Federal PAC Board, Vice Chair of Garden State Equality and as a member of the New Jersey Civil Union Review Commission; and

WHEREAS, Babs Siperstein was a long-serving member of the Edison Township Municipal Alliance, a Trustee of Congregation Beth Mordecai in Perth Amboy, and served as President of the Regional Conservative Hebrew School of Northern Middlesex County; and

WHEREAS, the New Jersey Personal Liberty Fund's Honors Award, Jersey City's Lesbian and Gay Outreach's Vital Voice Award, Garden State Equality's John Adler Icon of Equality Award, New Leaders Council Equal Rights Award, the Pride Network's Stonewall Legal Award, the American Conference on Diversity 2015 Advocacy Humanitarian Award and Newark's African American Office of Gay Concerns' Marsha P. Johnson Lifetime Achievement Award were among the many distinguished awards given to Babs Siperstein for her exemplary service to the transgender community; and

WHEREAS, I am proud to have signed the Babs Siperstein Law in her honor to allow transgender people the option to self-identify their gender on their birth certificate, which went into effect just two days prior to her passing; and

WHEREAS, Babs Siperstein's presence will be greatly missed by her partner, children, grandchildren, many friends and the people of the State of New Jersey; and

WHEREAS, it is appropriate to celebrate the outstanding achievements and cherished memory of this extraordinary role model and to mark the passing of Babs Siperstein, whose legacy will help to improve the lives of so many transgender people for generations to come;

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The flag of the United States of America and the flag of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours on Wednesday, February 6, 2019, in recognition and mourning of the passing of this trailblazing woman, Barbra Casbar Siperstein.

2. This Order shall take effect immediately.

GIVEN, under my hand and seal this
5th day of February,
Two Thousand and Nineteen, and
of the Independence of the
United States, the Two Hundred
and Forty-Third.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 55

WHEREAS, beginning in the evening of Monday, February 11, 2019, the State of New Jersey is expected to experience a significant winter storm causing hazardous weather conditions including wet snow, sleet, freezing rain, significant wind gusts, and accumulating ice on roadways; and

WHEREAS, the National Weather Service has issued a Winter Storm Watch for northern New Jersey, a Winter Weather Advisory for the remainder of the State, and a Gale Watch for the Atlantic coastal waters through the afternoon on Tuesday, February 12, 2019; and

WHEREAS, this significant winter storm is expected to produce hazardous travel conditions across the State due to accumulated snow and ice that will hamper the clearing of roadways, especially during the morning and evening commuting periods; and

WHEREAS, this significant winter storm may cause downed power lines and trees, resulting in power outages, and is expected to impede the normal operation of public and private entities; and

WHEREAS, these serious weather conditions may make it difficult or impossible for citizens to obtain the necessities of life, as well as essential services such as police, fire, and first aid; and

WHEREAS, this impending significant winter storm constitutes an imminent hazard that threatens and presently endangers the health, safety, and resources of the residents of the State; and

WHEREAS, this situation may become too large in scope to be handled in its entirety by the normal county and municipal operating services in some parts of this State, and this situation may spread to other parts of the State; and

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. App. A: 9-33, et seq., N.J.S.A. 38A:3-6.1, N.J.S.A. 38A:2-4, and all amendments and

supplements thereto, confer upon the Governor of the State of New Jersey certain emergency powers;

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, in order to protect the health, safety, and welfare of the people of the State of New Jersey DO DECLARE and PROCLAIM that a State of Emergency exists throughout the State of New Jersey, effective at 12:00 a.m., on February 12, 2019; and I hereby ORDER and DIRECT the following:

1. I authorize and empower the State Director of Emergency Management, who is the Superintendent of State Police, to implement the State Emergency Operations Plan and to direct the activation of county and municipal emergency operations plans, as necessary, and to coordinate the recovery effort from this emergency with all governmental agencies, volunteer organizations, and the private sector.

2. I authorize and empower, in accordance with N.J.S.A. App. A:9-33, et seq., as supplemented and amended, the State Director of Emergency Management, who is the Superintendent of State Police, through the police agencies under his control, to determine and control the direction of the flow of vehicular traffic on any State or interstate highway, municipal or county road, and any access road, including the right to detour, reroute, or divert any or all traffic and to prevent ingress or egress from any area that, in the State Director's discretion, is deemed necessary for the protection of the health, safety, and welfare of the public, and to remove parked or abandoned vehicles from such roadways as conditions warrant.

3. I authorize and empower the Attorney General, pursuant to the provisions of N.J.S.A. 39:4-213, acting through the Superintendent of State Police, to determine and control the

direction of the flow of vehicular traffic on any State or interstate highway, municipal or county road, and any access road, including the right to detour, reroute, or divert any or all traffic, to prevent ingress or egress, and to determine the type of vehicle or vehicles to be operated on such roadways. I further authorize all law enforcement officers to enforce any such order of the Attorney General or Superintendent of State Police within their respective municipalities.

4. I authorize and empower the State Director of Emergency Management to order the evacuation of all persons, except for those emergency and governmental personnel whose presence the State Director deems necessary, from any area where their continued presence would present a danger to their health, safety, or welfare because of the conditions created by this emergency.

5. I authorize and empower the State Director of Emergency Management to utilize all facilities owned, rented, operated, and maintained by the State of New Jersey to house and shelter persons who may need to be evacuated from a residence, dwelling, building, structure, or vehicle during the course of this emergency.

6. I authorize and empower the executive head of any agency or instrumentality of the State government with authority to promulgate rules to waive, suspend, or modify any existing rule, where the enforcement of which would be detrimental to the public welfare during this emergency, notwithstanding the provisions of the Administrative Procedure Act or any law to the contrary for the duration of this Executive Order, subject to my prior approval and in consultation with the State Director of Emergency Management. Any such waiver, modification, or suspension shall be promulgated in accordance with N.J.S.A. App. A:9-45.

7. I authorize and empower the Adjutant General, in accordance with N.J.S.A. 38A:2-4 and N.J.S.A. 38A:3-6.1, to order to active duty such members of the New Jersey National Guard who, in the Adjutant General's judgment, are necessary to provide aid to those localities where there is a threat or danger to the public health, safety, and welfare and to authorize the employment of any supporting vehicles, equipment, communications, or supplies as may be necessary to support the members so ordered.

8. In accordance with the N.J.S.A. App. A:9-34 and N.J.S.A. App. A:9-51, I reserve the right to utilize and employ all available resources of the State government and of each and every political subdivision of the State, whether of persons, properties, or instrumentalities, and to commandeer and utilize any personal services and any privately-owned property necessary to protect against this emergency.

9. In accordance with N.J.S.A. App. A:9-40, no municipality, county, or any other agency or political subdivision of this State shall enact or enforce any order, rule, regulation, ordinance, or resolution which will or might in any way conflict with any of the provisions of this Order, or which will in any way interfere with or impede the achievement of the purposes of this Order.

10. It shall be the duty of every person or entity in this State or doing business in this State and of the members of the governing body and every official, employee, or agent of every political subdivision in this State and of each member of all other governmental bodies, agencies, and authorities in this State of any nature whatsoever, to cooperate fully with the State Director of Emergency Management in all matters concerning this state of emergency.

11. In accordance with N.J.S.A. App. A:9-34, N.J.S.A. App. A:9-40.6, and N.J.S.A. 40A:14-156.4, no municipality or public or semipublic agency shall send public works, fire, police, emergency medical, or other personnel or equipment into any non-contiguous disaster-stricken municipality within this State, nor to any disaster-stricken municipality outside this State, unless and until such aid has been directed by the county emergency management coordinator or his or her deputies in consultation with the State Director of Emergency Management.

12. This Order shall take effect at 12:00 a.m., on February 12, 2019, and shall remain in effect until such time as it is determined by me that an emergency no longer exists.

GIVEN, under my hand and seal this
 11th day of February,
 Two Thousand and Nineteen,
 and of the Independence of
 the United States, the Two
 Hundred and Forty-Third.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 56

WHEREAS, Executive Order No. 55 (2019), declaring a State of Emergency, was issued on February 11, 2019, because of a major winter storm scheduled to arrive on February 12, 2019; and

WHEREAS, the severity of the conditions necessitating the declaration of a State of Emergency has passed;

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The State of Emergency declared in Executive Order No. 55 (2019) is terminated effective at 8:00 a.m., Eastern Standard Time, on February 13, 2019.

GIVEN, under my hand and seal this
13th day of February,
Two Thousand and Nineteen,
and of the Independence of
the United States, the Two
Hundred and Forty-Third.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 57

WHEREAS, beginning in the morning of Wednesday, February 20, 2019, the State of New Jersey is expected to experience a significant winter storm causing hazardous weather conditions including mixed precipitation, snow accumulation, and icing; and

WHEREAS, the National Weather Service has issued a Winter Weather Advisory throughout New Jersey beginning on Wednesday, February 20, 2019; and

WHEREAS, this significant winter storm is expected to produce hazardous travel conditions across the State due to accumulated snow and ice that will cause limited visibility on the roadways and disrupt snowplow operations, especially during the Wednesday evening commuting period; and

WHEREAS, this significant winter storm may cause downed power lines and trees, resulting in power outages, and is expected to impede the normal operation of public and private entities; and

WHEREAS, these hazardous weather conditions may make it difficult or impossible for citizens to obtain the necessities of life, as well as essential services such as police, fire, and first aid; and

WHEREAS, this impending significant winter storm constitutes an imminent hazard that threatens and presently endangers the health, safety, and resources of the residents of the State; and

WHEREAS, this situation may become too large in scope to be handled in its entirety by the normal county and municipal operating services in some parts of this State, and this situation may spread to other parts of the State; and

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. App. A:9-33, et seq., N.J.S.A. 38A:3-6.1, N.J.S.A. 38A:2-4, and all amendments and supplements thereto, confer upon the Governor of the State of New Jersey certain emergency powers;

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, in order to protect the health, safety, and welfare of the people of the State of New Jersey DO DECLARE and PROCLAIM that a State of Emergency exists throughout the State of New Jersey, effective at 5:00 a.m. on February 20, 2019; and I hereby ORDER and DIRECT the following:

1. I authorize and empower the State Director of Emergency Management, who is the Superintendent of State Police, to implement the State Emergency Operations Plan and to direct the activation of county and municipal emergency operations plans, as necessary, and to coordinate the recovery effort from this emergency with all governmental agencies, volunteer organizations, and the private sector.

2. I authorize and empower, in accordance with N.J.S.A. App. A:9-33, et seq., as supplemented and amended, the State Director of Emergency Management, who is the Superintendent of State Police, through the police agencies under his control, to determine and control the direction of the flow of vehicular traffic on any State or interstate highway, municipal or county road, and any access road, including the right to detour, reroute, or divert any or all traffic and to prevent ingress or egress from any area that, in the State Director's discretion, is deemed necessary for the protection of the health, safety, and welfare of the public, and to remove parked or abandoned vehicles from such roadways as conditions warrant.

3. I authorize and empower the Attorney General, pursuant to the provisions of N.J.S.A. 39:4-213, acting through the Superintendent of State Police, to determine and control the direction of the flow of vehicular traffic on any State or interstate highway, municipal or county road, and any access road,

including the right to detour, reroute, or divert any or all traffic, to prevent ingress or egress, and to determine the type of vehicle or vehicles to be operated on such roadways. I further authorize all law enforcement officers to enforce any such order of the Attorney General or Superintendent of State Police within their respective municipalities.

4. I authorize and empower the State Director of Emergency Management to order the evacuation of all persons, except for those emergency and governmental personnel whose presence the State Director deems necessary, from any area where their continued presence would present a danger to their health, safety, or welfare because of the conditions created by this emergency.

5. I authorize and empower the State Director of Emergency Management to utilize all facilities owned, rented, operated, and maintained by the State of New Jersey to house and shelter persons who may need to be evacuated from a residence, dwelling, building, structure, or vehicle during the course of this emergency.

6. I authorize and empower the executive head of any agency or instrumentality of the State government with authority to promulgate rules to waive, suspend, or modify any existing rule, where the enforcement of which would be detrimental to the public welfare during this emergency, notwithstanding the provisions of the Administrative Procedure Act or any law to the contrary for the duration of this Executive Order, subject to my prior approval and in consultation with the State Director of Emergency Management. Any such waiver, modification, or suspension shall be promulgated in accordance with N.J.S.A. App. A:9-45.

7. I authorize and empower the Adjutant General, in accordance with N.J.S.A. 38A:2-4 and N.J.S.A. 38A:3-6.1, to order to active duty such members of the New Jersey National Guard who,

in the Adjutant General's judgment, are necessary to provide aid to those localities where there is a threat or danger to the public health, safety, and welfare and to authorize the employment of any supporting vehicles, equipment, communications, or supplies as may be necessary to support the members so ordered.

8. In accordance with the N.J.S.A. App. A:9-34 and N.J.S.A. App. A:9-51, I reserve the right to utilize and employ all available resources of the State government and of each and every political subdivision of the State, whether of persons, properties, or instrumentalities, and to commandeer and utilize any personal services and any privately-owned property necessary to protect against this emergency.

9. In accordance with N.J.S.A. App. A:9-40, no municipality, county, or any other agency or political subdivision of this State shall enact or enforce any order, rule, regulation, ordinance, or resolution which will or might in any way conflict with any of the provisions of this Order, or which will in any way interfere with or impede the achievement of the purposes of this Order.

10. It shall be the duty of every person or entity in this State or doing business in this State and of the members of the governing body and every official, employee, or agent of every political subdivision in this State and of each member of all other governmental bodies, agencies, and authorities in this State of any nature whatsoever, to cooperate fully with the State Director of Emergency Management in all matters concerning this state of emergency.

11. In accordance with N.J.S.A. App. A:9-34, N.J.S.A. App. A:9-40.6, and N.J.S.A. 40A:14-156.4, no municipality or public or semipublic agency shall send public works, fire, police, emergency

medical, or other personnel or equipment into any non-contiguous disaster-stricken municipality within this State, nor to any disaster-stricken municipality outside this State, unless and until such aid has been directed by the county emergency management coordinator or his or her deputies in consultation with the State Director of Emergency Management.

12. This Order shall take effect at 5:00 a.m. on February 20, 2019, and shall remain in effect until such time as it is determined by me that an emergency no longer exists.

GIVEN, under my hand and seal this
19th day of February,
Two Thousand and Nineteen,
and of the Independence of
the United States, the Two
Hundred and Forty-Third.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 58

WHEREAS, Executive Order No. 57 (2019), declaring a State of Emergency, was issued on February 19, 2019, because of a significant winter storm scheduled to arrive on February 20, 2019, and continuing through the late evening; and

WHEREAS, the severity of the conditions necessitating the declaration of a State of Emergency has eased;

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The State of Emergency declared in Executive Order No. 57 (2019) is terminated effective at 6:00 a.m., Eastern Standard Time, on February 21, 2019.

GIVEN, under my hand and seal this
20th day of February,
Two Thousand and Nineteen,
and of the Independence of
the United States, the Two
Hundred and Forty-Third.

[seal]

Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 59

WHEREAS, beginning in the evening on Sunday, March 3, 2019, the State of New Jersey is expected to experience a major winter storm causing hazardous weather conditions involving heavy, wet snowfall and sleet; and

WHEREAS, the National Weather Service has issued a Winter Storm Warning for northern, central, and portions of southern New Jersey and a Winter Weather Advisory for the southernmost areas of the State beginning on Sunday, March 3, 2019; and

WHEREAS, this major winter storm is expected to produce hazardous travel conditions across the State due to accumulated snow, including rates of up to an inch per hour, that will cause limited visibility on roadways and disrupt snowplow operations, especially leading up to the Monday morning commuting period; and

WHEREAS, this major winter storm may cause downed power lines and trees, resulting in power outages, and is expected to impede the normal operation of public and private entities; and

WHEREAS, these hazardous weather conditions may make it difficult or impossible for citizens to obtain the necessities of life, as well as essential services such as police, fire, and first aid; and

WHEREAS, this impending major winter storm constitutes an imminent hazard that threatens and presently endangers the health, safety, and resources of the residents of the State; and

WHEREAS, this situation may become too large in scope to be handled in its entirety by the normal county and municipal operating services in some parts of this State, and this situation may spread to other parts of the State; and

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. App. A: 9-33, et seq., N.J.S.A. 38A:3-6.1, N.J.S.A. 38A:2-4, and all amendments and

supplements thereto, confer upon the Governor of the State of New Jersey certain emergency powers;

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, in order to protect the health, safety, and welfare of the people of the State of New Jersey DO DECLARE and PROCLAIM that a State of Emergency exists throughout the State of New Jersey, effective at 3:00 p.m. on March 3, 2019; and I hereby ORDER and DIRECT the following:

1. I authorize and empower the State Director of Emergency Management, who is the Superintendent of State Police, to implement the State Emergency Operations Plan and to direct the activation of county and municipal emergency operations plans, as necessary, and to coordinate the recovery effort from this emergency with all governmental agencies, volunteer organizations, and the private sector.

2. I authorize and empower, in accordance with N.J.S.A. App. A:9-33, et seq., as supplemented and amended, the State Director of Emergency Management, who is the Superintendent of State Police, through the police agencies under his control, to determine and control the direction of the flow of vehicular traffic on any State or interstate highway, municipal or county road, and any access road, including the right to detour, reroute, or divert any or all traffic and to prevent ingress or egress from any area that, in the State Director's discretion, is deemed necessary for the protection of the health, safety, and welfare of the public, and to remove parked or abandoned vehicles from such roadways as conditions warrant.

3. I authorize and empower the Attorney General, pursuant to the provisions of N.J.S.A. 39:4-213, acting through the Superintendent of State Police, to determine and control the direction of the flow of vehicular traffic on any State or interstate highway, municipal or county road, and any access road, including the right to detour, reroute, or divert any or all traffic, to prevent ingress or egress, and to determine the type of vehicle or vehicles to be operated on such roadways. I further authorize all law enforcement officers to enforce any such order of the Attorney General or Superintendent of State Police within their respective municipalities.

4. I authorize and empower the State Director of Emergency Management to order the evacuation of all persons, except for those emergency and governmental personnel whose presence the State Director deems necessary, from any area where their continued presence would present a danger to their health, safety, or welfare because of the conditions created by this emergency.

5. I authorize and empower the State Director of Emergency Management to utilize all facilities owned, rented, operated, and maintained by the State of New Jersey to house and shelter persons who may need to be evacuated from a residence, dwelling, building, structure, or vehicle during the course of this emergency.

6. I authorize and empower the executive head of any agency or instrumentality of the State government with authority to promulgate rules to waive, suspend, or modify any existing rule, where the enforcement of which would be detrimental to the public welfare during this emergency, notwithstanding the provisions of the Administrative Procedure Act or any law to the contrary for the duration of this Executive Order, subject to my prior approval

and in consultation with the State Director of Emergency Management. Any such waiver, modification, or suspension shall be promulgated in accordance with N.J.S.A. App. A:9-45.

7. I authorize and empower the Adjutant General, in accordance with N.J.S.A. 38A:2-4 and N.J.S.A. 38A:3-6.1, to order to active duty such members of the New Jersey National Guard who, in the Adjutant General's judgment, are necessary to provide aid to those localities where there is a threat or danger to the public health, safety, and welfare and to authorize the employment of any supporting vehicles, equipment, communications, or supplies as may be necessary to support the members so ordered.

8. In accordance with the N.J.S.A. App. A:9-34 and N.J.S.A. App. A:9-51, I reserve the right to utilize and employ all available resources of the State government and of each and every political subdivision of the State, whether of persons, properties, or instrumentalities, and to commandeer and utilize any personal services and any privately-owned property necessary to protect against this emergency.

9. In accordance with N.J.S.A. App. A:9-40, no municipality, county, or any other agency or political subdivision of this State shall enact or enforce any order, rule, regulation, ordinance, or resolution which will or might in any way conflict with any of the provisions of this Order, or which will in any way interfere with or impede the achievement of the purposes of this Order.

10. It shall be the duty of every person or entity in this State or doing business in this State and of the members of the governing body and every official, employee, or agent of every political subdivision in this State and of each member of all other

governmental bodies, agencies, and authorities in this State of any nature whatsoever, to cooperate fully with the State Director of Emergency Management in all matters concerning this state of emergency.

11. In accordance with N.J.S.A. App. A:9-34, N.J.S.A. App. A:9-40.6, and N.J.S.A. 40A:14-156.4, no municipality or public or semipublic agency shall send public works, fire, police, emergency medical, or other personnel or equipment into any non-contiguous disaster-stricken municipality within this State, nor to any disaster-stricken municipality outside this State, unless and until such aid has been directed by the county emergency management coordinator or his or her deputies in consultation with the State Director of Emergency Management.

12. This Order shall take effect at 3:00 p.m. on March 3, 2019, and shall remain in effect until such time as it is determined by me that an emergency no longer exists.

GIVEN, under my hand and seal this
3rd day of March,
Two Thousand and Nineteen,
and of the Independence of
the United States, the Two
Hundred and Forty-Third.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 60

WHEREAS, Executive Order No. 59 (2019), declaring a State of Emergency, was issued on March 3, 2019, because of a major winter storm scheduled to arrive on March 3, 2019, and continuing through the late evening; and

WHEREAS, the severity of the conditions necessitating the declaration of a State of Emergency has eased;

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and the Statutes of this State, do hereby ORDER and DIRECT the following:

1. The State of Emergency declared in Executive Order No. 59 (2019) is terminated effective at 12:00 p.m., Eastern Standard Time, on March 4, 2019.

2. The States of Emergency declared pursuant to the following executive orders are also terminated effective at 12:00 p.m., Eastern Standard Time, on March 4, 2019:

- a. Executive Order No. 13 (2010)
- b. Executive Order No. 18 (2010)
- c. Executive Order No. 57 (2011)
- d. Executive Order No. 80 (2011)
- e. Executive Order No. 146 (2014)
- f. Executive Order No. 147 (2014)
- g. Executive Order No. 148 (2014)
- h. Executive Order No. 149 (2014)
- i. Executive Order No. 150 (2014)
- j. Executive Order No. 153 (2014)
- k. Executive Order No. 167 (2014)
- l. Executive Order No. 172 (2015)
- m. Executive Order No. 175 (2015)
- n. Executive Order No. 186 (2015)

- o. Executive Order No. 202 (2016)
- p. Executive Order No. 214 (2016)
- q. Executive Order No. 221 (2017)
- r. Executive Order No. 238 (2018)

[seal] GIVEN, under my hand and seal this
4th day of March,
Two Thousand and Nineteen,
and of the Independence of
the United States, the Two
Hundred and Forty-Third.

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 61

WHEREAS, New Jersey's higher education system is a vital component in expanding economic opportunity and ensuring continued prosperity for New Jerseyans; and

WHEREAS, every New Jerseyan, regardless of life circumstances, should have the opportunity to obtain a high-quality credential that prepares them for life after college; and

WHEREAS, New Jersey's economy depends on its residents obtaining the education and skills needed for a 21st-century economy, meaning efforts to close equity and attainment gaps in higher education in the State must be prioritized; and

WHEREAS, in order to increase the number of New Jerseyans that possess a high-quality credential, New Jersey must develop a comprehensive higher education plan; and

WHEREAS, the development of a comprehensive and thoughtful plan requires the input of stakeholders inside and outside government, who can bring expertise that will assist in the development of best practices necessary to increase student attainment in higher education in the State;

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. There is hereby established the Task Force on New Jersey's Plan for Higher Education (the "Task Force"). The Task Force will be divided into five Working Groups, which collectively are charged with providing recommendations to the Governor and shall, among other issues specific to their Working Groups, consider the following goals for students attending college in the State: (1) early exposure to college; (2) clear and comprehensible financial aid information; (3) affordable and predictable educational costs; (4) experiential learning opportunities; (5)

supportive faculty and staff; (6) support for on-time college completion; (7) opportunities to earn college credit outside of the classroom; (8) high-quality academic programs; (9) safe, supportive, and inclusive campuses; (10) student input in decisions that affect their education; and (11) any other objective referred to the Working Groups by the Governor.

2. The five Working Groups shall consist of the following:

- a. Working Group on Creating On-ramps to College, which shall be responsible for developing proposals to increase postsecondary access for all students in the State and developing innovative solutions to address the equity gaps in college attendance by race and socioeconomic status;
- b. Working Group on Making College Affordable, which shall be responsible for examining potential new state funding models and exploring approaches to more meaningful collaboration among institutions to meaningfully reduce higher education prices for students and families;
- c. Working Group on Student Success, which shall be responsible for identifying evidence-based and otherwise promising strategies to boost college completion at New Jersey's colleges and close equity gaps in student success;
- d. Working Group on Safe and Inclusive Learning Environments, which shall be responsible for developing best practices to enhance safety and support services on campus, and giving students a voice in these important campus matters; and

- e. Working Group on Research, Innovation, and Talent, which shall be responsible for exploring ways to create stronger ties between businesses and higher education by promoting industry-academic partnerships, experiential learning opportunities, and programs to meet market needs.

3. The Task Force shall consist of at least 10 members, including at least two student members, who shall be appointed by and serve at the pleasure of the Governor. Each Working Group shall have two co-chairpersons, who shall be designated by the Governor. The Governor may, as determined to be appropriate, appoint additional members, and may designate these additional members to serve on any of the Working Groups. These additional members shall also serve at the pleasure of the Governor. All public members of the Task Force shall serve without compensation.

4. The Task Force shall organize as soon as practicable after the appointment of its members, and the Working Groups shall convene as often as practicable and as requested by the Governor or chairpersons.

5. Each Working Group shall issue a final report to the Governor and the Secretary of Higher Education with its recommendations no later than nine months after the effective date of this Order.

6. The Task Force shall expire upon submission of final reports from all the Working Groups. The reports of the Working Groups shall be provided to the Legislature and shall be made available to the public.

7. The Office of the Secretary of Higher Education shall provide staff support to the Task Force, to the extent permitted by law. The Task Force is authorized to call upon any department,

office, division or agency of this State to supply it with data and any other information or assistance available to such agency as the Task Force deems necessary to execute its duties under this Order. Each department, office, division or agency of this State is hereby required, to the extent not inconsistent with law, to cooperate fully with the Task Force within the limits of its statutory authority and to furnish it with such assistance on as timely a basis as is necessary to accomplish the purpose of this Order.

8. The Task Force may elicit public input from individuals, including those associated with institutions of higher education, organizations, community groups, and other interested parties.

9. The Task Force and the Working Groups shall be purely advisory in nature.

10. This Order shall take effect immediately.

GIVEN, under my hand and seal this
26th day of March,
Two Thousand and Nineteen,
and of the Independence of
the United States, the Two
Hundred and Forty-Third.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 62

WHEREAS, Mayor Ken Gibson was born Kenneth Allen Gibson on May 15, 1932, in Enterprise, Alabama; and

WHEREAS, Mayor Gibson's family moved to the Central Ward of Newark, New Jersey, when he was eight years old, and Mayor Gibson went on to graduate from Central High School; and

WHEREAS, Mayor Gibson studied civil engineering at the Newark College of Engineering, which is now the New Jersey Institute of Technology, and subsequently worked in engineering at the New Jersey Highway Department; and

WHEREAS, Mayor Gibson served in the United States Army as a civil engineer; and

WHEREAS, Mayor Gibson served in an engineering position at the Newark Housing Authority from 1960 to 1966 and as Chief Structural Engineer for the City of Newark from 1966 to 1970; and

WHEREAS, Mayor Gibson was elected as Mayor of Newark in 1970, becoming the first African-American mayor in Newark's history and the first African-American mayor of any major city in the northeastern United States; and

WHEREAS, Mayor Gibson was re-elected three times as Mayor of Newark and served in office from 1970 to 1986; and

WHEREAS, Mayor Gibson became the first African-American president of the U.S. Conference of Mayors in 1976; and

WHEREAS, Mayor Gibson was credited with stabilizing Newark's finances during difficult economic times and improving Newark's health services, leading to reductions in rates of tuberculosis and infant and maternal mortality; and

WHEREAS, the revitalization that Newark is currently experiencing has its roots in Mayor Gibson's tenure; and

WHEREAS, Mayor Gibson passed away on March 29, 2019, at the age of 86; and

WHEREAS, Mayor Gibson was a beloved husband, father, and grandfather, whose presence will be missed by his family, his friends, his colleagues, and by the people of Newark whom he served well; and

WHEREAS, it is with immense sadness that we mourn Mayor Gibson's passing, and extend our deepest sympathy to his family, friends, and colleagues; and

WHEREAS, it is appropriate to honor the exemplary character, outstanding achievements, and cherished memory of Mayor Gibson, and to mark his passing;

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The flag of the United States of America and the flag of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours on Monday, April 1, 2019, in recognition and mourning of a committed public servant, Mayor Kenneth Allen Gibson.

GIVEN, under my hand and seal this
31st day of March,
Two Thousand and Nineteen,
and of the Independence of
the United States, the Two
Hundred and Forty-Third.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 63

WHEREAS, regulatory oversight serves the critically important purpose of protecting and promoting the environment, health, safety, and welfare of New Jersey, its resources, its people, its businesses, and its economy; and

WHEREAS, through administrative rulemaking, agency oversight, and regulatory enforcement, State departments, agencies, and other entities can and should contribute to the overall high quality of life in the State; and

WHEREAS, well-framed regulations can fulfill statutory goals and mandates and carry out the government's ongoing mission of promoting the health, safety, and welfare of New Jersey, the protection of our land, air, and water, and the prosperity of our economy; and

WHEREAS, ill-considered or ineffective regulation can deter progress, unduly burden businesses, hamper innovation and economic growth, and lead to stagnation, inefficiency, and inequity, while an informed and progressive approach to regulatory affairs can help avoid these shortcomings; and

WHEREAS, as a general matter, an agency should not propose or adopt a regulation without first making a reasoned determination that its benefits justify its costs, with the recognition that some benefits and costs are difficult to quantify; and

WHEREAS, regulations should foster and support innovation in New Jersey's economy, not hinder it, and so should be written in user-friendly language as often as practicable; and

WHEREAS, it is incumbent upon State government to focus on developing innovative, job-creating strategies that attract new businesses to New Jersey while retaining and growing businesses presently located within the State; and

WHEREAS, attracting and strengthening businesses may be advanced in part through regulatory measures conceived and designed to promote such goals; and

WHEREAS, if New Jersey is to remain a leader in environmental protection, including by taking up the mantle relinquished by the federal government when necessary, agencies enacting rules must at times exceed federal standards, because federal standards act as national minimums, which may not be suitable for a state that is the most densely populated in the nation and has a long industrial past; and

WHEREAS, low-income communities are often subjected to further disadvantages by the lack of attention towards "Environmental Justice," which includes, at a minimum, ensuring that residents of all communities receive fair and equitable treatment in decision-making that affects their environment, communities, homes, and health, and incorporating such considerations into the regulatory process; and

WHEREAS, building an innovation-based economy will result in shifts among types of jobs, and so regulations should be conceived and designed with an eye toward supporting fair wages, maximizing training opportunities, and facilitating the ability of New Jersey residents to pursue career paths that lead directly from school to work with additional opportunities as further experience and knowledge is gained; and

WHEREAS, open government, meaning a government that consults with residents, affected individuals and entities, and community organizations that represent and espouse a broad range of expertise and perspectives, is better able to craft policies and support regulations that foster the goals of predictability, clarity, and a high quality of life for the State's residents; and

WHEREAS, even as our administration promotes policy approaches that inform the development and broaden the impact of regulatory actions, we should also strive to identify ways to maximize regulatory efficiency by simplifying and streamlining the public's ease of access

to the machinery of government and to enhance the ability of regulated communities to communicate and interact with the regulatory agencies that oversee their actions, professions, occupations, and endeavors; and

WHEREAS, the Administrative Procedure Act ("APA"), N.J.S.A. 52:14B-4(a) and N.J.S.A. 52:14B-22, already requires a lengthy list of impact statements, among them socio-economic, regulatory flexibility, jobs impact, and, since 1995, a comparison with federal standards to "determine whether these federal standards sufficiently protect the health, safety and welfare of New Jersey citizens"; and

WHEREAS, Executive Order No. 1 (2010) froze and suspended all pending regulations for a period of ninety (90) days; and

WHEREAS, Executive Order No. 2 (2010) created the perception that going beyond federal standards is undesirable through its directive that agencies "shall . . . not exceed the requirements of federal law" unless required by state statute or where necessary to achieve a state-specific public policy goal; and

WHEREAS, the multiple provisions in Executive Order No. 2 (2010) presumptively setting federal standards as a maximum are not appropriate given New Jersey's longstanding authority and responsibility to protect the environment, health, safety, and welfare of its residents and communities, and are especially inappropriate at a time in which states are banding together to protect against the loss of federal regulatory protections crucial to the wellbeing of their residents;

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT that:

1. Executive Orders No. 1 (2010) and No. 2 (2010) are hereby rescinded.

2. Consistent with applicable law, State entities shall strive to pursue the creation of a regulatory environment designed to support innovation, remove bottlenecks, and streamline interaction with the government, while supporting strong environmental, health, safety, and labor standards, by focusing on the following overarching, common sense goals:

- a. Where federal regulation is inadequate to protect the environment, health, safety, and welfare of New Jersey's residents and communities, New Jersey should develop its own regulatory framework where it has the legal authority to do so, and should seek to forge cooperative approaches with other states with similar interests where appropriate. Where federal regulation adequately protects the environment, health, safety, and welfare of New Jersey's residents and communities, New Jersey should operate under that framework in order to minimize confusion and complexity.
- b. When the federal government repeals or rolls back prior protections for public health, welfare, safety, or the environment, State entities should evaluate actions New Jersey might take to restore those protections at the state level and, when appropriate and authorized by law, act to fill the void left at the federal level.
- c. Governmental decisions should be based on the best available data, including scientific data if applicable. Where scientific evidence is an important element in developing or evaluating a rule, State entities should seek out and make productive use of scientific expertise available to them.

- d. State entities should identify and use the best, most innovative, and least burdensome tools and approaches to achieve their regulatory goals.

3. To carry out the goals set forth in Section 2, State entities should adhere to the following principles before issuing a rule proposal, to the extent permitted by law and to the extent applicable and practicable:

- a. State entities should engage with affected communities, and provide opportunities for various groups to work in partnership with the State in crafting solutions.
- b. The options State entities should consider may include, but are not limited to:
 - i. Gathering information through meetings and/or other discussions with affected communities in advance of formulating a proposed rule; and/or
 - ii. Publishing and broadly disseminating a notice of pre-proposal, and seeking comments.
- c. The means selected should be tailored to enable the State entity to accomplish its regulatory goals. Where a proposed rule is new, or makes significant and/or expansive changes to existing rules, the benefit from extensive stakeholder outreach will be greater.
- d. In evaluating options, the State entity should also take into account whether a law requires adoption of a rule within a specified timeline, and whether expedited, special, or emergency rulemaking is necessary.

4. To carry out the goals set forth in Section 2, State entities should also adhere to the following principles, to the extent permitted by law and to the extent applicable and practicable:

- a. When assessing the impacts of a rule pursuant to N.J.A.C. 1:30-5.1, including the economic impacts and the social impacts, State entities shall include a comparison of the proposed benefit to the public with the anticipated burden to the public.
- b. In conducting such an assessment, State entities should incorporate evaluation of quantifiable co-benefits, or benefits that are ancillary to the primary objectives of regulation, and other harder-to-quantify benefits. Each State entity should determine how best to identify and evaluate such benefits in the context of its particular work.
- c. Where the relevant data is available, State entities should consider distributed impacts, or the effects of a regulatory action across various subsets of the population and economy. Each State entity should determine how best to identify and evaluate such impacts in the context of its particular work.
- d. State entities should work to make available data sets relevant to determining distributed impacts, subject to the limitations associated with privacy laws, including but not limited to the Health Insurance Portability and Accountability Act, the Family Educational Rights and Privacy Act, the Privacy Act of 1974, the State Uniform Tax Procedure Act, and the Open Public Records Act. State entities should also understand that some of this information cannot be published for a variety of other reasons,

including confidentiality, trade secrecy, or security risks.

- e. As part of the distributed impacts analysis and where data is available, State entities should give due consideration to "Environmental Justice," meaning that in conceiving and fashioning proposed regulations, State entities should identify and address, as appropriate and practicable, disproportionately high and adverse human health or environmental effects of the program, policy, or activity on minority and low-income populations.
- f. State entities should take into account the cumulative impact of their regulations. Each State entity should determine how best to identify and evaluate such impacts in the context of its particular work.

5. To carry out the goals set forth in Section 2, State entities should consider how best to foster innovation in the economy and to minimize regulatory burdens, which may include but is not limited to:

- a. Taking appropriate steps to move application, approval, and permitting processes online where practicable;
- b. Providing, with the issuance of rule proposals and promulgation of new rules, summaries that give a straight-forward explanation of what the State entity intends to do or is doing, before the technical description of the regulatory changes;
- c. Scrutinizing and minimizing the number of steps within the entity's own decision-making processes, with the goal of reducing decision time; and

- d. Considering practicable and beneficial alternatives to direct regulation, through means such as targeted incentives encouraging desired activity, to the extent permitted by law.

6. When possible and appropriate, State entities should provide education about the rules and means of compliance, and should establish channels to enable members of the affected and regulated communities to make compliance inquiries without increasing their exposure to enforcement. A State entity's response to regulatory noncompliance should be proportional to the circumstances.

7. To the extent permitted by law and to the extent practicable and beneficial, State entities should work together to eliminate conflicting rules and coordinate efforts into a unified response, which could include agreeing on one State entity to serve as lead agency so that regulated entities and applicants can receive timely, consistent, and informed answers to inquiries.

8. The director, administrator, or other head of each State entity shall be accountable for implementing this Executive Order to the extent applicable and practicable within that State entity.

9. Nothing in this Order shall be construed to confer any legal rights upon entities whose activities are regulated by State entities, nothing shall be construed to create a private right of action on behalf of any such regulated entities, and nothing shall be used as a basis for legal challenges to rules, approvals, permits, licenses or other actions or inaction by a State entity. Nothing in this Order shall be construed to supersede any federal, state, or local law.

10. For purposes of this Order, "State entity" shall mean any of the principal departments in the Executive Branch of State government and any agency, authority, board, bureau, commission, division, institution, office, or other instrumentality within or

created by any such department, and any independent State authority, commission, instrumentality, or agency over which the Governor exercises executive authority, as determined by the Attorney General.

11. This Order shall take effect on June 1, 2019.

GIVEN, under my hand and seal this
2nd day of April,
Two Thousand and Nineteen, and
of the Independence of the
United States, the Two Hundred
and Forty-Third.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 64

WHEREAS, Dr. Derrick E. Nelson was a selfless servicemember and educator, who served for over two decades in the United States Army Reserve and shaped the lives of countless students in New Jersey's schools; and

WHEREAS, Dr. Nelson was born on January 29, 1975; and

WHEREAS, Dr. Nelson earned a Bachelor of Arts Degree from Delaware State University, a Master of Education in Administration and Supervision from St. Peter's College, and a Doctorate in Education Administration from Seton Hall University; and

WHEREAS, Dr. Nelson began his career in education in 2002 as a teacher in the Plainfield School District, later served as assistant principal in two public schools in Orange, New Jersey, and was most recently the principal of Westfield High School in Union County; and

WHEREAS, Dr. Nelson was a role model for students, staff, and colleagues, and was respected and admired by those he worked with; and

WHEREAS, in addition to his service in education, Dr. Nelson served in the United States Army Reserve for more than twenty years; and

WHEREAS, Dr. Nelson was a man of immense character and kindness, a pillar of his community, and beloved by all who knew him; and

WHEREAS, Dr. Nelson died unexpectedly at the age of 44 after suffering complications following a bone marrow donation procedure to a young boy in France; and

WHEREAS, Dr. Nelson's presence and selflessness will be sorely missed by his family, his many friends, his colleagues, and by the people of New Jersey whom he served so well; and

WHEREAS, it is with great sorrow that we mourn the passing of Dr. Nelson, and extend our deepest sympathy to his fiancée, Sheronda Braker, and their daughter, family, friends, and colleagues; and

WHEREAS, it is appropriate to honor the exemplary character, leadership, and cherished memory of Dr. Nelson, and to mark his passing;

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The flag of the United States of America and the flag of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours on Monday, April 15, 2019, in recognition and mourning of a visionary educator and distinguished servicemember, Dr. Derrick E. Nelson.

2. This Order shall take effect immediately.

GIVEN, under my hand and seal this
12th day of April,
Two Thousand and Nineteen, and
of the Independence of the
United States, the Two Hundred
and Forty-Third.

[seal]

/s/ Philip D. Murphy
Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 65

WHEREAS, United States Army Specialist (SPC) Nicholas P. DiMona III was a longtime resident of Medford Lakes; and

WHEREAS, SPC DiMona was a graduate of Shawnee High School, located in Medford Township; and

WHEREAS, SPC DiMona bravely maintained a lifelong interest in joining the military despite his father's tragic death during a military training exercise; and

WHEREAS, SPC DiMona was an active member of his community, including as a camp counselor and longtime volunteer at the YMCA of the Pines in Medford Township; and

WHEREAS, SPC DiMona joined the United States Army in July 2017, completed training at Fort Benning, Georgia, and was most recently stationed at Joint Base Elmendorf-Richardson, which is in Anchorage, Alaska; and

WHEREAS, SPC DiMona was assigned to the 4th Brigade Combat Team, 25th Infantry Division; and

WHEREAS, in his time serving our country, SPC DiMona earned the Army Achievement Medal, the National Defense Service Medal, the Army Service Ribbon, and the parachutist badge; and

WHEREAS, SPC DiMona tragically lost his life during a military training exercise on March 30, 2019, in Alaska; and

WHEREAS, SPC DiMona was a beloved son and brother, whose presence will be missed by his family, his friends, his fellow servicemembers, and by the people of New Jersey whom are grateful for his service; and

WHEREAS, it is with immense sadness that we mourn SPC DiMona's sudden passing, and extend our deepest sympathy to his family, friends, and colleagues; and

WHEREAS, it is appropriate to honor the exemplary character, outstanding achievements, and cherished memory of SPC DiMona, and to mark his passing;

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The flag of the United States of America and the flag of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours on Tuesday, April 16, 2019, in recognition and mourning of a committed public servant, Army Specialist Nicholas P. DiMona III.

2. This Order shall take effect immediately.

GIVEN, under my hand and seal this
15th day of April,
Two Thousand and Nineteen,
and of the Independence of
the United States, the Two
Hundred and Forty-Third.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 66

WHEREAS, Senator Thomas Gagliano was born S. Thomas Gagliano on November 10, 1931, in Long Branch, and graduated from Long Brach High School in 1949; and

WHEREAS, Senator Gagliano served in the United States Navy in Korea and graduated from Brown University in 1954; and

WHEREAS, Senator Gagliano served as an aide to U.S. Representative James C. Auchincloss while attending Georgetown University Law School, where he graduated in 1959; and

WHEREAS, Senator Gagliano returned to New Jersey and ultimately became a named partner at Gagliano, Tucci, Iadanza, and Reisner, where his practice primarily involved representing municipal governments, land-use boards, and authorities, including Holmdel Township, the Shrewsbury Zoning Board, and the Monmouth County Welfare Board; and

WHEREAS, Senator Gagliano served on the Oceanport Planning Board from 1962 to 1965; and

WHEREAS, Senator Gagliano was elected to the Oceanport Borough Council in 1967 and served until 1970; and

WHEREAS, Senator Gagliano served as Monmouth County Surrogate from 1971 until 1976; and

WHEREAS, Senator Gagliano was elected to the New Jersey State Senate in 1977 and served there until May 1989; and

WHEREAS, Senator Gagliano served as Senate Minority Leader in 1985 and 1986; and

WHEREAS, Senator Gagliano advanced many important causes during his tenure as the ranking member of the Transportation and Communications Committee, and was instrumental in the creation of what is now New Jersey Transit; and

WHEREAS, Senator Gagliano was appointed Executive Director of New Jersey Transit, where he served from 1989 until 1991; and

WHEREAS, Senator Gagliano continued to work on behalf of New Jersey after his retirement from government service in 1991 by forming and serving as the president of the Jersey Shore Partnership, a public-private partnership whose goal is to initiate a stable source of funding for coastal protection and provide for other Jersey Shore enhancement; and

WHEREAS, Senator Gagliano was a beloved husband, father, and grandfather, whose presence will be missed by his family, his friends, his colleagues, and by the people of New Jersey whom he served well; and

WHEREAS, it is with immense sadness that we mourn Senator Gagliano's passing, and extend our deepest sympathy to his family, friends, and colleagues; and

WHEREAS, it is appropriate to honor the exemplary character, outstanding achievements, and cherished memory of Senator Gagliano, and to mark his passing;

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The flag of the United States of America and the flag of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours on Wednesday, April 17, 2019, in recognition and mourning of a committed public servant, Senator Thomas Gagliano.

2. This Order shall take effect immediately.

GIVEN, under my hand and seal this
16th day of April,
Two Thousand and Nineteen,
and of the Independence of
the United States, the Two
Hundred and Forty-Third.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 67

WHEREAS, United States Army Private First Class (PFC) Anthony P. Steitz was a longtime resident of Union Township; and

WHEREAS, PFC Steitz was in his junior year at Union High School; and

WHEREAS, PFC Steitz joined the New Jersey National Guard in January 2019 and was preparing to report for basic training this summer at Fort Leonard Wood in Missouri; and

WHEREAS, PFC Steitz was active in Union High School's Junior Reserve Officer Training Corps (JROTC), which is recognized nationally; and

WHEREAS, on the night of PFC Steitz's tragic passing, he attended the Union High School JROTC's annual military ball, where he earned the highest achievement, the Superior Cadet Award; and

WHEREAS, PFC Steitz was the beloved son of Nicole Bollaro and Gary Steitz, and his presence will be missed by his family, his friends, his fellow servicemembers, and by the people of New Jersey whom are grateful for his service; and

WHEREAS, it is with immense sadness that we mourn PFC Steitz's sudden passing, and extend our deepest sympathy to his family, friends, and colleagues; and

WHEREAS, it is appropriate to honor the exemplary character, outstanding achievements, and cherished memory of PFC Steitz, and to mark his passing;

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The flag of the United States of America and the flag of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours on Friday, May 3, 2019, in recognition and mourning of a committed public servant, Private First Class Anthony P. Steitz.

2. This Order shall take effect immediately.

GIVEN, under my hand and seal this
1st day of May,
Two Thousand and Nineteen,
and of the Independence of
the United States, the Two
Hundred and Forty-Third.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 68

WHEREAS, Executive Order No. 144 (2009) created the New Jersey Hellenic-American Heritage Commission ("Commission") to recognize, study, and promote Hellenic heritage, culture, and history; and

WHEREAS, Americans of Hellenic ancestry contribute to the cultural, social, and economic strength of our State and our nation; and

WHEREAS, the dissemination of knowledge of the heritage, culture, and history of Hellenes and Americans of Hellenic ancestry continues to be important to the State of New Jersey and its residents; and

WHEREAS, Executive Order No. 144 (2009) expired on June 11, 2014; and

WHEREAS, Executive Order No. 157 (2014) extended the expiration date of Executive Order No. 144 (2009) to June 11, 2019; and

WHEREAS, in furtherance of my Administration's commitment to promoting New Jersey's rich and diverse cultural heritage, it is therefore appropriate for the Commission to continue its work without expiration;

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. Executive Order No. 157 (2014) is hereby rescinded.
2. Paragraph 13 of Executive Order No. 144 (2009) is amended to remove the words "and shall expire in five (5) years from the date of this order".

3. This Order shall take effect immediately.

GIVEN, under my hand and seal this
29th day of May,
Two Thousand and Nineteen,
and of the Independence of
the United States the Two
Hundred and Forty-Third.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 69

WHEREAS, United States Military Academy Cadet Christopher J. Morgan was a longtime resident of West Orange; and

WHEREAS, Cadet Morgan was a Cadet Second Lieutenant in West Orange High School's Junior Air Force Reserve Officer Training Corps program; and

WHEREAS, Cadet Morgan joined the United States Military Academy Preparatory School in 2015 and received his appointment to West Point in June 2016; and

WHEREAS, Cadet Morgan was in his final year at the United States Military Academy; and

WHEREAS, Cadet Morgan was a Law and Legal Studies major, and a recruited athlete who was a member of the Army wrestling team; and

WHEREAS, on the morning of Cadet Morgan's tragic passing, he was on his way to summer training; and

WHEREAS, Cadet Morgan was a beloved son, whose presence will be missed by his family, his friends, his fellow servicemembers, and by the people of New Jersey whom are grateful for his service; and

WHEREAS, it is with immense sadness that we mourn Cadet Morgan's sudden passing, and extend our deepest sympathy to his family, friends, and colleagues; and

WHEREAS, it is appropriate to honor the exemplary character, outstanding achievements, and cherished memory of Cadet Morgan, and to mark his passing;

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The flag of the United States of America and the flag of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours on Wednesday, June 12, 2019, in recognition and mourning of a courageous and loyal American soldier, Cadet Christopher J. Morgan.

2. This Order shall take effect immediately.

GIVEN, under my hand and seal this
11th day of June,
Two Thousand and Nineteen,
and of the Independence of
the United States the Two
Hundred and Forty-Third.

[seal]

/s/ Philip D. Murphy
Governor

Attest:

/s/ Matthew J. Platkin
Chief Counsel to the Governor

EXECUTIVE ORDER NO. 70

WHEREAS, beginning on June 19, 2019, the State of New Jersey was impacted by severe weather conditions, including heavy rains and flooding, particularly in Burlington, Camden, and Gloucester Counties; and

WHEREAS, in the early morning hours of June 20, 2019, major rain storms inundated the southern portion of the State with two to four inches of rain in only a few hours, overtopping several dams, rivers and creeks, closing major roadways due to flooding, and requiring the evacuation of numerous residents; and

WHEREAS, the National Weather Service issued Flood Warnings and Flash Flood Watches throughout New Jersey; and

WHEREAS, the storms have caused power outages, made roadways impassable, and produced widespread damage and flooding that have displaced residents in affected communities; and

WHEREAS, State, municipal and county governments have mobilized resources to assist homeowners forced from their homes, cleared roadways impacted by flooding, and, in some instances, conducted evacuations; and

WHEREAS, the National Weather Service predicts that approaching severe storms in the afternoon of June 20, 2019, may compound the already hard-hit areas in Burlington, Camden and Gloucester Counties; and

WHEREAS, the potential for additional significant rainfall could impede current recovery efforts, produce hazardous travel conditions on roadways, generate more damaging flooding, and exhaust municipal and county resources deployed to alleviate the situation; and

WHEREAS, these severe weather conditions may make it difficult or impossible for citizens to obtain the necessities of life, as well as essential services such as police, fire, and first aid; and

WHEREAS, this situation constitutes an imminent hazard that threatens and presently endangers the health, safety, and resources of the residents of the State, specifically including Burlington, Camden, and Gloucester Counties; and

WHEREAS, this situation may become too large in scope to be handled in its entirety by the normal county and municipal operating services, including in Burlington, Camden, and Gloucester Counties, and this situation may spread to other parts of the State; and

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. App.A:9-33 et seq., N.J.S.A. 38A:3-6.1, and N.J.S.A. 38A:2-4 and all amendments and supplements thereto, confer upon the Governor of the State of New Jersey certain emergency powers;

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, in order to protect the health, safety, and welfare of the people of the State of New Jersey DO DECLARE and PROCLAIM that a State of Emergency exists in Burlington, Camden, and Gloucester Counties, effective immediately; and I hereby ORDER and DIRECT the following:

1. I authorize and empower the State Director of Emergency Management, who is the Superintendent of State Police, to implement the State Emergency Operations Plan and to direct the activation of county and municipal emergency operations plan as necessary,

and to coordinate the recovery effort from this emergency with all governmental agencies, volunteer organizations, and the private sector.

2. I authorize and empower, in accordance with N.J.S.A. App.A:9-33, et seq., as supplemented and amended, the State Director of Emergency Management, who is the Superintendent of State Police, through the police agencies under his control, to determine and control the direction of the flow of vehicular traffic on any State or interstate highway, municipal or county road, and any access road, including the right to detour, reroute, or divert any or all traffic and to prevent ingress or egress from any area that, in the State Director's discretion, is deemed necessary for the protection of the health, safety, and welfare of the public, and to remove parked or abandoned vehicles from such roadways as conditions warrant.

3. I authorize and empower the Attorney General, pursuant to the provisions of N.J.S.A. 39:4-213, acting through the Superintendent of State Police, to determine and control the direction of the flow of vehicular traffic on any State or interstate highway, municipal or county road, and any access road, including the right to detour, reroute, or divert any or all traffic, to prevent ingress or egress, and to determine the type of vehicle or vehicles to be operated on such roadways. I further authorize all law enforcement officers to enforce any such order of the Attorney General or Superintendent of State Police within their respective municipalities.

4. I authorize and empower the State Director of Emergency Management to order the evacuation of all persons, except for those emergency and governmental personnel whose presence the State

Director deems necessary, from any area where their continued presence would present a danger to their health, safety, or welfare because of the conditions created by this emergency.

5. I authorize and empower the State Director of Emergency Management to utilize all facilities owned, rented, operated, and maintained by the State of New Jersey to house and shelter persons who may need to be evacuated from a residence, dwelling, building, structure, or vehicle during the course of this emergency.

6. I authorize and empower the executive head of any agency or instrumentality of the State government with authority to promulgate rules to waive, suspend, or modify any existing rule, where the enforcement of which would be detrimental to the public welfare during this emergency, notwithstanding the provisions of the Administrative Procedure Act or any law to the contrary for the duration of this Executive Order, subject to my prior approval and in consultation with the State Director of Emergency Management. Any such waiver, modification, or suspension shall be promulgated in accordance with N.J.S.A. App.A:9-45.

7. I authorize and empower the Adjutant General, in accordance with N.J.S.A. 38A:2-4 and N.J.S.A. 38A:3-6.1, to order to active duty such members of the New Jersey National Guard who, in the Adjutant General's judgment, are necessary to provide aid to those localities where there is a threat or danger to the public health, safety, and welfare and to authorize the employment of any supporting vehicles, equipment, communications, or supplies as may be necessary to support the members so ordered.

8. In accordance with N.J.S.A. App.A:9-34 and N.J.S.A. App.A:9-51, I reserve the right to utilize and employ all available resources of the State government and of each and every political

subdivision of the State, whether of persons, properties, or instrumentalities, and to commandeer and utilize any personal services and any privately-owned property necessary to protect against this emergency.

9. In accordance with N.J.S.A. App.A:9-40, no municipality, county, or any other agency or political subdivision of this State shall enact or enforce any order, rule, regulation, ordinance, or resolution which will or might in any way conflict with any of the provisions of this Order, or which will in any way interfere with or impede the achievement of the purposes of this Order.

10. It shall be the duty of every person or entity in this State or doing business in this State and of the members of the governing body and every official, employee, or agent of every political subdivision in this State and of each member of all other governmental bodies, agencies, and authorities in this State of any nature whatsoever, to cooperate fully with the State Director of Emergency Management in all matters concerning this state of emergency.

11. In accordance with N.J.S.A. App.A:9-34, N.J.S.A. App.A:9-40.6, and N.J.S.A. 40A:14-156.4, no municipality or public or semipublic agency shall send public works, fire, police, emergency medical, or other personnel or equipment into any non-contiguous disaster-stricken municipality within this State, nor to any disaster-stricken municipality outside this State, unless and until such aid has been directed by the county emergency management coordinator or his or her deputies in consultation with the State Director of Emergency Management.

12. This Order shall take effect immediately and shall remain in effect until such time as it is determined by me that an emergency no longer exists.

GIVEN, under my hand and seal this
20th day of June,
Two Thousand and Nineteen,
and of the Independence of
the United States the Two
Hundred and Forty-Third.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 71

WHEREAS, Executive Order No. 70 (2019), declaring a State of Emergency, was issued on June 20, 2019, because of severe weather conditions, including heavy rains and flooding, that occurred in Burlington, Camden, and Gloucester Counties beginning on June 19, 2019; and

WHEREAS, the severity of the conditions necessitating the declaration of a State of Emergency has eased;

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT the following:

1. The State of Emergency declared in Executive Order No. 70 (2019) is terminated effective at 12:00 p.m., Eastern Daylight Time, on June 24, 2019.

GIVEN, under my hand and seal this
24th day of June,
Two Thousand and Nineteen,
and of the Independence of
the United States the Two
Hundred and Forty-Third.

[seal]

/s/ Philip D. Murphy
Governor

Attest:

/s/ Matthew J. Platkin
Chief Counsel to the Governor

EXECUTIVE ORDER NO. 72

WHEREAS, former United States Navy servicemember Kevin Yali was born in Paterson and was a longtime resident of Midland Park; and

WHEREAS, Kevin was a graduate of Midland Park High School, where he made the All-Bergen County wrestling team as a senior; and

WHEREAS, Kevin attended the United States Naval Academy following graduation; and

WHEREAS, Kevin enlisted in the United States Navy in 2012, completing four separate deployments as a servicemember; and

WHEREAS, Kevin tragically lost his life in Afghanistan on June 19, 2019, while providing security for American forces; and

WHEREAS, Kevin was a beloved son and brother, whose presence will be missed by his family, his friends, his fellow servicemembers, and by the people of New Jersey whom are grateful for his service; and

WHEREAS, it is with immense sadness that we mourn Kevin's sudden passing, and extend our deepest sympathy to his family, friends, and colleagues; and

WHEREAS, it is appropriate to honor the exemplary character, outstanding achievements, and cherished memory of Kevin, and to mark his passing;

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The flag of the United States of America and the flag of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours

on Wednesday, June 26, 2019, in recognition and mourning of a courageous and loyal American veteran, Kevin Yali.

2. This Order shall take effect immediately.

GIVEN, under my hand and seal this
25th day of June,
Two Thousand and Nineteen,
and of the Independence of
the United States the Two
Hundred and Forty-Third.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 73

WHEREAS, on March 5, 2019, I fulfilled my duty as Governor by delivering my budget recommendations for Fiscal Year 2020 to a joint session of the New Jersey State Legislature, proposing a responsibly balanced budget plan, along with recommended supporting legislation, designed to make New Jersey stronger and fairer for all residents, not just a select few, and to continue the progress we made last year together with my respected partners in legislative leadership for the benefit of the State; and

WHEREAS, in recognition of my constitutional obligations to faithfully execute New Jersey's laws and manage the fiscal affairs of our State in a prudent and responsible manner, my budget recommendations included a realistic proposal to fund our important, shared priorities in a comprehensive way while, at the same time, growing the State's inexcusably inadequate fiscal surplus, which under recent budgets had irresponsibly dwindled to as little as one percent of budgeted spending; and

WHEREAS, in making my budget recommendations, I sought to improve New Jersey's notoriously poor and widely recognized national fiscal standing compared to other state governments in preparedness for a national economic downturn, a natural disaster, or other unexpected occurrence negatively affecting revenue collections during the fiscal year; and

WHEREAS, throughout the spring, the State Treasurer repeatedly highlighted the need for a dramatically enhanced undesignated closing fund balance for New Jersey in Fiscal Year 2020, as well as a robust contribution to our Surplus Revenue Fund, first established in 1990 and more commonly known as our "Rainy Day Fund," which would be the first contribution in 11 years and would be made, as required by law, based on the higher than anticipated revenues collected near the end of Fiscal Year 2019; and

WHEREAS, my recommendations included a limited number of commonsense recurring revenue-raising measures, including a modest increase on annual taxable income exceeding \$1 million, a fee on the manufacturers and distributors of opioids to help offset the costs of crucial programs to battle the opioid epidemic in New Jersey, a fee on companies that irresponsibly deny health benefits to their employees, costing the State millions annually, a small fee increase for hunting and killing bears, and an increased fee for gun ownership that has not been increased since the 1960s, to help continue to pay for all of the spending initiatives included in the Fiscal Year 2019 budget, plus the costs of new programs, services, and benefit levels enacted into law throughout the fiscal year since July that were not included in the Fiscal Year 2019 budget, plus any new or additional spending included by the Legislature for Fiscal Year 2020, while appropriately growing the State's undesignated fund balance and our Rainy Day Fund; and

WHEREAS, throughout the Fiscal Year 2020 budget process, legislative leadership continued to disregard the need to build and maintain a responsible surplus, instead declaring that a Rainy Day Fund contribution would not be appropriate this year, while at the same time proposing significantly increased spending for Fiscal Year 2020 and not taking any actions to amend or supplement the Rainy Day Fund law to eliminate the statutory requirement that a contribution be made for Fiscal Year 2019; and

WHEREAS, in 1984, Governor Kean enacted P.L.1984, c.213 to establish a New Jersey State and Local Expenditure and Revenue Policy Commission ("Commission") for the purpose of conducting a systemic and comprehensive review of our State and local tax structure and recommending corrective actions to ameliorate imbalances in that structure, in particular by building upon the strength of New Jersey's economy and diverse workforce; and

WHEREAS, among several budget reforms recommended by the Commission to improve fiscal planning and control in New Jersey was a recommendation that the State create a Rainy Day Fund, separate from other funds that support ordinary State spending, including the General Fund and the Property Tax Relief Fund, in order to accomplish three distinct, but related, goals: (1) create a responsible cushion to cover any cash flow problems that the State might experience during the course of a fiscal year; (2) maintain a reasonable reserve against unforeseen events, such as natural disasters; and (3) provide counter-cyclical assistance by setting aside unexpected surplus revenues during times of prosperity and statutorily restricting such revenues for use only during an unanticipated economic slowdown; and

WHEREAS, on June 27, 1990, Governor Florio enacted Senate Bill No. 1 (1990) ("S-1") into law, P.L.1990, c.44, creating the Rainy Day Fund in what the Governor described as "an historic moment for New Jersey;" and

WHEREAS, Governor Florio's public remarks at the bill signing event for S-1 included the following hopeful, but unfortunately rather prescient, observations: "The Rainy Day Fund gets us off the financial roller coaster. A ride that has left us breathless, unable to plan for our future. A ride that common sense tells us we can't continue The [Surplus Revenue] Fund sets aside excess revenues. They can't be touched by the Governor or the Legislature. They can only be used if an economic downturn leads to a budget deficit - as was the case this year, when I came into office facing a \$600 million budget deficit. . . . It's mindboggling to consider how we became a fiscally precarious state. We had some good economic times in New Jersey. The sad thing is we spent every penny we made and then some. The State government was like a family that bought a Porsche before putting away for the kids' education. We spent money we shouldn't have; and then we spent money we didn't have;" and

WHEREAS, in those same public remarks, Governor Florio questioned the wisdom and fairness displayed by certain contemporary legislators who "tried to stop progress because they like the status quo," more particularly because they opposed the establishment of a recurring revenue source; in that case they "like[d] a system where millionaires pay the same tax rates as a family of four trying to get by on \$50,000 a year. I think that's unfair;" and

WHEREAS, Governor Florio's wise sentiments from nearly three decades ago remain equally true today; and

WHEREAS, at the time when the Rainy Day Fund was created, the State of New Jersey's bond rating was AAA, as compared with its current general obligation bond rating of A-, three levels above junk bond status, which among other detrimental effects makes it more costly to borrow money when necessary; and

WHEREAS, a report, released by Moody's Investors Service ("Moody's") on May 20, 2019, noted that 48 states are either "strongly" or "moderately" prepared for a recession because of their healthy reserve levels and fiscal flexibility; unfortunately, New Jersey was one of only two states that Moody's identified as having "weak" recession preparedness due to its large future obligations, such as pensions and health benefits, inadequate recurring revenues, and insufficient surplus; and

WHEREAS, New Jersey's regrettable experiences during the Great Recession of 2008-2009 starkly illustrate the wisdom displayed by Governor Florio and the responsible legislators of the early 1990s, who foresaw the dire financial circumstances that were likely to confront New Jersey in the event of a future recession: in the Great Recession, State revenues in Fiscal Year 2009 fell by \$3.6 billion, or 11 percent, below forecasts and by nearly \$1.8 billion, or 5.9 percent, in Fiscal Year 2010, prompting draconian cuts to services

and threatening the benefits relied upon by the State's most vulnerable residents; and

WHEREAS, prior to the outset of the Great Recession, in Fiscal Year 2007, the State enjoyed an undesignated fund balance (commonly referred to as the "surplus") of nearly \$2.104 billion and a Rainy Day Fund balance of \$484.6 million, which both were fortunately available to cushion the blow to taxpayers and vulnerable residents as the State spent the Rainy Day Fund down to zero in just two years' time; and

WHEREAS, since the complete depletion of our Rainy Day Fund in Fiscal Year 2009, the Legislature has regrettably failed to enact an annual appropriations act with an undesignated fund balance above two and a half percent of spending, despite reducing several taxes including the Sales and Use Tax, which, for example, was lowered in 2016 in a manner unnoticeable to most taxpayers but which has cost the General Fund nearly a billion dollars, while at the same time constantly increasing expenditures; and

WHEREAS, New Jersey's relatively meager undesignated fund balance lags far behind those of our peer states which, according to the National Association of State Budget Officers ("NASBO"), presently maintain an average state surplus of 10 percent of budgeted spending; and

WHEREAS, the Legislature's dangerous policy of conflating true reserves, which thanks to the wisdom of Governor Florio and past legislators are statutorily required to be placed in the Rainy Day Fund and are capable of being used only in the event of a fiscal emergency like a recession, with undesignated fund balances, which lawmakers may freely appropriate as part of the annual State budget without regard for responsible fiscal management or future preparedness, has made New Jersey one of a small number of states in

the nation with a Rainy Day Fund requirement that has absolutely no current balance in its Rainy Day Fund; and

WHEREAS, during Fiscal Year 2023, the first fiscal year in which our current, temporary Corporation Business Tax ("CBT") surcharge will be completely phased out, the State also will reach the end of a ten-year plan to phase in our full, actuarially determined annual contribution to the State-administered pension funds, a payment from the State budget and from the Lottery that is expected to exceed \$6.5 billion; and

WHEREAS, like our multi-year pension phase-in plan, the statutory plan for increasing funding in support of public schools is likewise being phased in over the next half-decade, increasing annual State spending obligations by hundreds of millions of dollars each and every fiscal year for the foreseeable future; and

WHEREAS, many credible sources have raised nearly identical concerns about the likelihood of the United States entering a pronounced recession in the foreseeable future, including, for example, a June 2019 report from Morgan Stanley to its clients warning that prudent investors should brace for market turmoil over the next 12 months as Morgan Stanley shifted its cyclical indicator, which aggregates economic and financial market data, from "expansion" to "downturn" in light of weakening credit issuance, consumer confidence, and manufacturing gauges over recent months, and a recent Duke University/CFO Global Business Outlook survey finding that over four-fifths of corporate chief financial officers believe that a recession will begin in the first quarter of calendar year 2021, meaning it is possible that the State will be in the midst of a recession at the exact time one of the State's primary revenue sources will be sunseting and a State contribution of over \$6.5 billion to the pension system will be expected; and

WHEREAS, instead of enacting a reasonable budget that pays for current expenses with recurring revenues, maintains a responsible surplus, and contributes to the Rainy Day Fund, the Legislature has merely paid lip service to fiscal responsibility as it embraced a budget that relies on some of the grossest forms of exaggerations, assumptions, and other gimmicks to support increased spending in Fiscal Year 2020 while failing to acknowledge the statutory obligation to put hundreds of millions of dollars in the Rainy Day Fund; and

WHEREAS, the budget crafted by the Legislature is regrettably lacking in new, sustainable, recurring revenues to support new spending, and instead relies in substantial part on unexplained overperformance by current revenue sources, including both a historically unpredictable tax, the CBT, and the temporary surcharge on net business income in excess of \$1 million that, as noted, will decrease from 2.5 percent to 1.5 percent in 2020 and disappear entirely in 2022; and

WHEREAS, during the May revenue update formally presented to the legislative budget committees, the State Treasurer testified that anticipated Fiscal Year 2020 CBT revenues are expected to be \$3.164 billion, while the non-partisan Office of Legislative Services ("OLS") published a substantially more conservative estimate of \$3.037 billion, or \$126.8 million below the Executive Branch's estimate; and

WHEREAS, between OLS's testimony on May 15, 2019 and the introduction of the appropriations act on June 17, 2019, the estimate for the CBT relied upon by the legislative majority increased by over \$200 million above the Executive Branch's estimate, and by over \$300 million above OLS's forecast, to \$3.372 billion; and

WHEREAS, following inquiries, the legislative majority indicated a belief, apparently not shared by OLS, that the State would receive an additional \$100 million through the "delayed" taxation of

repatriated dividends and would pay out \$130 million less in CBT tax credits and \$45 million less in Insurance Premium Tax credits during the upcoming fiscal year, all of which run counter to the estimates, methodology, and testimony of the legislative branch's own non-partisan revenue forecast during the May update; and

WHEREAS, although New Jersey has enjoyed unexpectedly strong CBT collections in recent weeks, that overperformance is unrelated to delayed taxation of repatriated dividends or unclaimed tax credits; and

WHEREAS, in addition to unrealistic CBT revenue assumptions that far exceed the estimates published by OLS, the budget passed by the Legislature is also reliant on other exaggerated revenues, including an unexplained doubling of the revenue estimate associated with my Administration's recommended suspended business restoration initiative and an indiscriminate use of OLS revenue estimates only where they are higher than Treasury's, as well as multiple nebulous "savings" initiatives, several of which appear to be of dubious legality, see, e.g., Communications Workers of America v. Florio, 130 N.J. 439 (1992), and are not grounded in reality; and

WHEREAS, in order to appear to pay for its spending plan, the Legislature also has effectuated ill-advised and needless cuts to important educational programs, some of which will inevitably have harmful impacts on individuals and communities, including cutting about half of the funding I proposed for the transformative Community College Opportunity Grant ("CCOG") program while, at the same time, affirming its value by significantly expanding program eligibility; and

WHEREAS, in addition, the legislative budget plan includes a scheme to cut \$25 million from the State's planned Fiscal Year 2020 pension contribution, replacing those dollars with "decoupled debit" legislation that creates a shortfall in the ten-year pension payment

phase-in plan by failing to provide for the full planned pension payment in Fiscal Year 2020, and I conditionally vetoed this legislation to ensure the full planned payment is made; and

WHEREAS, the cumulative effects of these and other irresponsible budgeting practices have resulted in a legislative budget that more closely resembles budgets approved during the prior administration, which resulted in 11 credit downgrades, than the responsible budget I recommended, setting the stage for continued chaos and fiscal uncertainty in future fiscal years; and

WHEREAS, in order to continue the progress we have made in improving the State's economic footing and preparedness for inevitable contingencies or worse, including a major economic downturn as predicted by many prominent experts and economists, it is imperative that we build and maintain a robust surplus that includes a substantial contribution to our Rainy Day Fund; and

WHEREAS, I am advised that, after appropriate mathematical and accounting treatment, the closing undesignated fund balance under the legislative majority's budget will be far less than the \$1.41 billion they suggest; and

WHEREAS, more specifically, I am advised that the current Rainy Day Fund statute, which has not been amended or supplemented to allow the Legislature to divert balances in the Rainy Day Fund for non-statutory uses, requires a payment of approximately \$401.4 million to the Rainy Day Fund, which payment is reflected in the revenue certification I signed today along with this Order, significantly lowering the legislative majority's projected undesignated fund balance; and

WHEREAS, my revenue certification also reflects other changes, including correcting the legislative CBT estimates to restore greater consistency with the figures published by both OLS and my administration and adjusting for the Legislature's mixing and

matching of OLS and Treasury numbers to achieve more realistic levels; and

WHEREAS, while I do not have the legal authority to increase appropriations in those areas, such as unrealistic Corrections consolidation, exaggerated salary lapses, speculative procurement and audit savings, and other cuts like school aid and emergency 9-1-1 telecommunications upgrades, where the Legislature anticipated implausible savings, or simply underfunded its own spending additions such as personal care assistants, school choice, pretrial services, and Work First New Jersey benefits totaling as much as \$235 million, failing to appropriate money to pay for these purposes does not eliminate the need to pay for them; and

WHEREAS, the Legislature also passed a number of supplemental appropriations concurrently with the budget, violating both the letter and the spirit of the New Jersey Constitution which requires a single annual appropriations law that includes all foreseeable spending for the fiscal year rather than intentional piecemeal budgeting, totaling approximately \$12.4 million not accounted for in calculating the overall legislative surplus; and

WHEREAS, this is not the first time in recent years that the Legislature's penchant for including highly dubious "savings" initiatives in its budget, forcing the administration to attempt to achieve such savings even in the absence of a realistic or even articulable plan, and at the risk of depleting the surplus if the full amount of the savings fails to materialize, has generated a disagreement between the Legislature and the Governor; and

WHEREAS, in June 2016, Governor Christie confronted a very similar situation involving \$250 million in speculative "savings" embedded in the Fiscal Year 2017 legislative budget that were determined to be highly at risk of non-achievement and therefore

threatened the maintenance of core government programs and the maintenance of a responsible undesignated closing balance; and

WHEREAS, more specifically, in Executive Order No. 209 (2016) ("EO 209"), Governor Christie temporarily placed into reserve an equal amount of spending calculated to match the amount of savings that were realistically determined to be at risk of non-achievement based on the information available at the time the budget was enacted, pending the actual attainment of savings; and

WHEREAS, I am advised that as much as \$235 million contained in the Fiscal Year 2020 legislative budget is so questionable as to be designated by the Office of Management and Budget, after thorough review in consultation with the affected departments and agencies, as reasonably warranting "at risk" status; and

WHEREAS, like Governor Christie, I would like to take my legislative partners at their word that these "at risk" items are realistically achievable during Fiscal Year 2020 as budgeted; and

WHEREAS, while Governor Christie in EO 209 ordered the placement in reserve of "all legislative additions" to the Governor's recommended budget, as well as "half of the appropriation for Transitional Aid to Localities," which supports financially distressed cities throughout New Jersey including Trenton and Camden, I believe a more thoughtful and focused analysis should be undertaken in determining amounts to be temporarily reserved to effectuate the purposes of this Order; and

WHEREAS, the facts and circumstances described above and more fully manifested in the legislative majority's budget documents unfortunately prevent me from accepting their spending plan or certifying their suggested revenues in their entirety, and while I cannot add spending to their plan, Treasury and I are authorized to take some necessary actions to ensure that our shared spending priorities are met while much-needed surplus funds are not diverted

away from the Rainy Day Fund or misguidedly spent down in Fiscal Year 2020 in anticipation of savings that may never arrive; and

WHEREAS, the New Jersey State Constitution requires the Governor to take care that the laws of this State be faithfully executed, N.J. Const. (1947) Article V, Section I, Paragraph 11, including ensuring compliance with the constitutional mandate that a balanced State budget be maintained, N.J. Const. (1947) Article VIII, Section II, Paragraph 2; and

WHEREAS, additionally, the New Jersey Constitution assigns to the Governor alone the authority and responsibility to certify annual State revenues, as well as the ability to disapprove individual items of appropriation, subject to potential legislative override, under the line-item veto power; and

WHEREAS, during the course of a fiscal year, the Director of the Division of Budget and Accounting ("Director") may take steps to freeze State spending by placing certain funds in reserve in order to ensure that the State's budget remains balanced and to protect against and meet emergencies that may arise during the fiscal year pursuant to N.J.S.A. 52:27B-26, and the Governor also may enjoin expenditures and prescribe the terms on which such expenditures may be made, if at all, pursuant to N.J.S.A. 52:27B-31 to ensure that appropriations are not used to support waste, mismanagement or extravagance in a time of potentially diminished fiscal resources; and

WHEREAS, failure to exercise these powers now, at the outset of the fiscal year, risks the State potentially lacking resources necessary to maintain a responsible fund balance throughout the year, including sums in the Rainy Day Fund, while it must make statutorily required quarterly pension payments and provide for essential State services and basic operations of State government for Fiscal Year

2020, potentially causing immediate adverse impacts on the residents of the State;

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. In light of the facts and circumstances described above, the Director is hereby ordered immediately to identify and place into reserve items of appropriation, pursuant to N.J.S.A. 52:27B-26, in an amount sufficient to ensure that the State budget remains in balance while maintaining a responsible anticipated closing fund balance of \$875 million in addition to making a deposit required by the Rainy Day Fund law of \$401 million into the Rainy Day Fund attributable to Fiscal Year 2019. The amounts immediately reserved shall be determined by the Director in consideration of the factors and criteria set forth herein, based on information and materials available to the Department of the Treasury, in consultation with the affected departments and agencies, with respect to each such item. Items of appropriation that shall not be considered for reservation pursuant to this Order shall include items supporting current State-administered programs, services, and benefit levels, particularly items that relate to the health, safety, or welfare of State residents, all as determined by the Director. As to other items of appropriation, the Director shall consider relevant factors including, but not limited to, the amount of the item of appropriation, its intended purpose, recipients, and intended beneficiaries, the likely statewide or localized impact of the item, the history of State support for the item, the timing during the fiscal year of any payment(s) in support of the item, the ability to delay payment until later in the fiscal year while monitoring overall budget performance, and such other factors as the Director determines

to be relevant in fairly and evenhandedly evaluating items of appropriation for reservation in order to effectuate the purposes of this Order while minimizing disruption to ongoing programs, services, and benefit levels. In determining the most appropriate items of appropriation for reservation pursuant to this Order, the Director shall not be limited to legislative additions to my recommended budget, but rather shall consider all items of appropriation. The Director shall notify the State Treasurer and the Governor immediately of the list of items placed into reserve. The State Treasurer shall monitor savings actually achieved with respect to each savings initiative identified as at risk of non-achievement and, in consideration of monthly revenue collections and other factors, including usage and enrollment trends, legislative activity, and other factors directly affecting fund balances, shall take such actions as are necessary to ensure that the estimated closing undesignated fund balance plus the balance for Fiscal Year 2020 in the Rainy Day Fund, when added together, total at least \$1.276 billion. The State Treasurer and the Director of the Division of Budget and Accounting are hereby authorized and directed to supplement the list of items of appropriation reserved pursuant to this Order throughout the fiscal year so long as the conditions that necessitate this Order persist.

2. The State Treasurer shall periodically notify the Governor as necessary with respect to the status of these surplus balances. Thereafter, upon receiving notification from the State Treasurer that amounts in excess of the targeted fund balance are anticipated to be available for expenditure, the Director may release from reserve, pursuant to N.J.S.A. 52:27B-26, items of appropriation in consideration of those circumstances.

3. All State officials and agencies shall cooperate fully in the implementation of this Order.

4. This Order shall take effect immediately and shall remain in full force and effect until rescinded, modified, or supplemented by me.

[seal] GIVEN, under my hand and seal this
30th day of June,
Two Thousand and Nineteen,
and of the Independence of
the United States the Two
Hundred and Forty-Third.

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 74

WHEREAS, a primary goal of my administration is to ensure that every New Jersey resident is valued, supported, and welcomed as an integral part of our communities, economy, and culture; and

WHEREAS, over 2 million residents are immigrants or refugees, or new Americans, representing nearly 23 percent of New Jersey's nine million residents; and

WHEREAS, new Americans are students, entrepreneurs, scientists, and workers who live and work in our State and are important contributors to New Jersey's workforce, communities, and social and cultural fabric; and

WHEREAS, new Americans are integral to our state's economy, and together they: 1) comprise over 121,000 entrepreneurs; 2) are employers of over 389,000 employees; and 3) contribute over \$24.2 billion in federal, State, and local taxes; and

WHEREAS, 43 percent of the State's science, technology, engineering, and math-focused workforce are new Americans who play a significant part in maintaining the State's role as a leading innovator in the STEM field; and

WHEREAS, the growth in the new American population has helped to strengthen New Jersey's labor force, with younger individuals filling crucial gaps in the market; and

WHEREAS, new Americans contribute to the vast diversity in our State and enrich our communities both socially and culturally; and

WHEREAS, increasingly divisive rhetoric and irresponsible and inhumane immigration policy by the current federal administration have led to communities and populations feeling fearful instead of welcomed; and

WHEREAS, while immigration policy is set at the federal level, the benefits of and barriers to immigration integration are felt at the state and local levels; and

WHEREAS, the State of New Jersey and its partners at the local level and in the non-profit and private sectors all play important roles in creating opportunities for improving the integration of new Americans; and

WHEREAS, New Jersey is fortunate to have many programs and supports that are working every day to help our residents to thrive, and we should be taking all available steps to help new Americans access these supports, in addition to ensuring that new Americans are protected from exploitation in the workplace; and

WHEREAS, it is critical to the success and future of our state that we thoughtfully integrate new Americans into our communities, our workforce, and our economy, further enhancing our culture;

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The Departments of Human Services and Labor and Workforce Development shall collaborate to develop methods to further immigrant and refugee integration, including, but not limited to, the design of an Office of New Americans that would work to empower immigrants and refugees throughout the State. Both Departments shall engage with relevant and affected stakeholders during this process.

2. Within five months of the effective date of this order, both Departments shall prepare and submit to the Governor a plan detailing the actions they have undertaken in furtherance of this Order.

3. Both Departments shall consider, but not be limited to, the following objectives:

- a. Promoting trainings that inform new Americans of the availability of services and their rights, including in the employment context;
- b. Working with organizations and advocacy groups to increase accessibility to State programs for new Americans; and
- c. Ensuring that services are accessible to New American populations, including those who speak languages other than English.

4. Concurrently, there is hereby established the Interagency Workgroup on New American Integration ("Interagency Workgroup"), which shall be responsible for providing advice and recommendations to the Governor's Office and Executive Branch departments and agencies on strategies and actions to ensure that new Americans are integrated into all aspects of New Jersey's communities and economy.

5. The objectives of the Interagency Workgroup shall include, but not be limited to, the following:

- a. Examining and evaluating existing programs and strategies that are administered by executive departments and agencies which can assist new Americans in acclimating to life in New Jersey;
- b. Conducting a review of existing law and applicable procedures related to services helpful to new Americans in New Jersey; and
- c. Developing best practices for departments and agencies to increase coordination of information and efficient implementation of programs and services to help new Americans thrive as a part of New Jersey's community and economy.

6. The Interagency Workgroup shall consist of not less than fourteen (14) members, as follows: two representatives from the Department of Human Services; two representatives from the Department of Labor and Workforce Development; and one representative each from the Department of Health, the Department of Education, the Department of Children and Families, the Department of Community Affairs, the Department of Agriculture, the Department of Banking and Insurance, the Department of Transportation, the Office of the Secretary of Higher Education, the Department of Law and Public Safety, and the Department of State. The Commissioner or head of each department or agency shall select its respective representative(s). All members shall serve at the pleasure of the appointing department or agency and without compensation.

7. The Interagency Workgroup shall be co-chaired by one member representing the Department of Human Services and one member representing the Department of Labor and Workforce Development. These two members shall be designated as co-chairs by the Governor and serve as co-chairs at the pleasure of the Governor.

8. The Governor may, as determined to be appropriate, appoint additional members to the Interagency Workgroup, who shall serve at the pleasure of the Governor.

9. The Interagency Workgroup shall be authorized to call upon any department, office, division, or agency of this State to supply it with information or other assistance as the Interagency Workgroup determines to be necessary to discharge its duties under this Order. Each Executive Branch department and agency is hereby required, to the extent not inconsistent with law, to cooperate fully with the Interagency Workgroup within the limits of its statutory authority and to furnish the Interagency Workgroup with

such assistance on as timely a basis as is necessary to accomplish the purposes of this Order.

10. The Interagency Workgroup may consult with experts or other knowledgeable individuals in the public or private sector with respect to any aspect of its mission, and shall engage with relevant and affected stakeholders.

11. The Interagency Workgroup, which shall be purely advisory in nature, shall organize and meet as soon as practicable to begin performing the charges set forth in this Order.

12. Nothing in this Order shall be construed to supersede any federal, State, or local law.

13. For purposes of this Order, "Executive Branch departments and agencies" shall mean any of the principal departments in the Executive Branch of State government and any agency, authority, board, bureau, commission, division, institution, office, or other instrumentality within or created by any such department, and any independent State authority, commission, instrumentality, or agency over which the Governor exercises executive authority, as determined by the Attorney General.

14. This order shall take effect immediately.

GIVEN, under my hand and seal this
4th day of July,
Two Thousand and Nineteen,
and of the Independence of
the United States the Two
Hundred and Forty-Fourth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Deputy Chief Counsel to the Governor