

EXECUTIVE ORDER NO. 125

WHEREAS, through Executive Order No. 102 (2020), which I signed on February 3, 2020, I created the State's Coronavirus Task Force, chaired by the Commissioner of the New Jersey Department of Health ("DOH"), in order to coordinate the State's efforts to appropriately prepare for and respond to the public health hazard posed by Coronavirus disease 2019 ("COVID-19"); and

WHEREAS, on March 9, 2020, through Executive Order No. 103 (2020), the facts and circumstances of which are adopted by reference herein, I declared both a Public Health Emergency and a State of Emergency throughout the State due to the public health hazard created by COVID-19; and

WHEREAS, on April 7, 2020, I issued Executive Order No. 119 (2020), the facts and circumstances of which are adopted by reference herein, which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, in accordance with N.J.S.A. App. A:9-34 and -51, I reserved the right to utilize and employ all available resources of State government to protect against the emergency created by COVID-19; and

WHEREAS, on March 16, 2020, through Executive Order No. 104 (2020), the facts and circumstances of which are adopted by reference herein, I established statewide social mitigation strategies for combatting COVID-19; and

WHEREAS, in recognition that the Centers for Disease Control and Prevention ("CDC") has advised that social mitigation strategies for combatting COVID-19 require every effort to reduce the rate of community spread of the disease and that COVID-19 spreads most frequently through person-to-person contact when individuals are within six feet or less of one another, I issued

Executive Order No. 107 (2020), on March 21, 2020, the facts and circumstances of which are adopted by reference herein, which ordered steps to mitigate community spread of COVID-19; and

WHEREAS, Executive Order No. 107 (2020) closed non-essential retail businesses to the public, but permitted essential retail businesses and other businesses that require an in-person workforce to continue to operate; and

WHEREAS, Executive Order No. 107 (2020) permitted restaurants, cafeterias, dining establishments, food courts, bars, and all other holders of a liquor license with retail consumption privileges, to operate food delivery and/or take-out services during their normal business hours; and

WHEREAS, Executive Order No. 107 (2020) stated that businesses or non-profits who have employees who cannot perform their functions via telework or work-from-home arrangements should make best efforts to reduce staff on site to the minimal number necessary to ensure that essential operations can continue; and

WHEREAS, Executive Order No. 107 (2020) held that all New Jersey residents shall remain at home or at their place of residence, unless they qualified under certain defined categories, including reporting to, or performing, their job; and

WHEREAS, Executive Order No. 107 (2020) stated that individuals who have to travel pursuant to the terms of the Order should only use public transportation only if they have no other feasible choice; and

WHEREAS, Executive Order No. 107 (2020) also directed individuals who ride public transportation to abide by best social distancing practices, including making all efforts to stand or sit six feet away from other riders and frequently use sanitizing products; and

WHEREAS, as of April 11, 2020, according to the World Health Organization, there were more than 1,521,252 confirmed cases of COVID-19 worldwide, with over 92,798 of those cases having resulted in death; and

WHEREAS, as of April 11, 2020, according to the Centers for Disease Control, there were more than 425,889 confirmed cases of COVID-19 in the United States, with over 14,665 of those cases having resulted in death; and

WHEREAS, as of April 11, 2020, there were over 54,588 positive cases of COVID-19 in New Jersey, with at least 1,932 of those cases having resulted in death; and

WHEREAS, in response to the current emergency NJ TRANSIT (defined collectively as New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc.), the private carriers that NJ TRANSIT has entered into contracts with for the provision of bus and light rail service (hereinafter referred to collectively as "Private Carriers"), the private carriers that NJ TRANSIT has not entered into contracts with and run their own individual lines of intrastate service in New Jersey as well as interstate service to New York and Pennsylvania (hereinafter referred to collectively as "Unaffiliated Private Carriers"), and the private carriers that NJ TRANSIT has entered into contracts with for the provision of Access Link paratransit services (hereinafter referred to as "Paratransit Private Carriers") have instituted enhanced cleaning efforts for vehicles across all its modes of transportation, including disinfecting vehicles every 24 hours, hard surface cleaning and disinfecting including handholds, arm rests, seating areas and restrooms; and

WHEREAS, in response to the current emergency, NJ TRANSIT has instituted enhanced cleaning regimens in stations including additional disinfecting of frequent customer touchpoints like ticket vending machines, handrails, and door handles; and

WHEREAS, as an added precautionary measure to protect bus operators and customers, NJ TRANSIT and Private Carriers have implemented rear-door boarding on all bus routes where rear-boarding is available, and seats near the bus operator have also been taken out of service to allow for proper social distancing for the operator; and

WHEREAS, NJ TRANSIT and Paratransit Private Carriers that operate the Access Link service have identified concerns with transporting passengers in minibuses, vans and sedans (hereinafter referred to as "Access Link vehicles") given risks to both the drivers and passengers, and in response have avoided the use of sedans; and

WHEREAS, NJ TRANSIT now encourages customers to use the NJ TRANSIT mobile ticketing app or to purchase paper tickets via ticket vending machines prior to boarding to limit cash transactions with the rail conductors and bus operators, and NJ TRANSIT has closed ticket windows at stations to avoid person to person contact; and

WHEREAS, in response to the current emergency, NJ TRANSIT has continually issued customer advisories noting that travel across all of its modes of transportation should be limited to essential personnel who do not have any other feasible means of transportation; and

WHEREAS, NJ TRANSIT, Private Carriers and Unaffiliated Private Carriers have been forced to adjust the weekday rail, bus and light rail service to special schedules to continue to

accommodate essential travel while also accounting for the decline in available workforce and ridership related to COVID-19; and

WHEREAS, in those situations where NJ TRANSIT and Private Carriers have observed certain rail, bus and light rail lines that continue to experience more customers than would be ideal for social distancing protocols, NJ TRANSIT and Private Carriers have added select trips particularly on certain intra-city bus lines, and have instituted cross-honoring for NJ TRANSIT bus tickets and passes on all NJ TRANSIT rail lines to increase travel options for bus customers; and

WHEREAS, NJ TRANSIT workers, Private Carrier workers, Unaffiliated Private Carrier workers and Paratransit Private Carrier workers are regularly interacting with members of the public during the COVID-19 pandemic, and the nature of their jobs often requires close contact with the public; and

WHEREAS, members of the public that must continue to report to work due to the essential nature of their jobs, as well as members of the public seeking to access essential services and obtain critical goods like food and medicine, and have no feasible choice other than to take public transportation, may be forced to come in close contact with other individuals on train cars, buses, light rail vehicles and Access Link vehicles, given their size and layout; and

WHEREAS, given the nature of public transportation, members of the public that have no feasible choice other than to take public transportation will necessarily come into contact with multiple common surfaces; and

WHEREAS, residents continue to require access to restaurants and other food establishments during the present crisis; and

WHEREAS, even as we have limited essential business operations, the number of COVID-19 cases in New Jersey is anticipated to continue to increase for the immediate future, meaning we must take additional steps to ensure that NJ TRANSIT, Private Carriers, Unaffiliated Private Carriers, Paratransit Private Carriers and passengers on public transportation, as well as restaurants, bars, food establishments and their patrons, are following public health guidelines regarding social distancing, cleaning, sanitizing, and hygiene practices, in addition to those aforementioned efforts NJ TRANSIT, Private Carriers, Unaffiliated Private Carriers and Paratransit Private Carriers have already undertaken; and

WHEREAS, imposing specific mitigation requirements on NJ TRANSIT, Private Carriers, Unaffiliated Private Carriers and Paratransit Private Carriers will further protect their workers and will permit members of the public to continue to report to work due to the essential nature of their jobs when they have no feasible choice other than to take public transportation, while also preventing increased spread of COVID-19; and

WHEREAS, imposing similar mitigation requirements on restaurants, bars, and other such retailers providing food for takeout and/or delivery, will allow residents to access a critical resource while still taking necessary precautions to stop further spread of COVID-19; and

WHEREAS, the CDC has now recommended that all residents wear cloth face coverings in public settings where other social distancing measures are difficult to maintain, particularly in areas of significant community-based transmission; and

WHEREAS, the CDC has stated that such cloth face coverings must fit snugly but comfortably against the side of the face, be secured with ties or ear loops, include multiple layers of fabric, allow for breathing without restriction, and be able to be laundered and machine dried without damage or change to shape; and

WHEREAS, the CDC has also stated that cloth face coverings should not be placed on young children under age 2, anyone who has trouble breathing, or is unconscious, incapacitated or otherwise unable to remove the mask without assistance; and

WHEREAS, the CDC has also recommended certain cleaning and disinfecting procedures for businesses to reduce potential spread of COVID-19 to staff and members of the public; and

WHEREAS, on April 8, 2020, I issued Executive Order No. 122 (2020), the facts and circumstances of which are adopted by reference herein, which instituted a series of requirements to ensure that the CDC's recommendations and other public health and safety related measures would be properly implemented in essential retail contexts, among others, that remain open to the public during this Public Health Emergency; and

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. 26:13-1 et seq., 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, which I have invoked;

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. Where NJ TRANSIT has continued to operate utilizing an in-person workforce under the terms of Executive Order No. 107 (2020), NJ TRANSIT must adopt policies that include, at minimum, the following requirements:

- a. NJ TRANSIT workers may limit occupancy at 50% of the stated maximum capacity, on all trains, buses and light rail lines in accordance with any guidelines instituted by NJ TRANSIT operational divisions;
- b. Require infection control practices, such as coughing and sneezing etiquette and proper tissue usage and disposal;
- c. Arrange for contactless pay options across all modes of transportation wherever feasible. Such policies shall, wherever possible, consider populations that do not have access to internet service;
- d. Arrange for back door entry on buses wherever feasible, and take seats out of service near the bus operator to allow for proper social distancing from the bus operator wherever feasible;
- e. Require frequent sanitization of high-touch areas in stations, like restrooms, waiting areas, credit card machines, and keypads;
- f. Place conspicuous signage at stations and throughout train cars, buses and light rail vehicles, if applicable, alerting workers and customers to the required six feet of physical distance; and

Require workers and customers to wear cloth face coverings while on trains, buses and light rail vehicles except where doing so would inhibit that individual's health or where the individual is under two years of age, and require workers to wear gloves when in contact with customers. NJ TRANSIT must provide, at its expense, such face coverings and gloves for their workers, to the extent supplies are available. If a customer refuses to wear a cloth face covering for non-medical reasons, then NJ TRANSIT workers may decline entry to the individual, in accordance with any guidelines instituted by NJ TRANSIT operational divisions. Nothing in the stated policy should prevent workers or customers from wearing a surgical-grade mask or other more protective face covering if the individual is already in possession of such equipment, or if NJ TRANSIT is otherwise required to provide such worker with more protective equipment due to the nature of the work involved. Where an individual declines to wear a face covering on a train, bus or light rail vehicle due to a medical condition that inhibits such usage, neither NJ TRANSIT nor its workers shall require the individual to produce medical documentation verifying the stated condition.

2. Where Private Carriers have continued to operate utilizing an in-person workforce under the terms of Executive Order No. 107 (2020), and the terms of their contracts with NJ TRANSIT, Private Carriers must adopt policies that include, at

minimum, the following requirements:

- a. Private Carrier workers may limit occupancy at 50% of the stated maximum capacity, on all buses and light rail lines in accordance with any guidelines instituted by the Private Carriers in consultation with NJ TRANSIT operational divisions;
- b. Require infection control practices, such as coughing and sneezing etiquette and proper tissue usage and disposal;
- c. Arrange for contactless pay options across all modes of transportation that the Private Carriers operate wherever feasible. Such policies shall, wherever possible, consider populations that do not have access to internet service;
- d. Arrange for back door entry on buses wherever feasible, and take seats out of service near the bus operator wherever feasible to allow for proper social distancing from the bus operator;
- e. Place conspicuous signage throughout buses and light rail vehicles, if applicable, alerting workers and customers to the required six feet of physical distance; and
- f. Require workers and customers to wear cloth face coverings while on buses and light rail vehicles except where doing so would inhibit that individual's health or where the individual is under two years of age, and require workers to wear gloves when in contact with customers. Private Carriers must provide, at their own expense, such face coverings and gloves for their workers, to

the extent supplies are available. If a customer refuses to wear a cloth face covering for non-medical reasons, then Private Carrier workers may decline entry to the individual, in accordance with any guidelines instituted by the Private Carriers in consultation with NJ TRANSIT operational divisions. Nothing in the stated policy should prevent workers or customers from wearing a surgical-grade mask or other more protective face covering if the individual is already in possession of such equipment, or if the Private Carriers are otherwise required to provide such worker with more protective equipment due to the nature of the work involved. Where an individual declines to wear a face covering on a bus or light rail vehicle due to a medical condition that inhibits such usage, neither Private Carriers nor any of their workers shall require the individual to produce medical documentation verifying the stated condition.

3. Where Unaffiliated Private Carriers have continued to operate utilizing an in-person workforce under the terms of Executive Order No. 107 (2020), Unaffiliated Private Carriers must adopt policies that include, at minimum, the following requirements:

- a. Unaffiliated Private Carrier workers may limit occupancy at 50% of the stated maximum capacity, on all bus lines in accordance with any guidelines instituted by the Unaffiliated Private Carriers;

- b. Require infection control practices, such as regular hand washing, coughing and sneezing etiquette, and proper tissue usage and disposal;
- c. Arrange for contactless pay options across all modes of transportation that the Unaffiliated Private Carriers operate wherever feasible. Such policies shall, wherever possible, consider populations that do not have access to internet service;
- d. Arrange for back door entry on buses wherever feasible, and take seats out of service near the bus operator wherever feasible to allow for proper social distancing from the bus operator;
- e. Place conspicuous signage throughout buses, if applicable, alerting workers and customers to the required six feet of physical distance; and
- f. Require workers and customers to wear cloth face coverings while on buses except where doing so would inhibit that individual's health or where the individual is under two years of age, and require workers to wear gloves when in contact with customers. Unaffiliated Private Carriers must provide, at their own expense, such face coverings and gloves for their workers, to the extent supplies are available. If a customer refuses to wear a cloth face covering for non-medical reasons, then Unaffiliated Private Carrier workers may decline entry to the individual, in accordance with any guidelines instituted by the Unaffiliated Private Carriers. Nothing in the stated policy

should prevent workers or customers from wearing a surgical-grade mask or other more protective face covering if the individual is already in possession of such equipment, or if the Unaffiliated Private Carriers are otherwise required to provide such worker with more protective equipment due to the nature of the work involved. Where an individual declines to wear a face covering on a bus due to a medical condition that inhibits such usage, neither Unaffiliated Private Carriers nor any of their workers shall require the individual to produce medical documentation verifying the stated condition.

4. Where Paratransit Private Carriers have continued to operate utilizing an in-person workforce under the terms of Executive Order No. 107 (2020), and the terms of their contracts with NJ TRANSIT, Paratransit Private Carriers must adopt policies that include, at minimum, the following requirements:

- a. Paratransit Private Carrier workers may limit occupancy at 50% of the stated maximum capacity of the vehicle on all Access Link vehicles in accordance with any guidelines instituted by the Paratransit Private Carriers in consultation with NJ TRANSIT operational divisions;
- b. Require infection control practices, such as coughing and sneezing etiquette and proper tissue usage and disposal;
- c. Arrange for contactless pay options, including EZ Wallet, across all modes of transportation that the Paratransit Private Carriers operate wherever

feasible. Such policies shall, wherever possible, consider populations that do not have access to internet service;

- d. Place conspicuous signage throughout Access Link vehicles, if applicable, alerting workers and customers to the required six feet of physical distance; and
- e. Require workers and customers to wear cloth face coverings while on all Access Link vehicles except where doing so would inhibit that individual's health or where the individual is under two years of age, and require workers to wear gloves when in contact with customers. Paratransit Private Carriers must provide, at their own expense, such face coverings and gloves for their workers, to the extent supplies are available. If a customer refuses to wear a cloth face covering for non-medical reasons, then Paratransit Private Carriers may decline entry to the individual, in accordance with any guidelines instituted by the Paratransit Private Carriers in consultation with NJ TRANSIT operational divisions. Nothing in the stated policy should prevent workers or customers from wearing a surgical-grade mask or other more protective face covering if the individual is already in possession of such equipment, or if the Paratransit Private Carriers are otherwise required to provide such worker with more protective equipment due to the nature of the work involved. Where an individual declines to wear a

face covering on an Access Link vehicle due to a medical condition that inhibits such usage, neither Paratransit Private Carriers nor any of their workers shall require the individual to produce medical documentation verifying the stated condition.

5. All restaurants, cafeterias, dining establishments, and food courts, with or without a liquor license, all bars, and all other holders of a liquor license with retail consumption privileges that are continuing to offer food delivery and/or take-out services pursuant to Executive Order No. 107 (2020) ("food business"), must adopt policies that include, at minimum, the following requirements:

- a. Limit occupancy at 10% of the stated maximum capacity, wherever feasible;
- b. Ensure six feet of distance between workers and customers, except at the moment of payment and/or exchange of goods;
- c. Require infection control practices, such as regular hand washing, coughing and sneezing etiquette, and proper tissue usage and disposal;
- d. Provide employees break time for repeated handwashing throughout the workday;
- e. Arrange for contactless pay and pickup/delivery options wherever feasible. Such policies shall, wherever possible, consider populations that do not have access to internet service;
- f. Provide sanitization materials, such as hand sanitizer and sanitizing wipes, to staff;

- g. Require frequent sanitization of high-touch areas like credit card machines, keypads, and counters to which the public and workers have access;
- h. Place conspicuous signage at entrances and throughout the food business, if applicable, alerting staff and customers to the required six feet of physical distance; and
- i. Require workers to wear cloth face coverings and gloves while on the premises, except where doing so would inhibit that worker's health, and require workers to wear gloves when in contact with customers or goods. Businesses must provide, at their expense, such face coverings and gloves for their employees. Customers that enter the food business will similarly be required to wear cloth face coverings, except where doing so would inhibit that individual's health or where the individual is under the age of two, but will not be required to wear such covering when receiving a delivery or when picking up goods outside of the physical premises of the food business. If a worker or customer refuses to wear a cloth face covering for non-medical reasons and if such covering cannot be provided to the individual by the food business at the point of entry, then the food business must decline entry to the individual. Such food business should, however, arrange for delivery, curbside pick-up or alternative arrangements wherever possible. Nothing in the stated policy should prevent workers or customers from wearing a

surgical-grade mask or other more protective face covering if the individual is already in possession of such equipment, or if the business is otherwise required to provide such worker with more protective equipment due to the nature of the work involved. Where an individual declines to wear a face covering inside the food business due to a medical condition that inhibits such usage, neither the food business nor its staff shall require the individual to produce medical documentation verifying the stated condition.

6. The State Director of Emergency Management ("State Director"), who is the Superintendent of State Police, shall have the discretion to make additions, amendments, clarifications, exceptions, and exclusions to the terms of this Order.

7. 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 in all matters concerning this Executive Order, and to cooperate fully with Administrative Orders issued pursuant to this Executive Order.

8. 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, with any of the provisions of Executive Order No. 122 (2020), or with any of the provisions of any subsequent Administrative Orders adopted pursuant to either this Order or Executive Order No. 122

(2020), or which will or might in any way interfere with or impede the achievement of any or all of these Orders.

9. Penalties for violations of this Executive Order may be imposed under, among other statutes, N.J.S.A. App. A:9-49 and -50.

10. This Order shall take effect beginning at 8:00 p.m. on Monday, April 13, and shall remain in effect until revoked or modified by the Governor, who shall consult with the Commissioner of DOH as appropriate.

GIVEN, under my hand and seal this
11th day of April,
Two Thousand and Twenty, and of
the Independence of the United
States, the Two Hundred and
Forty-Fourth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 126

WHEREAS, through Executive Order No. 102 (2020), which I signed on February 3, 2020, I created the State's Coronavirus Task Force, chaired by the Commissioner of the New Jersey Department of Health ("DOH"), in order to coordinate the State's efforts to appropriately prepare for and respond to the public health hazard posed by Coronavirus disease 2019 ("COVID-19"); and

WHEREAS, on March 9, 2020, through Executive Order No. 103 (2020), the facts and circumstances of which are adopted by reference herein, I declared both a Public Health Emergency and State of Emergency due to the public health hazard created by COVID-19; and

WHEREAS, on April 7, 2020, I issued Executive Order No. 119 (2020), the facts and circumstances of which are adopted by reference herein, which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, in accordance with N.J.S.A. App. A:9-34 and -51, I reserved the right to utilize and employ all available resources of State government to protect against the emergency created by COVID-19; and

WHEREAS, in response to the COVID-19 pandemic, on March 13, 2020, the Federal Communications Commission ("FCC") issued a request for the nation's telephone companies and internet providers to pledge to "Keep America Connected" and, among other things, provide 60 days of service and not terminate service due to inability to pay because of disruptions caused by COVID-19; and

WHEREAS, on March 16, 2020, through Executive Order No. 104 (2020), the facts and circumstances of which are adopted by reference herein, I adopted statewide social mitigation strategies for combatting COVID-19; and

WHEREAS, as of March 19, 2020, I instructed all State departments and agencies to utilize work-from-home arrangements for both essential and non-essential employees wherever feasible; and

WHEREAS, on March 19, 2020, the New Jersey Board of Public Utilities issued an order, Dkt. No. EO20030254, requiring that all public utilities and regulated entities immediately cease any in-home or business visits unless there is an immediate risk to health and safety in order to effectuate proper social distancing required by Executive Order No. 104 (2020); and

WHEREAS, emphasizing the critical need to maintain essential services for New Jersey residents, the Board of Public Utilities' order permitted broadband internet providers to continue to connect new customers and repair existing service for homes with school-aged children and those in need of internet access to meet job requirements or other priority customers; and

WHEREAS, in recognition that the Centers for Disease Control (CDC) has advised that social mitigation strategies for combatting COVID-19 require every effort to reduce the rate of community spread of the disease and that COVID-19 spreads most frequently through person-to-person contact when individuals are within six feet or less of one another, I issued Executive Order No. 107 (2020) on March 21, 2020, the facts and circumstances of which are adopted by reference herein, which ordered steps to mitigate community spread of COVID-19; and

WHEREAS, Executive Order No. 107 (2020) closed all preschool, elementary and secondary schools except on a limited basis for the provision of food or other essential and emergency situations; and

WHEREAS, Executive Order No. 107 (2020) instructed the Commissioner of the Department of Education to work with the school districts and schools to ensure that students are able to continue their educations through appropriate home instruction; and

WHEREAS, Executive Order No. 107 (2020) required all institutions of higher education to cease in-person instruction unless specifically authorized by the Secretary of the Office of Higher Education; and

WHEREAS, Executive Order No. 107 (2020) mandated that all businesses or non-profits in the State accommodate their workforce, wherever practicable, for telework or work-from-home arrangements because restricting the physical presence of individuals in office environments and work sites is critical to preventing future spread of COVID-19; and

WHEREAS, although many of the companies that serve New Jersey residents agreed to the FCC's Keep America Connected pledge, it is being implemented inconsistently among companies and causing uncertainty regarding the provision of residential internet and voice services; and

WHEREAS, many New Jerseyans are or will be experiencing substantial loss of income as a result of business closures, reductions in hours, or layoffs related to COVID-19, impeding their ability to keep current on payments for residential internet and voice services; and

WHEREAS, eliminating the uncertainty of how shut-off discontinuances are implemented throughout the State is paramount to ensuring that residents maintain sufficient residential internet and voice services; and

WHEREAS, during this Public Health Emergency, consistent access to residential internet and voice services are essential services that supply the necessary support to enable New Jersey residents to work and further their education in a home environment as required by Executive Order No. 107 (2020); and

WHEREAS, disconnecting residential internet and voice services may impede New Jersey residents' ability to maintain their livelihood or education while complying with Executive Order No. 107 (2020); and

WHEREAS, all cable and telecommunications providers that provide residential internet and voice services to New Jersey residents are encouraged to work with their customers, to the extent practicable, to implement a staggered repayment plan to prevent a continued

financial hardship resulting from a large sum being immediately due and owing at the end of the Public Health Emergency; and

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. 26:13-1 et seq., 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, which I have invoked;

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. No cable or telecommunications provider that provides residential internet and voice services to New Jersey residents shall terminate such internet and voice service due to nonpayment as long as this Order remains in effect.

2. A cable or telecommunications provider that provides residential internet and voice services to New Jersey residents may downgrade or otherwise reduce the quality of residential internet or voice services provided due to nonpayment only if acting pursuant to a policy approved in writing by the Board of Public Utilities as long as this Order remains in effect.

3. A cable or telecommunications provider that provides residential internet and voice services to New Jersey residents may collect 1) a fee or charge imposed for late or otherwise untimely payments that become due from the date of this Order for residential internet or 2) a fee or charge imposed for voice service reconnections, other than what is described in Paragraph 4, only if acting pursuant to a policy approved in writing by the Board of Public Utilities as long as this Order remains in effect.

4. Any cable or telecommunications provider that provides residential internet and voice services to New Jersey residents shall, upon request of the customer, and at no cost to the customer beyond any actual costs incurred by the provider in reconnecting the service, reconnect any residential internet or voice service that was discontinued due to nonpayment after March 16, 2020, the date Executive Order No. 104 (2020) took effect, including where the disconnection was for unpaid bills incurred prior to March 16, 2020. This Paragraph does not otherwise affect payments that are due for those residential internet and voice services.

5. To the degree that they are inconsistent with this Order, the provisions of N.J.A.C. 14:3-3A.1a(3)-(4) are suspended for the duration of this Public Health Emergency. Any provisions of these regulations that are not inconsistent with this Order remain in full force and effect.

6. 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 in all matters concerning this Executive Order.

7. 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 Executive Order No. 126 (2020), or which will or might in any way interfere with or impede its achievement.

8. Penalties for violations of this Executive Order may be imposed under, among other statutes, N.J.S.A. App. A:9-49 and -50.

9. This Order shall take effect immediately and remain in effect until 30 days following the end of the Public Health Emergency established by Executive Order No. 103 (2020), which was extended by Executive Order No. 119 (2020), and subject to future extensions. Nothing shall prevent the Governor from revoking or modifying this Order before it expires as described above.

GIVEN, under my hand and seal this
13th day of April,
Two Thousand and Twenty, and of
the Independence of the United
States, the Two Hundred and
Forty-Fourth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 127

WHEREAS, in light of the dangers posed by Coronavirus disease 2019 ("COVID-19"), I issued Executive Order No. 103 (2020) on March 9, 2020, the facts and circumstances of which are adopted by reference herein, which declared both a Public Health Emergency and State of Emergency; and

WHEREAS, to further protect the health, safety, and welfare of New Jersey residents by, among other things, reducing the rate of community spread of COVID-19, I issued Executive Order No. 104 (2020) on March 16, 2020, the facts and circumstances of which are also adopted by reference herein, which established statewide social mitigation strategies for combatting COVID-19; and

WHEREAS, on March 19, 2020, I instructed all Executive Branch departments and agencies to utilize work-from-home arrangements for both essential and non-essential employees wherever feasible; and

WHEREAS, on March 21, 2020, I issued Executive Order No. 107 (2020), the facts and circumstances of which are adopted by reference herein, which superseded Executive Order No. 104 (2020) and recognized that social mitigation strategies for combatting COVID-19 require every effort to reduce the rate of community spread through person-to-person contact, and ordered greater social distancing throughout New Jersey by limiting the unnecessary movement of individuals in and around their communities, reducing person-to-person interactions in accordance with Centers for Disease Control (CDC) and Department of Health (DOH) guidance, and requiring all businesses or non-profits, wherever practicable, to accommodate telework or work-from-home arrangements and reduce staff on site to the minimal number necessary to continue essential operations; and

WHEREAS, on April 7, 2020, I issued Executive Order No. 119 (2020), the facts and circumstances of which are adopted by reference herein, recognizing that the public health hazard presented by the COVID-19 outbreak had continued to grow in scope in New Jersey, in the region, and across the United States, and I thus declared that the Public Health Emergency continues to exist in the State; and

WHEREAS, restricting the physical presence of individuals in office environments and work sites is critical to preventing future community spread of COVID-19; and

WHEREAS, not all State residents have equal access to or experience with technology needed to remotely conduct business operations, including the filing of documents, and other online interactions with business professionals or State government from home; and

WHEREAS, all State offices and Executive Branch departments and agencies have been directed to prioritize addressing immediate public needs and safety, while still trying as much as is practicable to maintain the basic functions of State government, and its many duties, missions, and initiatives; and

WHEREAS, many processes within government require due process in the form of one or more of the following - public notice, opportunity to be heard, and public hearing - which may require extra time due to the interruptions related to the COVID-19 pandemic and the restrictions on movement imposed because of it; and

WHEREAS, in paragraph 6 of Executive Order No. 103 (2020), I authorized and empowered 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 in accordance with the terms set forth therein; and

WHEREAS, certain Executive Branch departments and agencies remain subject to statutory deadlines imposed by the Administrative Procedure Act that require issuance, rejection, approval or modification of initial decisions, and action taken on rule-making during established statutory deadlines that the Executive Branch departments and agencies may be unable to meet due to workforce changes necessitated by the COVID-19 pandemic; and

WHEREAS, due to the emergency conditions presented by the COVID-19 pandemic, and especially given my direction to strictly observe social distancing practices, including avoiding all non-essential travel and directing most public and private employees to work remotely, Executive Branch departments and agencies may be unable to comply with deadlines under the Administrative Procedure Act for rendering, rejecting, approving or modifying initial decisions or taking rule-making actions; and

WHEREAS, Executive Branch departments and agencies' strict adherence to the Administrative Procedure Act's timelines would result in actions by Executive Branch departments and agencies that require responses by members of the public, including by triggering deadlines and by requiring compliance with newly adopted rules; and

WHEREAS, the strict enforcement of above-referenced timeframes could deprive Executive Branch departments and agencies of adequate time to ensure that its findings of fact, conclusions of law and decisions are based upon sufficient, competent and credible evidence, and comply with statutory requirements, which

would be detrimental to the public welfare during the period in which a Public Health Emergency exists; and

WHEREAS, pursuant to N.J.S.A. App. A:9-47, the Governor is authorized to, among other things, suspend any regulatory provision of law when its enforcement is detrimental to the public welfare during an emergency; and

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. 26:13-1 et seq., 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, which I have invoked;

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 any contested case, any pending deadline for production and certification of a permitting record pursuant to N.J.S.A. 52:14B-10(a)(2); any pending deadline for filing of a recommended report and decision pursuant to N.J.S.A. 52:14B-10(c); and any pending deadline for adopting, rejecting or modifying a recommended report and decision, shall be extended by the number of days of the Public Health Emergency declared in Executive Order No. 103 (2020) plus an additional 90 days. For purposes of this Executive Order, "pending deadline" refers to any deadline falling during the Public Health Emergency declared in Executive Order No. 103 (2020) or within 30 days after the last day of the Public Health Emergency declared in Executive Order No. 103 (2020). This extension shall not apply to cases proceeding as emergent under applicable rules. This Paragraph does not apply to appeals to the

Civil Service Commission from adverse actions specified in N.J.S.A. 11A:2-13 or N.J.S.A. 11A:2-6(a)(4), which are governed by N.J.S.A. 11A:2-15.

2. The one-year expiration date set forth in N.J.A.C. 1:30-6.2(c) for notices of rule proposal shall be extended until 90 days after the last day of the Public Health Emergency declared in Executive Order No. 103 (2020), if the notice of proposal was published in the New Jersey Register on or after April 15, 2019, and the notice of rule proposal would otherwise expire without the benefit of such an extension.

3. The 18-month expiration date set forth in N.J.S.A. 52:14B-4.10(e), N.J.A.C. 1:30-6.2(c) and N.J.A.C. 1:30-6.3(e) for notices of rule proposal shall be extended until 90 days after the last day of the Public Health Emergency declared in Executive Order No. 103 (2020) if the notice of proposal was published in the New Jersey Register before April 15, 2019, and shall be extended until 270 days after the last day of the Public Health Emergency declared in Executive Order No. 103 (2020) if the notice of proposal was published in the New Jersey Register on or after April 15, 2019, and the notice of rule proposal would otherwise expire without the benefit of such an extension.

4. The deadlines pursuant to N.J.S.A. 52:14B-4(f), N.J.A.C. 1:30-4.1 to -4.3 for any Executive Branch department or agency to act on any currently pending petition for rulemaking or on any petition for rulemaking filed during the Public Health Emergency declared in Executive Order No. 103 (2020), or any Executive Branch department or agency rule prescribing procedures for the consideration and disposition of petitions for rulemaking, is hereby extended until 90 days after the last day of the Public

Health Emergency declared in Executive Order No. 103 (2020), if the deadline would otherwise occur sooner.

5. The expiration date pursuant to N.J.S.A. 52:14B-5.1 and N.J.A.C. 1:30-6.4, of any rule scheduled to expire during the Public Health Emergency declared in Executive Order No. 103 (2020) or within 90 days thereafter, is hereby extended until 90 days after the last day of the Public Health Emergency declared in Executive Order No. 103 (2020), if the deadline would otherwise occur sooner.

6. The expiration date pursuant to N.J.S.A. 52:14B-4(c) and N.J.A.C. 1:30-6.5, of any emergency rule scheduled to expire during the Public Health Emergency declared in Executive Order No. 103 (2020) or within 90 days thereafter, is hereby extended until 90 days after the last day of the Public Health Emergency declared in Executive Order No. 103 (2020), if the deadline would otherwise occur sooner.

7. Any deadline or expiration date extended by Paragraph 2, 3, 4, 5, or 6 of this Order may be extended by an additional 30 days with the written approval of the Governor upon the request of the Executive Branch department or agency.

8. The deadline by which any State officer or employee is required to file a Financial Disclosure Statement pursuant to Executive Order No. 2 (2018) (Murphy) or a conflict of interest form pursuant to Executive Order No. 14 (2006) (Corzine) is hereby extended to July 31, 2020.

9. 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.

10. This Order shall take effect immediately and shall remain in effect until revoked or modified by the Governor.

GIVEN, under my hand and seal this
14th day of April,
Two Thousand and Twenty, and
of the Independence of the
United States, the Two
Hundred and Forty-Fourth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 128

WHEREAS, in light of the dangers posed by Coronavirus disease 2019 ("COVID-19"), I issued Executive Order No. 103 (2020) on March 9, 2020, the facts and circumstances of which are adopted by reference herein, which declared both a Public Health Emergency and State of Emergency; and

WHEREAS, to further protect the health, safety, and welfare of New Jersey residents by, among other things, reducing the rate of community spread of COVID-19, I issued Executive Order No. 104 (2020) on March 16, 2020, the facts and circumstances of which are also adopted by reference herein, which established statewide social mitigation strategies for combatting COVID-19; and

WHEREAS, on April 7, 2020, I issued Executive Order No. 119 (2020), the facts and circumstances of which are adopted by reference herein, which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, in accordance with N.J.S.A. App. A:9-34 and -51, I reserved the right to utilize and employ all available resources of State government to protect against the emergency created by COVID-19; and

WHEREAS, on March 21, 2020, I issued Executive Order No. 107 (2020), the facts and circumstances of which are adopted by reference herein, which recognized that social mitigation strategies for combatting COVID-19 require every effort to reduce the rate of community spread through person-to-person contact, and ordered greater social distancing throughout New Jersey by limiting the unnecessary movement of individuals in and around their communities, reducing person-to-person interactions in accordance with Centers for Disease Control (CDC) and Department of Health (DOH) guidance; and

WHEREAS, tenants may be suffering from one or more financial hardships that are caused by or related to the COVID-19 pandemic, including but not limited to a substantial loss of or drop in income, and additional expenses such as those relating to necessary health care; and

WHEREAS, as of April 13, 2020, there were 856,528 unemployment claims filed by New Jerseyans over the previous five weeks; and

WHEREAS, on March 19, 2020, in anticipation of many New Jerseyans experiencing substantial loss of income as a result of business closures, reductions in hours, or layoffs related to COVID-19, impeding their ability to keep current on rent and mortgage payments, and pursuant to Assembly Bill No. 3859 and Senate Bill No. 2276, I issued Executive Order No. 106 (2020), the facts and circumstances of which are also adopted by reference herein, which recognized the importance to public health of housing security and stability and enacted a moratorium on the removal of individuals from residential properties pursuant to evictions or foreclosure proceedings; and

WHEREAS, Executive Order No. 106 (2020) stays enforcement of all judgments for possession, warrants of removal, and writs of possession while in effect, unless the court determines on its own motion or motion of the parties that enforcement is necessary in the interest of justice, but does not stop foreclosure or eviction proceedings from being initiated or continued; and

WHEREAS, such families struggling to pay rent due to financial hardship during the ongoing Public Health Emergency and the State of Emergency may also remain at increased risk for eviction upon the termination of Executive Order No. 106 (2020), which under the terms of the Order must happen no later than two months after the

end of the Public Health Emergency or State of Emergency established by Executive Order No. 103 (2020); and

WHEREAS, in addition to eviction proceedings being initiated and the continued risk of eviction upon termination of the Order, individuals may face other consequences from a late payment of rent, including interest and late fees, which they may be unable to satisfy in light of their substantial loss of income, as well as negative credit reports that may affect their ability to find housing options in the future; and

WHEREAS, pursuant to N.J.S.A. 46:8-19, a security deposit and the accumulated interest and earnings on the investment of such deposit remain the property of the tenant; and

WHEREAS, enabling individuals to pay portions of their rent with the security deposit they own will allow those individuals to mitigate the consequences regarding evictions and accumulation of interest and late fees upon termination of Executive Order No. 106 (2020), and thus is plainly in the public interest; and

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. 26:13-1 et seq., 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, which I have invoked;

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. Upon written request from a tenant, including electronic communication, a security deposit governed by the provisions of N.J.S.A. 46:8-19 et seq., as well as the tenant's portion of the

interest and/or earnings accumulated thereon, shall be applied to or credited towards rent payments due or to become due from the tenant during the Public Health Emergency established in Executive Order No. 103 (2020) or up to 60 days after the Public Health Emergency terminates.

2. When a tenant applies or credits such deposit, interest, or earnings to pay rent pursuant to Paragraph 1 of this Order, the following additional provisions shall apply for the duration of the tenant's current contract, lease, or license agreement:

- a. The landlord may recoup from the tenant any monies the landlord expended that would have been reimbursable by the security deposit and interest or earnings thereon, at the time that such reimbursement from the deposit and interest or earnings thereon would have taken place; and
- b. The tenant shall otherwise be without obligation to make any further security deposit relating to the current contract, lease, or license agreement. If, however, the tenant and landlord extend or renew their contract, lease, or license agreement following the date of this Order, then the tenant shall be obligated to replenish the security deposit in full either on the date six months following the end of the Public Health Emergency established by Executive Order No. 103 (2020), which was extended by Executive Order No. 119 (2020), or on the date on which the current contract, lease, or license agreement is extended or renewed, whichever is later.

3. Use of a security deposit for the purposes outlined in this Order shall not be considered a violation of N.J.S.A. 46:8-19 et seq. Any provisions of N.J.S.A. 46:8-19 et seq. that are not inconsistent with this Order remain in full force and effect.

4. Penalties for violations of this Order may be imposed under, among other statutes, N.J.S.A. App. A:9-49 and -50.

5. This Order shall take effect immediately and remain in effect until 60 days following the end of the Public Health Emergency established by Executive Order No. 103 (2020), which was extended by Executive Order No. 119 (2020). Nothing shall prevent the Governor from revoking or modifying this Order before it expires as described above.

GIVEN, under my hand and seal this
 24th day of April,
 Two Thousand and Twenty, and
 of the Independence of the
 United States, the Two
 Hundred and Forty-Fourth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 129

WHEREAS, in light of the dangers posed by Coronavirus disease 2019 ("COVID-19"), I issued Executive Order No. 103 (2020) on March 9, 2020, the facts and circumstances of which are adopted by reference herein, which declared both a Public Health Emergency and State of Emergency; and

WHEREAS, on April 7, 2020, I issued Executive Order No. 119 (2020), the facts and circumstances of which are adopted by reference herein, which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, in accordance with N.J.S.A. App. A:9-34 and -51, I reserve the right to utilize and employ all available resources of State government to protect against the emergency created by COVID-19; and

WHEREAS, as COVID-19 continued to spread across New Jersey and an increasing number of individuals required medical care or hospitalization, I issued a series of Executive Orders pursuant to my authority under the New Jersey Civilian Defense and Disaster Control Act and the Emergency Health Powers Act (EHPA), to protect the public health, safety, and welfare against the emergency created by COVID-19, including Executive Order Nos. 104-128 (2020), the facts and circumstances of which are all adopted by reference herein; and

WHEREAS, in recognition that the Centers for Disease Control (CDC) has advised that social mitigation strategies for combatting COVID-19 require every effort to reduce the rate of community spread of the disease and that COVID-19 spreads most frequently through person-to-person contact when individuals are within six feet or less of one another, I issued Executive Order No. 107 (2020) on March 21, 2020, which instituted certain social

mitigation strategies for combatting COVID-19, including closure of non-essential retail businesses to the public; and

WHEREAS, such closures may bear on certain residents' ability to obtain permits to carry firearms otherwise available under New Jersey law, including retired law enforcement officers, security officers, and individuals who have been found by the Superior Court to have a justifiable need to carry; and

WHEREAS, the statutes authorizing individuals in these groups to carry - where such individuals have passed robust background checks and satisfied the appropriate statutory criteria - reflect the Legislature's judgment that doing so protects such persons' safety and promotes public safety; and

WHEREAS, under N.J.S.A. 2C:39-6(1), law enforcement officers who were employed on a full time basis with a law enforcement agency and who retired in good standing can apply yearly to the Superintendent of the State Police ("Superintendent") for a permit to carry a hand gun ("Retired Officer Carry Permit"); and

WHEREAS, prior to issuing a Retired Officer Carry Permit, the Superintendent undertakes a thorough investigation, including verification of the retired officer's service in good standing prior to retirement and confirmation that the retired officer does not suffer from statutory disqualifications; and

WHEREAS, the scheme for renewals of Retired Officer Carry Permits, which requires retired officers to make an application in the same manner as the initial application, will unduly delay the re-issuance of existing permits to carry during the ongoing Public Health Emergency; and

WHEREAS, pursuant to N.J.S.A. 2C:58-4, other individuals who demonstrate to the chief police officer of the municipality in which they reside or the Superintendent, and the applicable

Superior Court, that they are persons of good character who are not subject to statutory disqualifications, have a justifiable need to carry a handgun, and are thoroughly familiar with the safe handling and use of handguns, may also obtain permits to carry firearms ("Carry Permit"); and

WHEREAS, in order to renew Carry Permits, law enforcement again must complete the same thorough review as was both necessary and appropriate for the initial Carry Permit application, including a determination that the renewal applicant is thoroughly familiar with the safe handling and use of handguns; and

WHEREAS, to demonstrate a thorough familiarity with the safe handling and use of handguns, N.J.A.C. 13:54-2.4 and N.J.A.C. 13:54-2.9 require that the applicant submit proof of completion of a training course, passage of a test administered by a certified instructor, or handgun qualification scores; and

WHEREAS, it may be more challenging to show that an individual is thoroughly familiar with the safe handling and use of handguns based on in-person instruction and/or in-person training during the ongoing Public Health Emergency, which will make it harder for those individuals to obtain the permits that the Legislature found promote their individual safety and public safety; and

WHEREAS, under the Security Officer Registration Act (SORA), N.J.S.A. 45:19A-1, et seq., certain security officers registered and licensed under State law may permissibly carry a firearm only if they have a Retired Officer Carry Permit under N.J.S.A. 2C:39-6(1) or a Carry Permit under N.J.S.A. 2C:58-4; and

WHEREAS, if security guards are not able to obtain or to renew their permits to carry firearms, they may not be able to be hired for or continue in their employment, which would lead to turnover

in security roles during an emergency, and which could undermine public welfare and safety at this time; and

WHEREAS, for these reasons, among others, the strict enforcement of the statutes and regulations governing the issuance and renewal of Retired Officer Carry Permits and Carry Permits under N.J.S.A. 2C:39-6(1) and N.J.S.A. 2C:58-4, respectively, is detrimental to the public welfare; and

WHEREAS, pursuant to N.J.S.A. App. A:9-47, the Governor is authorized to, among other things, suspend any regulatory provision of law when its enforcement is detrimental to the public welfare during an emergency; and

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. 26:13-1 et seq. and N.J.S.A. App. A:9-33 et seq., and all amendments and supplements thereto, confer upon the Governor of the State of New Jersey certain emergency powers, which I have invoked;

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:

1. All Retired Officer Carry Permits that expire during the term of the Public Health Emergency declared in Executive Order No. 103 (2020), including those that expired after the issuance of Executive Order No. 103 (2020) but before issuance of this Order, are hereby extended until 90 days after the end of the Public Health Emergency, but only for any holder of a Retired Officer Carry Permit that has satisfied the following requirements:

a. The permit holder submits a renewal application pursuant to N.J.S.A. 2C:39-6(1) prior to the

expiration of their existing permit or prior to May 4, 2020, whichever is later; and

- b. As part of that renewal application, the permit holder submits proof of qualification on the use of their weapons from the first qualification period of the current 12-month permit cycle as required by the Attorney General's Semi-Annual Firearms Qualification and Requalification Standards for New Jersey Law Enforcement.

2. Any permit holder who has their Retired Officer Carry Permit extended under Paragraph 1 of this Order shall submit proof of their semi-annual firearms requalification within ninety days of the expiration of the Public Health Emergency declared in Executive Order No. 103 (2020). Should such permit holder fail to do so, their renewal application submitted under Paragraph 1(a) of this Order shall be denied.

3. For the duration of the Public Health Emergency declared in Executive Order No. 103 (2020), the following rules apply where an individual seeks to obtain or renew a Carry Permit:

- a. Where the chief police officer, the Superintendent, and/or the Superior Court receive an application to obtain or renew a Carry Permit pursuant to N.J.S.A. 2C:58-4, and where the chief police officer, the Superintendent, and/or the Superior Court find that the applicant would qualify for such permit except that the applicant cannot show the requisite familiarity with the safe handling and use of handguns under N.J.S.A. 2C:58-4, N.J.A.C. 13:54-2.4, and/or N.J.A.C. 13:54-2.9 due to the restrictions imposed in response to the Public

Health Emergency declared in Executive Order No. 103 (2020), the chief police officer, the Superintendent, and/or the Superior Court may authorize such individual to complete such training, practice, or testing as would allow them to satisfy N.J.A.C. 13:54-2.4 or N.J.A.C. 13:54-2.9;

- b. The Superintendent shall prescribe and publish a form that the chief police officer, the Superintendent, and/or the Superior Court may complete authorizing such individual to complete the training, practice, or testing described in Paragraph 3(a) of this Order; and
- c. Where the individual is authorized to complete the training, practice, or testing described in Paragraph 3(a) of this Order, a shooting range that is otherwise closed to the public pursuant to the terms of Executive Order No. 107 (2020) may offer such individual and their single instructor access to that range, until such individual subsequently receives or is denied the Carry Permit. Shooting ranges who offer such access must comply with social distancing practices wherever practicable.

4. The State Director of Emergency Management, who is the Superintendent, shall have the discretion to make additions, amendments, clarifications, exceptions, and exclusions to the terms of this Order. The Superintendent is also directed to take all appropriate steps to effectuate this Order.

5. To the degree that they are inconsistent with this Order, the provisions of N.J.S.A. 2C:39-6, N.J.S.A. 2C:58-4, N.J.A.C. 13:54-2.4, and N.J.A.C. 13:54-2.9 are suspended for the duration of this Public Health Emergency. Any provisions of these statutes and regulations that are not inconsistent with this Order remain in full force and effect.

6. This Order shall take effect immediately and shall remain in effect until revoked or modified by the Governor.

GIVEN, under my hand and seal this
 27th day of April,
 Two Thousand and Twenty, and
 of the Independence of the
 United States, the Two
 Hundred and Forty-Fourth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 130

WHEREAS, in light of the dangers posed by Coronavirus disease 2019 ("COVID-19"), I issued Executive Order No. 103 (2020) on March 9, 2020, the facts and circumstances of which are adopted by reference herein, which declared both a Public Health Emergency and State of Emergency; and

WHEREAS, on April 7, 2020, I issued Executive Order No. 119 (2020), the facts and circumstances of which are adopted by reference herein, which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, in accordance with N.J.S.A. App. A:9-34 and -51, I reserve the right to utilize and employ all available resources of State government to protect against the emergency created by COVID-19; and

WHEREAS, as COVID-19 continued to spread across New Jersey and an increasing number of individuals required medical care or hospitalization, I issued a series of Executive Orders pursuant to my authority under the New Jersey Civilian Defense and Disaster Control Act and the Emergency Health Powers Act, to protect the public health, safety, and welfare against the emergency created by COVID-19, including Executive Order Nos. 104-129 (2020), the facts and circumstances of which are all adopted by reference herein; and

WHEREAS, under N.J.S.A. 54:4-66(a), second-quarter property taxes are due May 1, 2020 for municipalities on a calendar year budget cycle; and

WHEREAS, under N.J.S.A. 54:4-66.1(a), fourth-quarter property taxes are due May 1, 2020 for municipalities on a State Fiscal Year budget cycle; and

WHEREAS, property taxpayers throughout the State may be suffering from one or more financial hardships caused by or related to the COVID-19 pandemic, including but not limited to a substantial loss of or drop in income and additional expenses such as those relating to necessary healthcare; and

WHEREAS, as of April 13, 2020, there were 856,528 unemployment claims filed by New Jerseyans over the previous five weeks; and

WHEREAS, the COVID-19 outbreak has caused substantial economic disruption for many property taxpayers throughout the State, making it difficult for many residents to meet the May 1, 2020 due date for timely payment of real property taxes; and

WHEREAS, under N.J.S.A. 54:4-67(a), local governments may fix the rate of interest to be charged for the nonpayment of taxes, assessments, or other municipal liens or charges, on or before the date when they would become delinquent, and may provide that no interest shall be charged if payment of any installment is made within the tenth calendar day following the date upon which the same became delinquent, thereby establishing a grace period running through May 11, 2020 for second-quarter property taxes in the case of municipalities on a calendar year budget cycle, or, in the case of municipalities on a State Fiscal Year budget cycle, a grace period running through May 11, 2020 for fourth-quarter property taxes; and

WHEREAS, it is necessary to take action to minimize and mitigate additional hardships, losses, or suffering by individuals and local government units as the State and its political subdivisions respond to the spread of COVID-19; and

WHEREAS, for these reasons, among others, the strict enforcement of certain statutory provisions relating to property tax grace periods is detrimental to the public welfare; and

WHEREAS, pursuant to N.J.S.A. App. A:9-47, the Governor is authorized to, among other things, suspend any regulatory provision of law when its enforcement is detrimental to the public welfare during an emergency; and

WHEREAS, in an attempt to alleviate some of the financial burden on property taxpayers, local governments have unilaterally undertaken a variety of actions absent statutory authorization to do so, including extending the statutory property tax payment installment date and grace period, as well as attempting to establish an effective grace period extension through temporary alteration of the interest rate; and

WHEREAS, however well-intentioned, the extraordinary measures by municipalities create inconsistency throughout the State, which may generate individual confusion regarding property tax payment obligations and may also create or exacerbate local fiscal challenges, including but not limited to, threatening the ability to fulfill obligations; and

WHEREAS, in accordance with N.J.S.A. App. A:9-40, I declared that, due to the State of Emergency, no municipality, county, or any 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 my Executive Orders, or which will in any way interfere with or impede their achievement; and

WHEREAS, the Constitution and statutes of New Jersey, particularly the provisions of N.J.S.A. 26:13-1 et seq., 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, which I have invoked;

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. Any governing body of a municipality with a calendar year budget cycle may adopt a resolution instituting a grace period concluding on a date no later than June 1, 2020 for the payment of second-quarter property taxes.

2. Any governing body of a municipality with a State Fiscal Year budget cycle may adopt a resolution instituting a grace period concluding on a date no later than June 1, 2020 for the payment of fourth-quarter property taxes. If a municipality with a State Fiscal Year budget cycle institutes an extended grace period pursuant to this Order, the municipality shall not conduct an accelerated tax sale with respect to the installment for payment of fourth-quarter property taxes.

3. The municipal clerk shall notify the Director of the Division of Local Government Services in the Department of Community Affairs of any resolution instituting an extended grace period adopted under authority of this Order not later than the third business day next following the municipal governing body's adoption of the resolution.

4. No municipality, county, or any other agency or political subdivision of this State shall enact or enforce any order, rule, regulation, ordinance, or resolution that will or might in any way conflict with any of the provisions of this Order, or that will in any way interfere with or impede its achievement,

which shall include, but not be limited to, any attempt to provide an additional extension of the installment date or grace period for the payment of property taxes, and any attempt to otherwise temporarily fix, reduce, or retroactively modify the rate of interest charged for failure to make timely payment to achieve this effect.

5. To the degree that they are inconsistent with this Order, the provisions of N.J.S.A. 54:4-66(a), N.J.S.A. 54:4-66.1(a) and N.J.S.A. 54:4-67(a) are suspended for the duration of this Public Health Emergency. Any provisions of these statutes that are not inconsistent with this Order remain in full force and effect.

6. This Order shall take effect immediately and shall remain in effect until revoked or modified by the Governor.

GIVEN, under my hand and seal this
28th day of April,
Two Thousand and Twenty, and
of the Independence of the
United States, the Two
Hundred and Forty-Fourth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 131

WHEREAS, through Executive Order No. 102 (2020), which I signed on February 3, 2020, I created the State's Coronavirus Task Force, chaired by the Commissioner of the New Jersey Department of Health, in order to coordinate the State's efforts to appropriately prepare for and respond to the public health hazard posed by Coronavirus disease 2019 ("COVID-19"); and

WHEREAS, on March 9, 2020, through Executive Order No. 103 (2020), the facts and circumstances of which are adopted by reference herein, I declared both a Public Health Emergency and a State of Emergency throughout the State due to the public health hazard created by COVID-19; and

WHEREAS, on April 7, 2020, I issued Executive Order No. 119 (2020), the facts and circumstances of which are adopted by reference herein, which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, in accordance with N.J.S.A. App. A:9-34 and -51, I reserved the right to utilize and employ all available resources of State government to protect against the emergency created by COVID-19; and

WHEREAS, as COVID-19 continued to spread across New Jersey and an increasing number of individuals required medical care or hospitalization, I issued a series of Executive Orders pursuant to my authority under the New Jersey Civilian Defense and Disaster Control Act and the Emergency Health Powers Act to protect the public health, safety, and welfare against the emergency created by COVID-19, including Executive Order Nos. 104-130 (2020), the facts and circumstances of which are all adopted by reference herein; and

WHEREAS, among these actions, and in recognition that the Centers for Disease Control and Prevention ("CDC") has advised that social mitigation strategies for combatting COVID-19 require every effort to reduce the rate of community spread of the disease and that COVID-19 spreads most frequently through person-to-person contact when individuals are within six feet or less of one another, I issued Executive Order No. 107 (2020) to order steps to mitigate community spread of COVID-19; and

WHEREAS, Executive Order No. 107 (2020) closed non-essential retail businesses to the public, but permitted essential retail businesses and other businesses that require an in-person workforce to continue to operate; and

WHEREAS, Executive Order No. 107 (2020) permitted restaurants, cafeterias, dining establishments, food courts, bars, and all other holders of a liquor license with retail consumption privileges, to operate only food delivery and/or take-out services during their normal business hours; and

WHEREAS, Executive Order No. 107 (2020) stated that businesses or non-profits who have employees who cannot perform their functions via telework or work-from-home arrangements should make best efforts to reduce staff on site to the minimal number necessary to ensure that essential operations can continue; and

WHEREAS, Executive Order No. 107 (2020) directed all New Jersey residents to remain at home or at their place of residence, unless they qualified under certain defined categories, including reporting to, or performing, their job; and

WHEREAS, as of April 27, 2020, according to the World Health Organization, there were more than 2,878,000 confirmed cases of COVID-19 worldwide, with over 198,000 of those cases having resulted in death; and

WHEREAS, as of April 27, 2020, according to the CDC, there were more than 957,000 confirmed cases of COVID-19 in the United States, with over 53,000 of those cases having resulted in death; and

WHEREAS, as of April 27, 2020, there were over 111,000 positive cases of COVID-19 in New Jersey, with at least 6,044 of those cases having resulted in death; and

WHEREAS, because of the aggressive social distancing measures we have instituted, we have begun to see a slowdown in the spread of COVID-19 and a decrease in the number of hospitalizations; and

WHEREAS, public health experts have consistently warned that rescinding social distancing restrictions and allowing society to operate as it did before the COVID-19 outbreak would result in a new spike of cases, hospitalizations, and deaths that would overwhelm our health care system and impose massive economic damage; and

WHEREAS, any effort to loosen the restrictions in place must therefore be done thoughtfully, responsibly, and in a manner that does not unnecessarily jeopardize public health; and

WHEREAS, the development of a plan for loosening the restrictions and gradually reopening the economy will benefit from expertise in various sectors, including public health, business, infrastructure, mass transit, and academia; and

WHEREAS, this expertise will assist officials in government as they face difficult choices involving the appropriate levels of economic and other activity that can be allowed in light of the ongoing COVID-19 outbreak;

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 Governor's Restart and Recovery Commission ("Commission").

2. The Commission will provide guidance to the Governor for reopening the New Jersey economy in a way that is consistent with the State's public health efforts to slow the spread of COVID-19. The Commission's objectives shall include, but not be limited to:

- a. Providing guidance for a phased-in reopening of the State's economy, including assessing the economic impact on the State from such a reopening as well as the impact of any applicable social distancing guidelines on certain economic sectors;
- b. Developing strategies for how State and Federal government can support the economic recovery of the private sector, including consideration of any related workforce and transportation issues;
- c. Suggesting priorities for investments that will allow the State's economy to both rebound and be positioned for long-term success, while accounting for the immediate and longer-term fiscal challenges resulting from the spread of COVID-19;
- d. Identifying critical needs for Federal support and intervention;
- e. Identifying opportunities for various sectors of the economy to be rebuilt in a manner that is well-positioned for the economy of today and the

economy of the future, while prioritizing the needs of the State's middle and working classes;

- f. Ensuring that any economic recovery proposals consider equity for disadvantaged communities; and
- g. Assessing how policy choices will affect the simultaneous goals of short-term economic recovery and long-term fiscal health.

3. The Commission shall consist of at least 16 public members, who shall be appointed by and serve at the pleasure of the Governor. The Governor shall select two co-Chairpersons from among the members of the Commission, who shall also serve at the pleasure of the Governor. All public members of the Commission shall serve without compensation.

4. The Lieutenant Governor, Commissioner of the Department of Health, Chief of Staff to the Governor, Chief Counsel to the Governor, and Chief Policy Advisor to the Governor shall serve on the Commission as ex officio members.

5. The Commission shall organize as soon as practicable after the appointment of its members, and shall convene as soon and as often as practicable and as requested by the Governor and Chairpersons.

6. The Commission is authorized to call upon any department, office, division, or agency of this State to supply it with data and any other information, personnel, or other assistance available to such agency as the Commission determines to be necessary to discharge its duties under this Order. Each Executive Branch department, office, division, or agency of this State is hereby required, to the extent not inconsistent with law, to cooperate fully with the Commission and to furnish the Commission

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

7. The Commission shall be purely advisory in nature, and shall provide advice to the Governor and other Executive Branch departments and agencies as requested.

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

9. 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.

10. This Order shall take effect immediately.

GIVEN, under my hand and seal this
28th day of April,
Two Thousand and Twenty, and
of the Independence of the
United States, the Two
Hundred and Forty-Fourth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 132

WHEREAS, in light of the dangers posed by COVID-19, I issued Executive Order No. 103 (2020) on March 9, 2020, the facts and circumstances of which are adopted by reference herein, which declared both a Public Health Emergency and State of Emergency; and

WHEREAS, to further protect the health, safety, and welfare of New Jersey residents by, among other things, reducing the rate of community spread of COVID-19, I issued Executive Order No. 104 (2020) on March 16, 2020, the facts and circumstances of which are also adopted by reference herein, which established statewide social mitigation strategies for combatting COVID-19; and

WHEREAS, on March 21, 2020, I issued Executive Order No. 107 (2020), superseding Executive Order No. 104 (2020) and requiring New Jersey residents to remain home or at their place of residence subject to limited exceptions, cancelling social gatherings, and limiting all restaurants and other dining establishments to offering only food delivery and/or take-out services; and

WHEREAS, as of April 28, 2020, according to the Centers for Disease Control and Prevention (CDC), there were more than 2,954,000 confirmed cases of COVID-19 worldwide, with over 202,000 of those cases having resulted in death; and

WHEREAS, as of April 28, 2020, there were more than 981,000 confirmed cases of COVID-19 in the United States, with over 55,000 of those cases having resulted in death; and

WHEREAS, as of April 28, 2020, there were over 113,000 positive cases of COVID-19 in New Jersey, with at least 6,442 of those cases having resulted in death; and

WHEREAS, on March 19, 2020, I issued Executive Order No. 105 (2020), which required the electronic collection and submission of political party candidate and delegate petitions through an online

form created by the Secretary of State in order to limit unnecessary person-to-person contact during the COVID-19 emergency; and

WHEREAS, Executive Order No. 120 (2020) extended the required electronic collection and submission of petitions through an online form to Independent candidates seeking direct nomination for the general election; and

WHEREAS, the New Jersey Statutes authorize voters to submit initiative and referendum petitions for a variety of purposes, including but not limited to, effectuating a change in or replacement of government, reducing or increasing a levy cap, or proposing local ordinances; and

WHEREAS, social distancing measures are required for a period of as-yet-undetermined duration, meaning unnecessary person-to-person contact must be limited; and

WHEREAS, New Jersey citizens are presently faced with the reality that exercising their statutory right to engage in direct democracy through collecting or filling out petitions may endanger their health and safety; and

WHEREAS, unless action is taken, the COVID-19 emergency will significantly hinder initiatives and referenda from meeting the petition requirements set forth in statutes, including but not limited to N.J.S.A. 40:69A-184, 40:69A-185, 40:69A-186, 40:74-10, 40:74-11, 40:41A-104, 40:41A-105 and 40:41A-106; and

WHEREAS, the full participation of voters is critical to a robust democracy; and

WHEREAS, allowing initiative and referendum campaigns to submit their petitions electronically, in addition to hand delivery, will help limit unnecessary person-to-person contact; and

WHEREAS, allowing voters to fill out and submit initiative and referendum petitions electronically, so that initiative or referendum campaigns need not physically gather petitions by going to individual voters in person, will help limit unnecessary person-to-person contact; and

WHEREAS, temporarily modifying the requirements of statutory provisions, including but not limited to N.J.S.A. 40:69A-186, 40:74-11, and 40:41A-106, to allow for electronic submission of petitions is needed to ensure voters can safely exercise their democratic rights during this unprecedented public health crisis; and

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. 26:13-1 et seq., 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, which I have invoked;

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 addition to accepting hand delivery of initiative and referendum petitions, county clerks and municipal clerks shall allow for these petitions to be submitted electronically.

2. The county clerks and municipal clerks shall also accept petitions with signatures collected via an online form. A generic template of this form shall be created by the Secretary of State, in consultation with the Department of Law and Public Safety. This form shall be available for use by May 1, 2020.

3. Following the availability of the online template form, the county clerks and municipal clerks shall require that signatures be gathered via the online template form. Hand signatures obtained prior to the effective date of this Order shall also be accepted.

4. The requirements of statutory provisions, including but not limited to N.J.S.A. 40:69A-186, 40:74-11, and 40:41A-106, that a petition circulator provide a notarized affidavit attesting to the validity of the signatures on the petition and the process by which the signatures were collected shall be suspended for initiative and referendum petitions submitted during the pendency of the public health emergency. Petition circulators who have not already notarized an affidavit shall attach a signed statement verifying the information required in statutes, including but not limited to N.J.S.A. 40:69A-186, 40:74-11, and 40:41A-106.

5. This Order shall take effect immediately. The use of the online form to gather signatures for petitions shall cease upon termination of this Order.

GIVEN, under my hand and seal this
 29th day of April,
 Two Thousand and Twenty, and
 of the Independence of the
 United States, the Two
 Hundred and Forty-Fourth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 133

WHEREAS, in light of the dangers posed by Coronavirus disease 2019 ("COVID-19"), I issued Executive Order No. 103 on March 9, 2020, the facts and circumstances of which are adopted by reference herein, which declared both a Public Health Emergency and State of Emergency; and

WHEREAS, on April 7, 2020, I issued Executive Order No. 119 (2020), the facts and circumstances of which are adopted by reference herein, which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, in accordance with N.J.S.A. App. A:9-34 and -51, I reserve the right to utilize and employ all available resources of State government to protect against the emergency created by COVID-19; and

WHEREAS, as COVID-19 continued to spread across New Jersey and an increasing number of individuals required medical care or hospitalization, I issued a series of Executive Orders pursuant to my authority under the New Jersey Civilian Defense and Disaster Control Act and the Emergency Health Powers Act, to protect the public health, safety, and welfare against the emergency created by COVID-19, including Executive Order Nos. 104-132 (2020), the facts and circumstances of which are all adopted by reference herein; and

WHEREAS, among these actions, and in recognition that the Centers for Disease Control and Prevention ("CDC") has advised that social mitigation strategies for combatting COVID-19 require every effort to reduce the rate of community spread of the disease and that COVID-19 spreads most frequently through person-to-person contact when individuals are within six feet or less of one another, I issued Executive Order No. 107 (2020) to order steps to mitigate community spread of COVID-19; and

WHEREAS, to further limit community spread from person-to-person contact through social distancing, Executive Order No. 107 (2020) required, with limited exceptions, New Jersey residents to remain in their place of residence, cancelled all gatherings, and closed non-essential recreational businesses, including golf courses; and

WHEREAS, Executive Order No. 108 (2020) ordered that 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 Executive Order No. 107 (2020), or which will or might in any way interfere with or impede its achievement, or the achievement of Administrative Orders issued as authorized by Executive Order No. 107 (2020); and

WHEREAS, Executive Order No. 108 (2020) contained an exception allowing municipalities and counties to, among other things, impose additional restrictions at municipal or county parks; and

WHEREAS, due to increased public interaction and gatherings at county and State parks throughout the State, I issued Executive Order No. 118 (2020) on April 7, 2020, which closed State Parks and Forests, as well as county parks, to the public in order to further social distancing requirements; and

WHEREAS, Executive Order No. 118 (2020) defined "State Parks and Forests" as all State parks, forests, recreation areas, historic sites, marinas, golf courses, botanical gardens, and other lands, waters, and facilities assigned to the State Park Service in the Division of Parks and Forestry of the Department of Environmental Protection (DEP); and

WHEREAS, Executive Order No. 118 (2020) superseded Executive Order No. 108 (2020) to the extent that Executive Order No. 108 (2020) had allowed counties to impose additional restrictions at county parks in response to COVID-19; and

WHEREAS, on April 8, 2020, and April 11, 2020, I issued Executive Order Nos. 122 and 125 (2020), respectively, which imposed additional mitigation requirements on essential businesses and transportation carriers to ensure that they are following public health guidelines regarding social distancing, cleaning, sanitizing, and hygiene practices; and

WHEREAS, after the issuance of Executive Order No. 118 (2020), the CDC issued guidance for visiting parks and recreational facilities, recognizing that parks and open spaces provide people a vital way to keep the mind and body healthy; and

WHEREAS, the CDC guidance regarding the safe access of parks advises individuals to stay six feet away from other visitors, avoid use of playgrounds, decline participation in organized sports and recreational activities, and visit parks close to home to limit travel distances; and

WHEREAS, New Jersey is no longer seeing an increase in the number of new cases of COVID-19 that are being reported on a daily basis, and the State is experiencing a decrease in the number of individuals visiting emergency departments and being admitted to hospitals for COVID-19; and

WHEREAS, as New Jersey makes continued progress in its fight against COVID-19, it is appropriate to ensure that New Jerseyans can safely enjoy outdoor recreation, with reasonable restrictions that limit the spread of COVID-19, as a way to enhance physical and mental health, while maintaining the overall social distancing and mitigation requirements in place to protect the health, safety, and welfare of New Jersey residents; and

WHEREAS, Executive Order No. 118 (2020) balanced the need to respond to the increasing new cases and hospitalizations with the need to provide people with outdoor recreation opportunities for the physical and mental well-being, and the progress in the State's fight

against COVID-19 shifts the balance to allow for such additional outdoor recreation opportunities; and

WHEREAS, as public health experts have observed, even as the State is able to allow passive recreation outdoors with reasonable restriction, the ongoing pandemic means that other brick and mortar retail and recreation businesses, and other businesses in which it is more challenging to comply with social distancing measures, are not ready to be reopened at this time; and

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. 26:13-1 et seq., 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, which I have invoked;

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. All State Parks and Forests shall open to the public to engage in the following passive recreational activities in which social distancing can be readily achieved:

- a. Fishing;
- b. Hunting;
- c. Boating;
- d. Canoeing;
- e. Hiking;
- f. Walking;
- g. Running or jogging;
- h. Biking;
- i. Birding; and
- j. Horseback riding.

2. The following shall remain closed to the public at all State Parks and Forests:

- a. Picnic areas;
- b. Playgrounds;
- c. Exercise stations and equipment;
- d. Chartered watercraft services and rentals;
- e. Swimming;
- f. Pavilions;
- g. Restrooms; and
- h. Other buildings or facilities, including, but not limited to, visitor centers, interpretive centers, and interior historical sites.

3. The following recommendations and policies shall apply to all State Parks and Forests:

- a. Employees and visitors should wear cloth face coverings while in the State Park or Forest in all settings where other social distancing measures are difficult to maintain, except where doing so would inhibit that individual's health or where the individual is under two years of age;
- b. Available parking must be limited at all State Parks and Forests at 50% of the maximum capacity at one time, and visitors shall be prohibited from parking in undesignated areas, including in roadways and other undesignated areas;
- c. No picnicking shall be allowed, including on picnic blankets in signed picnic areas, and no picnic blankets, chairs, coolers, and other such personal property shall be carried into any State Parks and Forests;

- d. Consistent with Paragraph 3 of Executive Order No. 107 (2020), visitors must practice social distancing and stay six feet apart whenever practicable, excluding immediate family members, caretakers, household members, or romantic partners;
- e. No organized or contact activities or sports shall be allowed; and
- f. Consistent with Paragraph 5 of Executive Order No. 107 (2020), gatherings of individuals, including in parks, are prohibited.

4. The operative paragraphs of Executive Order No. 118 (2020) are hereby superseded in full. Paragraph 9 of Executive Order No. 107 (2020), as clarified by paragraph 4 of New Jersey Office of Emergency Management (NJOEM) Administrative Order No. 2020-6, is hereby superseded to the extent it closes golf courses as a non-essential recreational business, but otherwise remains in full force and effect.

5. County parks shall open to the public with the exception of those parks closed to the public by county order prior to the effective date of Executive Order No. 118 (2020). Such parks may be reopened by order of the county of jurisdiction.

6. All recreational campgrounds and transient camp sites at campgrounds shall remain closed to the public. Residential campgrounds, which includes mobile home parks, condo sites, and existing/renewing 2020 yearly seasonal contract sites, may remain open.

7. All Counties and Municipalities shall apply, at minimum, the restrictions, policies, and recommendations provided in paragraphs two and three of this Order at any county and municipal parks that are open to the public; however, consistent with Executive Order No. 108 (2020), Counties and Municipalities may impose additional restrictions at county and municipal parks in response to

COVID-19. Counties and Municipalities may also impose additional restrictions on the ability of residential campgrounds, including mobile home parks, to accept new transient guests or seasonal tenants, as that term is defined by NJEOM Administrative Order Nos. 2020-08 and 2020-09.

8. Golf courses shall be allowed to reopen to the public and to members associated with private golf clubs, but such businesses must adopt policies that include, at minimum, the following requirements:

- a. Require that reservations, cancellations and pre-payments be made via electronic or telephone reservation systems to limit physical interactions. Such policies shall, wherever possible, consider populations that do not have access to internet service or credit cards;
- b. Stagger tee times so that they are 16 minutes apart to limit the amount of people on the golf course;
- c. Limit use of golf carts to single occupant only, excluding an individual's immediate family members, caretakers, household members, or romantic partners;
- d. Require frequent sanitization of high-touch areas including, at minimum, the following cleaning protocols:
 - i. Clean and disinfect high-touch areas routinely, and after each use, in accordance with CDC guidelines, particularly in spaces that are accessible to staff, players, or other individuals, including, but not limited to, restroom facilities, counter tops, door knobs, other common surfaces, range buckets, golf carts, push carts, and other frequently touched surfaces including employee used

- equipment, and ensure cleaning procedures following a known or potential exposure at the golf course in compliance with CDC recommendations; and
- ii. Ensure that the golf course has a sufficient number of workers to perform the above protocols effectively and in a manner that ensures the safety of players and staff;
 - e. Restrict players' ability to touch common surfaces when retrieving golf balls by installing pins, placing cups upside down or partly above ground, or utilizing a shallow cup;
 - f. Close all golf center buildings, pro shops, and other buildings and amenities to the public;
 - g. Remove bunker rakes and other on-course furniture like benches, water coolers, and ball washers;
 - h. Ensure that the flagstick remains in the golf hole at all times, and instruct players to avoid touching the flagstick or hole;
 - i. Discontinue club and equipment rentals;
 - j. Prohibit the use of caddies;
 - k. Limit tee times to two players, except for immediate family members, caretakers, household members, or romantic partners;
 - l. Place additional restrictions on areas of the golf course, as necessary, to limit person-to-person interactions and facilitate appropriate social distancing, including but not limited to, specific holes, putting greens, FootGolf courses, and short game areas;

- m. Employees, players, and other individuals should wear cloth face coverings in all settings on the golf course where other social distancing measures are difficult to maintain, except where doing so would inhibit that individual's health, or where the individual is under two years of age; and
- n. Require players to always maintain appropriate social distancing by remaining six feet apart from others.

9. Miniature golf courses and driving ranges, as well as other places of public amusement, shall remain closed pursuant to Executive Order No. 107 (2020).

10. The State Director of Emergency Management, who is the Superintendent of State Police, shall have the discretion to make additions, amendments, clarifications, exceptions and exclusions to the terms of this Order.

11. 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 in all matters concerning this Order, and to cooperate fully with Administrative Orders issued pursuant to this Order.

12. 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 or might in any way interfere with or impede its achievement.

13. Penalties for violations of this Order may be imposed under, among other statutes, N.J.S.A. App. A:9-49 and -50.

14. This Order shall take effect beginning at 6:00 a.m. on Saturday, May 2, 2020, and shall remain in effect until revoked or modified by the Governor, who shall consult with the Commissioner of the Department of Health as appropriate.

GIVEN, under my hand and seal this
29th day of April,
Two Thousand and Twenty, and of
the Independence of the United
States, the Two Hundred and
Forty-Fourth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 134

WHEREAS, Deborah "Debby" Bye Kean was born in Wilmington, Delaware in 1943 and graduated from Tower High School in Wilmington and Bennett College in Millbrook, New York; and

WHEREAS, Debby Kean married Thomas H. Kean Sr. in June 1967, months before he would begin his political career by being elected to the New Jersey General Assembly, and the two shared fifty-two years together until her passing; and

WHEREAS, Debby Kean was a staunch campaigner for her husband as he was elected Governor of New Jersey in 1981, and she served as New Jersey's First Lady from 1982 to 1990; and

WHEREAS, Debby Kean was a fierce advocate for individuals in need, using her platform as First Lady to secure funding for and establish day care centers for State employees across the State, and her efforts resulted in the Deborah B. Kean Childcare Center in Trenton bearing her name; and

WHEREAS, Debby Kean also advocated for research on and the prevention of developmental disabilities, and served as the honorary chair of the governing commission to study developmental disabilities; and

WHEREAS, Debby Kean led the renovation of the Governor's Mansion at Drumthwacket in Princeton, raising funds and executing a vision to turn Drumthwacket into a home that New Jersey remains proud of to this day; and

WHEREAS, Debby Kean will be remembered as a dignified and humble First Lady of New Jersey; and

WHEREAS, Debby Kean will also be remembered for her dedication to her family as a wife and proud mother of Reed Kean, Alexandra Kean Strong, and Senate Minority Leader Thomas Kean, Jr., who has represented the 21st Legislative District in the New Jersey Senate since 2003; and

WHEREAS, Debby Kean's presence will be greatly missed by her husband, children, grandchildren, many friends, and the people of the State of New Jersey; and

WHEREAS, it is with immense sadness that we mourn Debby Kean's passing, and extend our deepest sympathy to her family and friends; and

WHEREAS, it is appropriate to celebrate the outstanding achievements and cherished memory of Debby Kean and to mark her 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 1, 2020, in recognition and mourning of Former First Lady Debby Kean.

2. This Order shall take effect immediately.

GIVEN, under my hand and seal this
30th day of April,
Two Thousand and Twenty, and of
the Independence of the United
States, the Two Hundred and
Forty-Fourth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 135

WHEREAS, in light of the dangers posed by Coronavirus disease 2019 ("COVID-19"), I issued Executive Order No. 103 (2020) on March 9, 2020, the facts and circumstances of which are adopted by reference herein, which declared both a Public Health Emergency and State of Emergency; and

WHEREAS, on April 7, 2020, I issued Executive Order No. 119 (2020), the facts and circumstances of which are adopted by reference herein, which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, in accordance with N.J.S.A. App. A:9-34 and -51, I reserve the right to utilize and employ all available resources of State government to protect against the emergency created by COVID-19; and

WHEREAS, as COVID-19 continued to spread across New Jersey and an increasing number of individuals required medical care or hospitalization, I issued a series of Executive Orders pursuant to my authority under the New Jersey Civilian Defense and Disaster Control Act and the Emergency Health Powers Act, to protect the public health, safety, and welfare against the emergency created by COVID-19, including Executive Order Nos. 104-133 (2020), the facts and circumstances of which are all adopted by reference herein; and

WHEREAS, in recognition that the Centers for Disease Control and Prevention ("CDC") has advised that social mitigation strategies for combatting COVID-19 require every effort to reduce the rate of community spread of the disease and that COVID-19 spreads most frequently through person-to-person contact when individuals are within six feet or less of one another, Executive Order No. 107 (2020) ordered steps to mitigate community spread of COVID-19; and

WHEREAS, Executive Order No. 107 (2020) directed all New Jersey residents to remain at home or at their place of residence, unless they qualified under certain defined categories, including reporting to, or performing, their job; and

WHEREAS, Executive Order No. 107 (2020) directed all businesses or non-profits in the State, whether closed or open to the public, to accommodate their workforce, wherever practicable, for telework or work-from-home arrangements; and

WHEREAS, Executive Order No. 107 (2020) stated that businesses or non-profits who have employees who cannot perform their functions via telework or work-from-home arrangements should make best efforts to reduce staff on site to the minimal number necessary to ensure that essential operations can continue; and

WHEREAS, Executive Order No. 104 (2020) directed that all public, private and parochial schools, including charter and renaissance schools, close to the public beginning on March 18, 2020, and Executive Order No. 107 (2020) directed those schools to remain closed; and

WHEREAS, compliance with the social distancing strategies and travel restrictions required by Executive Orders No. 104 and 107 (2020) impact the ability of the residents of this State to comply with certain statutory requirements to appear in person before certain public officials when seeking to obtain certain licenses, certificates, and other benefits; and

WHEREAS, under N.J.S.A. 37:1-2, persons intending to be married or to enter into a civil union must obtain a marriage or civil union license from a licensing officer and deliver it to the person who is to officiate; and

WHEREAS, under N.J.S.A. 37:1-7 and -8, individuals seeking to obtain a marriage or civil union license must appear personally or through an attorney-in-fact before the licensing officer and, in the presence of the licensing officer, subscribe and swear to an oath attesting to certain facts respecting the legality of the proposed marriage or civil union, which must also be verified by a witness of legal age; and

WHEREAS, under N.J.S.A. 37:1-4, a marriage or civil union license shall not be issued sooner than 72 hours after an application has been made, and a license so issued shall be good and valid only for 30 days after the date of issuance; and

WHEREAS, under N.J.S.A. 37:1-17, the certificate of marriage or civil union must be signed by the officiant by or before whom the marriage or civil union was solemnized, who must also indicate the date and place of the marriage or civil union; and

WHEREAS, under N.J.S.A. 37:1-17, the certificate of marriage or civil union must also be signed by at least two witnesses who were present at the marriage or civil union ceremony; and

WHEREAS, to comply with my directives to implement social distancing strategies and to limit person-to-person interactions in accordance with CDC and New Jersey Department of Health ("DOH") guidance, certain municipal and State offices have implemented telework or work-from-home arrangements, thus reducing staff on site to the minimal number necessary to continue essential operations; and

WHEREAS, given my direction to strictly observe social distancing practices, including my direction that employees work remotely, individuals seeking to marry or enter into a civil union may be unable to appear in person before a licensing official and/or to solemnize the marriage or civil union as required in the presence of an officiant and two witnesses within 30 days of issuance of the license; and

WHEREAS, the requirements that individuals seeking to marry or enter into a civil union must appear in person to effectuate the arrangement may be accomplished for a limited time period through the use of audio-visual technology, also referred to as video conferencing, while nevertheless providing confidence that marriages and civil unions are entered into legitimately and free of duress; and

WHEREAS, for these reasons, among others, strict enforcement of the various statutory requirements to appear in person relating to marriage or civil union licenses is detrimental to the public welfare; and

WHEREAS, in light of the current crisis, individuals may need to expedite their marriage or civil union, so that the 72-hour waiting period between application and issuance of license should be suspended; and

WHEREAS, N.J.S.A. 34:2-21.7(a) generally prohibits the employment of minors under the age of 18 years of age unless the employer procures and keeps on file an employment certificate or special permit for the minor that is issued by the issuing officer of the school district in which the child resides or, if the child is a nonresident of the State, of the district in which the child has obtained a promise of employment; and

WHEREAS, N.J.S.A. 34:2-21.8 provides that a school district issuing officer shall issue an employment certificate or special permit only upon the application in person of the minor desiring employment; and

WHEREAS, N.J.S.A. 34:2-21.10 provides that, upon issuance of such certificate, it must be signed by the child in whose name it is issued in the presence of the issuing officer; and

WHEREAS, given the closure of all public schools, minors are unable to appear personally before school district issuing officers in order to apply for or sign the employment certificate as required by applicable statutes; and

WHEREAS, the inability of minors to obtain employment certificates as required by law will render them unable to obtain gainful employment; and

WHEREAS, the requirements that minors appear personally before school district issuing officers in order to apply for or sign the employment certificate may be accomplished for a limited time period through the use of audio-visual technology, while nevertheless providing confidence that such arrangements are entered into legitimately; and

WHEREAS, for these reasons, among others, strict enforcement of the various statutory requirements to appear in person relating to employment certificates for such minors is detrimental to the public welfare; and

WHEREAS, while it is critical to ensure that individuals are able to use audio-visual technology in order to obtain marriage or civil union licenses or necessary employment certificates during the Public Health Emergency declared for COVID-19, it is important to recognize that not all such individuals have equal access to or experience with such technology, and thus it is important to ensure that such individuals can still obtain the applicable licenses or employment certificates without audio-visual technology; and

WHEREAS, pursuant to N.J.S.A. App. A:9-47, the Governor is authorized to, among other things, suspend any regulatory provision of law when its enforcement is detrimental to the public welfare during an emergency; and

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. 26:13-1 et seq. and N.J.S.A. App. A:9-33 et seq., and all amendments and supplements thereto, confer upon the Governor of the State of New Jersey certain emergency powers, which I have invoked;

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. For the duration of the Public Health Emergency declared in Executive Order No. 103 (2020), the provisions of N.J.S.A. 37:1-7 and N.J.S.A. 37:1-8 requiring that individuals who wish to marry or enter into a civil union appear personally before a licensing official may be satisfied through the use of audio-visual technology under the following conditions:

- a. The video conference shall be live and must allow for interaction between the couple, the licensing official, and a witness;
- b. During the video conference, the following steps must occur in a way that is visible and audible to the couple, the licensing official, and a witness:

- i. Both members of the couple and the witness present valid photo identification and any other documents necessary to allow the licensing official to fulfill their statutory duty;
- ii. The licensing official administers the oath;
- iii. Each member of the couple and the witness shall sign the license application. To the extent that the members of the couple and/or witness are physically located in the same place, they shall sign the document in the physical presence of the other(s). If one or more of the individuals is located in a different physical location, once signatures are obtained in one location, the member of the couple or witness shall transmit, a legible copy of the document, to the next signatory, until all signatures are obtained; and
- iv. The final signatory shall transmit a legible copy of the signed license application directly to the licensing official, who shall confirm receipt of the document on the day of transmission.

2. For the duration of the Public Health Emergency declared in Executive Order No. 103 (2020), the provisions of N.J.S.A. 37:1-17 requiring that the marriage or civil union be solemnized in the physical presence of an officiant and two witnesses, who will then sign the certificate, may be satisfied through the use of audio-visual technology under the following conditions:

- a. The video conference shall be live and must allow for interaction between the couple, the officiant, and the two witnesses;
- b. During the video conference, the following steps must occur in a way that is visible and audible to the couple, the officiant, and the two witnesses:

- i. The couple shall present their marriage or civil union license to the officiant;
 - ii. The officiant, each witness, and both members of the couple shall affirm that they are physically situated in the State, though they are not required to be situated in the same municipality. The officiant shall identify the municipality and address where he or she is physically situated and denote that municipality and address as the place of marriage or civil union on the certificate;
 - iii. Each member of the couple and each witness shall sign the marriage or civil union certificate. To the extent that the members of the couple and/or witnesses are physically located in the same place, they shall sign the document in the physical presence of the other(s). If one or more of the individuals is located in a different physical location, once signatures are obtained in one location, the couple or each witness shall transmit a legible copy of the document, to the next signatory, until all signatures are obtained; and
 - iv. Once the certificate has been signed by both members of the couple and both witnesses, the last signatory shall transmit a legible copy of the signed certificate to the officiant at the conclusion of the conference, who shall sign the document on the date of transmission.
- c. Following the video conference, the officiant shall make copies of the license and certificate and shall distribute the original and copies in the manner and within the time period required by N.J.S.A. 26:8-41 and N.J.S.A. 37:1-17.1; and

- d. In effectuating the transmission contemplated in this section, local registrars shall use a means that is secure and maintains the confidentiality of the documents.

3. For the duration of the Public Health Emergency, the provisions of N.J.S.A. 37:1-4 requiring a 72-hour waiting period between the license application and issuance shall be waived.

4. Notwithstanding N.J.S.A. 37:1-4, any marriage or civil union license issued during the Public Health Emergency shall be valid for 90 days.

5. For the duration of the Public Health Emergency declared in Executive Order No. 103 (2020), the fees imposed by N.J.S.A. 37:1-12 and N.J.S.A. 37:1-12.1 for the issuance of a marriage or civil union license shall be waived if the couple seeks a second license, mirroring the original license, due to the expiration of the original.

6. The New Jersey Office of Emergency Management, in consultation with the Commissioner of DOH, shall have the discretion to make additions, amendments, clarifications, exceptions, and exclusions to the above-outlined process and requirements.

7. For the duration of the Public Health Emergency declared in Executive Order No. 103 (2020), the provisions of N.J.S.A. 34:2-21.8 and N.J.S.A. 34:2-21.10, requiring the personal appearance of the minor, and, under certain circumstances, the minor's parent or guardian, before school district issuing officers in order to apply for or sign employment certificates may be satisfied through the use of audio-visual technology. Each public school district shall develop and implement procedures to satisfy the statutory requirements without requiring in-person contact between the school district issuing official and the minor, under the following conditions:

- a. During the application process, the child and the school district licensing officer may transmit a single copy of all required documentation by way of electronic transmission, fax, or any other means of transfer of

documents developed by the school district that avoids in-person contact, is secure, and maintains the confidentiality of the documents;

- b. The video conference shall be live and must allow for interaction between the child and the school district issuing officer, and when applicable, the parent or guardian. During the video conference, the child shall verify his or her identity, authenticate the documents submitted, and sign the application, in a way that is visible and audible to the school district issuing officer; and
- c. Following the video conference, the child shall transmit the signed certificate, by electronic or other means as determined by the school district, to the issuing officer, who shall make the requisite copies and distribute the original and copies as required by N.J.S.A. 34:2-21.7.

8. Nothing in this Order shall be construed to require that the marriage or civil union licensing process or ceremony, or the minor employment certification process, occur through the use of audio-visual technology. Applicable public officials should make all reasonable efforts, consistent with the enhanced social distancing and mitigation practices detailed in this State's Executive Orders, including but not limited to Executive Order No. 107 (2020), to accommodate applicants who may lack the technological resources necessary to engage in these processes through audio-visual means. Where in-person services are offered, public officials must similarly require participants and staff to wear cloth face coverings and must implement sanitization protocols, consistent with Executive Order No. 122 (2020).

9. To the degree that that they are inconsistent with this Order, the provisions of N.J.S.A. 37:1-2, N.J.S.A. 37:1-4, N.J.S.A. 37:1-7 and -8, N.J.S.A. 37:1-12, N.J.S.A. 37:1-12.1, N.J.S.A. 37:1-17, N.J.S.A. 34:2-21.8, and N.J.S.A. 34:2-21.10 are suspended for the duration of the

Public Health Emergency. Any provisions of these statutes that are not inconsistent with this Order remain in full force and effect.

10. This Order shall take effect on Monday, May 4, 2020 and shall remain in effect until revoked or modified by the Governor.

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

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 136

WHEREAS, in light of the dangers posed by Coronavirus disease 2019 ("COVID-19"), I issued Executive Order No. 103 on March 9, 2020, the facts and circumstances of which are adopted by reference herein, which declared both a Public Health Emergency and State of Emergency; and

WHEREAS, on April 7, 2020, I issued Executive Order No. 119 (2020), the facts and circumstances of which are adopted by reference herein, which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, in accordance with N.J.S.A. App. A:9-34 and -51, I reserve the right to utilize and employ all available resources of State government to protect against the emergency created by COVID-19; and

WHEREAS, as COVID-19 continued to spread across New Jersey and an increasing number of individuals required medical care or hospitalization, I issued a series of Executive Orders pursuant to my authority under the New Jersey Civilian Defense and Disaster Control Act and the Emergency Health Powers Act, to protect the public health, safety, and welfare against the emergency created by COVID-19, including Executive Order Nos. 104-133 and No. 135 (2020), the facts and circumstances of which are all adopted by reference herein; and

WHEREAS, among these actions, and in recognition that the Centers for Disease Control and Prevention ("CDC") has advised that social mitigation strategies for combatting COVID-19 require every effort to reduce the rate of community spread of the disease and that COVID-19 spreads most frequently through person-to-person contact when individuals are within six feet or less of one another, I issued Executive Order No. 107 (2020) to order steps to mitigate community spread of COVID-19; and

WHEREAS, Executive Order No. 107 (2020) mandated that all businesses and non-profits in the State accommodate their workforce, wherever practicable, for telework or work-from-home arrangements, and reduce staff on site to the minimal number necessary to continue essential operations because restricting the physical presence of individuals in office environments and work sites is critical to preventing future spread of COVID-19; and

WHEREAS, as of March 19, 2020, I also instructed all Executive Branch departments and agencies to utilize work-from-home arrangements for both essential and non-essential employees wherever feasible; and

WHEREAS, on April 8, 2020, I issued Executive Order No. 122 (2020), which, among other things, ordered non-essential construction projects to cease; and

WHEREAS, restricting the physical presence of individuals in office environments and work sites is critical to preventing future community spread of COVID-19; and

WHEREAS, all State offices and Executive Branch departments and agencies have been directed to prioritize addressing immediate public needs, including protecting public health, safety and the environment, while still trying as much as is practicable to maintain the basic functions of State government, and its many duties, missions, and initiatives; and

WHEREAS, notwithstanding the extraordinary circumstances of the COVID-19 pandemic, certain Executive Branch departments and agencies remain subject to statutory provisions that require agencies to review and act upon certain applications or requests for permits or other authorizations before a specified deadline lest the matter under review be deemed approved without conditions; and

WHEREAS, the Department of Environmental Protection ("DEP") is charged with ensuring the protection and preservation of the environment and natural resources that could be adversely impacted

by certain development and construction projects, and pursuant to N.J.S.A. 13:1D-32, must act on an application for a construction permit within 90 days or the application is deemed approved without conditions deemed necessary by DEP to ensure protection of natural resources; and

WHEREAS, under Executive Order No. 122 (2020), construction projects that are essential have been permitted to proceed during this ongoing Public Health Emergency; and

WHEREAS, pursuant to N.J.S.A. 13:1D-29, a "construction permit" includes approvals that may be issued by DEP pending environmental review pursuant to the Waterfront Development Act, R.S. 12:5-3, the Wetlands Act of 1970, N.J.S.A. 13:9A-1, the Coastal Area Facility Review Act, N.J.S.A. 13:19-1, and the Flood Hazard Area Control Act, N.J.S.A. 58:16A-50, as well as the regulations promulgated pursuant to these statutes, which help to ensure the protection of valuable natural resources; and

WHEREAS, DEP is charged with ensuring the protection and preservation of coastal areas that could be impacted by development under the Coastal Area Facility Review Act, and pursuant to N.J.S.A. 13:19-8, must issue a notification to a permit applicant in writing regarding the completeness of its application within 20 days of receipt and present the application for public comment within 15 days and no more than 60 days after the application is declared complete; and

WHEREAS, DEP is charged with oversight of solid waste utilities to ensure the appropriate handling of solid waste throughout New Jersey, and pursuant to N.J.S.A. 48:3-7, must act on solid waste utility applications for certain economic transactions within either 30 or 60 days or the application is deemed approved without conditions by DEP; and

WHEREAS, DEP is charged with the control of stream encroachments, the delegation of certain administrative and enforcement functions to county governing bodies, and the integration of flood control activities of the municipal, county, State, and Federal governments, and pursuant to N.J.S.A. 58:16A-67, must act on an application from a municipality or designated agency for proposed stream cleaning, clearing, or desnagging within either 15 or 60 days of receipt or the application is deemed approved without conditions; and

WHEREAS, automatic approval of applications in the absence of a thorough environmental review may result in permits that contravene applicable regulations and may be otherwise detrimental to public health, safety or the environment; and

WHEREAS, DEP is charged with the oversight of public and private sector recycling activities to decrease the flow of solid waste to sanitary landfill facilities, aid in the conservation and recovery of valuable resources, conserve energy in the manufacturing process, and increase the supply of reusable raw materials for the State's industries, and pursuant to N.J.S.A. 13:1E-99.16.e, the governing body of each municipality must on or before July 1 of each year submit a recycling tonnage report to DEP; and

WHEREAS, DEP is charged with oversight of electronic waste management, and pursuant to N.J.S.A. 13:1E-99.105c, every authorized recycler, each manufacturer or group plan administrator on behalf of a manufacturer, the operator of every collection location identified in each manufacturer's plan, and any local government unit that collects covered electronic devices must submit to DEP a semiannual report for the period ending July 1 by August 1 of each year; and

WHEREAS, the preparation of recycling and electronic waste reporting requires significant effort by local government units, recyclers and manufacturers and collection of information from other

entities, all of whom may be impacted by COVID-19, thus impeding their ability to comply with statutory reporting deadlines; and

WHEREAS, under N.J.S.A. 13:1E-127.1 ("Dirty Dirt law"), which I signed on January 21, 2020, DEP is charged with ensuring that soil and fill recycling services are properly administered throughout New Jersey; and

WHEREAS, the Dirty Dirt law required that any business wishing to engage in soil and fill recycling services submit a registration form to DEP no later than April 20, 2020, and DEP must issue such registration 90 days from submission of the registration form; and

WHEREAS, the Dirty Dirt law further provides that no business without a valid registration may engage in soil and fill recycling services after July 20, 2020 and a registrant must submit a valid and administratively complete application for a soil and fill recycling license to the Attorney General no later than October 20, 2020, which may only be extended for an additional 90 days upon a showing of good cause; and

WHEREAS, under usual circumstances, the statutory timeframes are sufficient to enable regulated entities to submit, and DEP to evaluate and act upon, the required reporting information and subject applications; and

WHEREAS, a public health emergency such as the COVID-19 pandemic, and especially my direction to strictly observe social distancing practices, including avoiding all non-essential travel, working remotely, and prioritizing addressing immediate public needs, including protecting public health, safety and the environment, is an impediment to compliance with the statutory timeframes; and

WHEREAS, members of the public may similarly be limited in their ability to provide necessary information and comment related to applications or requests for permits or authorizations within statutory or regulatory timeframes and may require additional time

due to the interruptions related to the Public Health Emergency and the social distancing and mitigation restrictions imposed; and

WHEREAS, the strict enforcement of these timeframes during the ongoing Public Health Emergency and State of Emergency could prevent DEP from conducting a full and complete environmental review, which would be detrimental to the public welfare; and

WHEREAS, pursuant to N.J.S.A. App. A:9-47, the Governor is authorized to, among other things, suspend any regulatory provision of law when its enforcement is detrimental to the public welfare during an emergency; and

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. 26:13-1 et seq., 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, which I have invoked;

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. All timeframes governing public notice, review, or final action on applications for, or renewals of permits, registrations, plans, petitions, licenses, rates, and other approvals under the following statutes administered by DEP are tolled, beginning on March 9, 2020, by each day during the Public Health Emergency declared by Executive Order No. 103 (2020), and no request submitted pursuant to any of these statutes shall be deemed complete or approved for failure to act within the prescribed timeframe: N.J.S.A. 13:1D-32, N.J.S.A. 13:19-8, N.J.S.A. 48:3-7, and N.J.S.A. 58:16A-67.

2. The timeframe for businesses to submit a registration form to DEP to engage in soil and fill recycling services pursuant to N.J.S.A. 13:1E-127.1, DEP's time to review and issue such

registration, the deadline after which a business may not engage in soil and fill recycling services without a valid registration, and the timeframe for a registrant to submit an administratively complete license application to the Attorney General shall each be extended by the number of days of the Public Health Emergency declared in Executive Order No. 103 (2020) plus an additional 60 days.

3. The deadline for the governing body of each municipality to submit its yearly recycling tonnage report to DEP by July 1, 2020, under N.J.S.A. 13:1E-99.16.e, is extended by 60 days.

4. The deadline for recyclers, manufacturers, collection locations and local government units who collect electronic devices to submit their semiannual report to DEP by August 1, 2020, as required by N.J.S.A. 13:1E-99.105c, is extended by 60 days.

5. Within five days of the effective date of this Order, the Commissioner of DEP shall issue an Administrative Order that extends the regulatory timeframes to accept public comment on applications for, or renewals of permits, registrations, plans or other approvals where necessary to ensure adequate public participation.

6. Notwithstanding the provisions of this Order, DEP is authorized to establish earlier timeframes for review and decisions on specific permit applications, with appropriate public notice, if DEP determines that an earlier decision is in the public interest or after consideration of the need to maintain appropriate sequencing with federal timeframes.

7. DEP shall continue to review all applications within applicable timeframes to the maximum extent practicable and as necessary to satisfy its obligations of State implementation of a federal program pursuant to Federal law.

8. DEP shall expedite to the extent practicable and in accordance with the CDC guidelines the review of any applications it deems necessary for the protection of public health, safety, and

environment, or that are otherwise related to the Federal or State response to the COVID-19 pandemic.

9. To the degree that they are inconsistent with this Order, the provisions of N.J.S.A. 13:1D-32, N.J.S.A. 13:1E-99.16.e, N.J.S.A. 13:1E-99.105c, N.J.S.A. 13:1E-127.1, N.J.S.A. 13:19-8, N.J.S.A. 48:3-7, and N.J.S.A. 58:16A-67 are suspended for the duration of this Public Health Emergency. Any provisions of these statutes that are not inconsistent with this Order remain in full force and effect.

10. This Order shall take effect immediately and shall remain in effect until revoked or modified by the Governor.

GIVEN, under my hand and seal this
2nd day of May,
Two Thousand and Twenty, and of
the Independence of the United
States, the Two Hundred and
Forty-Fourth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 137

WHEREAS, on June 30, 2019, at the time I enacted the Fiscal Year 2020 Appropriations Act, P.L.2019, c.151, into law, I also signed Executive Order No. 73 (2019), which, among other things, lamented the State of New Jersey's "inexcusably inadequate" fiscal reserves and highlighted the urgent need to continue to build an undesignated fund balance (commonly referred to as a "surplus") that is sufficient to withstand a "national economic downturn, a natural disaster, or other unexpected occurrence negatively affecting revenue collections during the fiscal year"; and

WHEREAS, to this end, Executive Order No. 73 (2019) directed the Director of the Division of Budget and Accounting in the Department of the Treasury to identify and place into reserve items of appropriation in an amount sufficient to ensure that the State budget remains in balance while maintaining a responsible anticipated Fiscal Year 2020 closing undesignated fund balance of at least \$875 million, in addition to making a \$401 million deposit into the Surplus Revenue Fund (commonly referred to as the "Rainy Day Fund") attributable to Fiscal Year 2019; and

WHEREAS, Executive Order No. 73 (2019) further required the State Treasurer to monitor the achievement of budget savings, monthly revenue collections, and other factors including usage and enrollment trends, legislative activity, and other developments directly affecting fund balances throughout Fiscal Year 2020 and to take any necessary actions to ensure that the estimated closing undesignated fund balance plus the balance in the Rainy Day Fund, when added together, total at least \$1.276 billion; and

WHEREAS, pursuant to that Order, various items of appropriation totaling approximately \$235 million dollars were placed into reserve and subsequently released based primarily on

strong revenue performance experienced during the first half of Fiscal Year 2020; and

WHEREAS, thereafter, in light of the imminent dangers posed by Coronavirus disease 2019 ("COVID-19"), I issued Executive Order No. 103 (2020) on March 9, 2020, the facts and circumstances of which are adopted by reference herein, which declared both a Public Health Emergency and State of Emergency; and

WHEREAS, on April 7, 2020, I issued Executive Order No. 119 (2020), the facts and circumstances of which are adopted by reference herein, which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, since March 9, 2020, I have issued numerous Executive Orders addressing various aspects of the Public Health Emergency and State of Emergency declared in Executive Order No. 103 (2020), including Executive Order Nos. 104-133 and Nos. 135-136 (2020), the facts and circumstances of which are all adopted by reference herein; and

WHEREAS, beginning on March 20, 2020, the Director of the Division of Budget and Accounting has placed approximately \$1 billion of items of appropriation into reserve, including, with certain exceptions, 50 percent of all uncommitted non-salary operating funds (other than funding needed to provide full-time care at State institutions), 50 percent of all uncommitted revolving and dedicated funding, and 100 percent of all non-entitlement, discretionary grants-in-aid and state aid funding, and 100 percent of unexpended capital balances; and

WHEREAS, on March 23, 2020, the State Treasurer disseminated a voluntary disclosure ("COVID-19 Disclosure #1") regarding the severe impacts that the COVID-19 pandemic is expected to have on the State's economy and financial condition, including potentially precipitous declines in revenues in gross income taxes, corporate

business taxes, sales taxes, motor fuels taxes, casino-related taxes, and lottery sales, among other sources of revenue in both Fiscal Year 2020 and Fiscal Year 2021, as well as negative impacts on liquidity due to the extension of the State tax filing deadline from April 15, 2020 until July 15, 2020; and

WHEREAS, in early April, in response to the unprecedented fiscal effects of the COVID-19 pandemic, including the decision of the federal government to defer its tax filing deadline from April 15, 2020 until July 15, 2020, the Legislature and I agreed to extend by law the end of Fiscal Year 2020 by three months from June 30, 2020 until September 30, 2020; and

WHEREAS, on April 17, 2020, the State Treasurer publicly disseminated COVID-19 Disclosure #2, updating and supplementing the financial disclosures set forth in COVID-19 Disclosure #1; and

WHEREAS, the facts and circumstances described above, particularly the severe fiscal challenges caused by the COVID-19 pandemic and the significant ongoing fiscal disruption and uncertainties associated with the COVID-19 pandemic, make it unrealistic for the State to continue to target and plan for a total surplus of at least \$1.276 billion at this time; and

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. 26:13-1 et seq., N.J.S.A. App. A: 9-33 et seq., N.J.S.A. 38A:3-6.1, and N.J.S.A. 38A:24 and all amendments and supplements thereto, confer upon the Governor of the State of New Jersey certain emergency powers, which I have invoked;

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. 73 (2019) is hereby rescinded.

2. The State Treasurer and the Director of the Division of Budget and Accounting are authorized and directed to continue, update, and expand, as necessary, their ongoing actions and activities in response to the COVID-19 pandemic.

3. This Order shall take effect immediately.

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

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 138

WHEREAS, on March 9, 2020, through Executive Order No. 103 (2020), the facts and circumstances of which are adopted by reference herein, I declared both a Public Health Emergency and a State of Emergency throughout the State due to the public health hazard created by Coronavirus disease 2019 ("COVID-19"); and

WHEREAS, Executive Order No. 103 (2020) described both the symptoms and dangers presented by COVID-19 and the likelihood of community spread across the State, and it recognized the need to use all available statewide authorities to prepare for and respond to COVID-19 cases in New Jersey, to implement appropriate measures to mitigate the spread of COVID-19, and to prepare in the event of an increasing number of individuals requiring medical care or hospitalization; and

WHEREAS, as COVID-19 continued to spread across New Jersey and an increasing number of individuals required medical care or hospitalization, I issued a series of Executive Orders pursuant to my authority under the New Jersey Civilian Defense and Disaster Control Act and the Emergency Health Powers Act ("EHPA"), to protect the public health, safety, and welfare against the emergency created by COVID-19, including Executive Order Nos. 104-133 and 135-137 (2020), the facts and circumstances of which are all adopted by reference herein; and

WHEREAS, N.J.S.A. 26:13-3(b) establishes that a Public Health Emergency declared by the Governor shall automatically terminate after 30 days, unless renewed for an additional 30 days through a declaration of the Governor; and

WHEREAS, on April 7, 2020, I issued Executive Order No. 119 (2020), which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, since the Public Health Emergency was renewed on April 7, 2020, at which time there were 41,000 positive cases of COVID-19 in New Jersey, the COVID-19 outbreak has continued to present a public health hazard in New Jersey, in the region, and across the United States; and

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services ("HHS") Secretary declared a public health emergency for the United States to aid the nation's healthcare community in responding to COVID-19; and

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency pursuant to his constitutional and statutory powers, including those granted by Sections 201 and 301 of the National Emergencies Act, 50 U.S.C. § 1601, et seq., and consistent with Section 1135 of the Social Security Act, as amended, 42 U.S.C. § 1320b-5; and

WHEREAS, the emergency declarations by the President and the HHS Secretary remain in effect today; and

WHEREAS, also on March 13, 2020, the President determined that the COVID-19 pandemic was of sufficient severity and magnitude to warrant an emergency declaration under Section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act ("Stafford Act"), 42 U.S.C. § 5121-5207, which remains in effect today; and

WHEREAS, on March 25, 2020, the President determined that the COVID-19 pandemic was of sufficient severity and magnitude to warrant a major disaster declaration under Section 401 of the Stafford Act, 42 U.S.C. § 5121-5207, which remains in effect today; and

WHEREAS, as of May 5, 2020, according to the World Health Organization, there were over 3,517,000 confirmed cases of COVID-19 worldwide, with over 243,000 of those cases having resulted in death; and

WHEREAS, as of May 5, 2020, according to the Centers for Disease Control and Prevention (CDC), there were over 1,171,000 confirmed cases of COVID-19 in the United States, with over 68,000 of those cases having resulted in death; and

WHEREAS, as of May 5, 2020, there were over 130,000 positive cases of COVID-19 in New Jersey, with at least 8,244 of those cases having resulted in death; and

WHEREAS, as of May 5, 2020, there were positive cases of COVID-19 in every county in New Jersey, and there have been deaths relating to COVID-19 in every county in New Jersey; and

WHEREAS, although the State's social distancing measures have helped to slow the increase of COVID-19 cases and deaths in New Jersey, the total number of COVID-19 cases and deaths in New Jersey has continued to rise, and would rise at an even more precipitous rate absent these important measures; and

WHEREAS, although the State has made all reasonable efforts to procure medical resources from the federal government, existing State supplies, donations, and private sector purchasing, the availability of medical resources in the State remains a serious concern, and the emergency measures the State has taken to address these needs must continue at this time; and

WHEREAS, the Commissioner of the Department of Health ("DOH") has also determined that the State needs the help of additional qualified health, mental health, and related professionals to supplement our healthcare capacity on a temporary basis to address

the health care needs relating to the COVID-19 outbreak, and the emergency measures the State has taken to address these needs must continue at this time; and

WHEREAS, there are hundreds of law enforcement officers in New Jersey currently unable to report to duty because they tested positive for COVID-19 or are currently in quarantine, and the emergency measures the State has taken to address these needs must continue at this time; and

WHEREAS, the spread of COVID-19 has greatly strained the resources and capabilities of county and municipal governments, including public health agencies, that provide essential services for containing and mitigating the spread of contagious diseases, and the situation is too large in scope to be handled entirely by the normal county and municipal operating services; and

WHEREAS, the facts as set forth above and consultation with the Commissioner of DOH confirm that the spread of COVID-19 in New Jersey constitutes an ongoing public health hazard that threatens and presently endangers the health, safety, and welfare of the residents of one or more municipalities or counties of the State, and it is necessary and appropriate to take action against this public health hazard to protect and maintain the health, safety, and welfare of New Jersey residents and visitors; and

WHEREAS, the facts as set forth above and consultation with the Commissioner of DOH confirm that there exists a public health emergency in the State; and

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. 26:13-1 et seq., 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, which I have invoked;

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 DECLARE and PROCLAIM that the Public Health Emergency declared in Executive Order No. 103 (2020) pursuant to the EHPA, N.J.S.A. 26:13-1, et seq., continues to exist throughout the State of New Jersey, and I hereby ORDER and DIRECT:

1. All Executive Orders adopted in whole or in part based on the authority under the EHPA to respond to the Public Health Emergency presented by the COVID-19 outbreak remain in full force and effect.

2. All actions taken by any Executive Branch departments and agencies in whole or in part based on the authority under the EHPA to respond to the Public Health Emergency presented by the COVID-19 outbreak, or in whole or in part based on authority delegated by any Executive Orders described in Paragraph 1 of this Order, including but not limited to any Administrative Orders, remain in full force and effect.

3. 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.

4. This Order shall take effect immediately.

GIVEN, under my hand and seal this
6th day of May,
Two Thousand and Twenty, and
of the Independence of the
United States, the Two
Hundred and Forty-Fourth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 139

WHEREAS, May 8 is observed every year as "Victory in Europe Day," or "V-E Day," throughout the United States and Western Europe; and

WHEREAS, on May 8, 1945, World War II in Europe came to an end, following the German surrender to the Allied forces; and

WHEREAS, this day not only signified the end of the most brutal conflict in Europe's history, but also marked the end of the horrific and murderous Nazi Germany regime that plunged the continent into war; and

WHEREAS, the evil of Nazism reached its peak in the horrors of the Holocaust, where six million Jews and millions of other individuals, including Slavs, those with disabilities, political and religious dissidents, and gay men, were systematically murdered; and

WHEREAS, these acts are among the greatest atrocities ever committed by mankind, and have forever shocked the conscience of humanity; and

WHEREAS, as the U.S. Ambassador to the Federal Republic of Germany, I saw firsthand the enduring scar left by the Nazi regime, and witnessed the German people's constant struggle to both reckon with this painful history and to move beyond it; and

WHEREAS, the world will always owe a tremendous debt of gratitude to all those who served in the Allied forces and ended the scourge of Nazism; and

WHEREAS, millions of individuals serving in the Allied forces, including 407,316 American servicemembers, made the ultimate sacrifice and gave their lives in this conflict; and

WHEREAS, May 8, 2020, marks the 75th anniversary of V-E Day; and

WHEREAS, while these events can seem like they occurred in the distant past, there are 80,000 Holocaust survivors and over 380,000 veterans of World War II who live in the United States today, and

their examples of bravery and courage continue to inspire millions of Americans; and

WHEREAS, on this 75th anniversary of V-E Day, it is appropriate to recognize these survivors and veterans, to remember those servicemembers and civilians who perished in Europe during World War II, and to recommit ourselves to the ideals of democracy, freedom, and human rights that represent the firmest and most lasting rebuke to the Nazi regime;

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 the State of New Jersey shall be flown at half-staff at all State departments, offices, agencies, instrumentalities, and all public buildings during appropriate hours on Friday, May 8, 2020, in recognition of the 75th anniversary of Victory in Europe Day.

2. This Order shall take effect immediately.

GIVEN, under my hand and seal this
8th day of May,
Two Thousand and Twenty, and of
the Independence of the United
States, the Two Hundred and
Forty-Fourth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 140

WHEREAS, through Executive Order No. 102 (2020), which I signed on February 3, 2020, I created the State's Coronavirus Task Force, chaired by the Commissioner of the New Jersey Department of Health (DOH), in order to coordinate the State's efforts to appropriately prepare for and respond to the public health hazard posed by Coronavirus disease 2019 ("COVID-19"); and

WHEREAS, on March 9, 2020, through Executive Order No. 103 (2020), the facts and circumstances of which are adopted by reference herein, I declared both a Public Health Emergency and a State of Emergency throughout the State due to the public health hazard created by COVID-19; and

WHEREAS, the Public Health Emergency declared in Executive Order No. 103 (2020) has been twice extended, through Executive Order No. 119 (2020), which I signed on April 7, 2020, and through Executive Order No. 138 (2020), which I signed on May 6, 2020, and continues to exist today; and

WHEREAS, in accordance with N.J.S.A. App. A:9-34 and -51, I reserved the right to utilize and employ all available resources of State government to protect against the emergency created by COVID-19; and

WHEREAS, as COVID-19 continued to spread across New Jersey and an increasing number of individuals required medical care or hospitalization, I issued a series of Executive Orders pursuant to my authority under the New Jersey Civilian Defense and Disaster Control Act and the Emergency Health Powers Act, to protect the public health, safety, and welfare against the emergency created by COVID-19, including Executive Order Nos. 104-133 and Nos. 135-138 (2020), the facts and circumstances of which are all adopted by reference herein; and

WHEREAS, among these actions, and in recognition that the Centers for Disease Control and Prevention ("CDC") has advised that social mitigation strategies for combatting COVID-19 require every effort to reduce the rate of community spread of the disease and that COVID-19 spreads most frequently through person-to-person contact when individuals are within six feet or less of one another, I issued Executive Order No. 107 (2020) to order steps to mitigate community spread of COVID-19; and

WHEREAS, Executive Order No. 107 (2020) closed non-essential retail businesses to the public, but permitted essential retail businesses and other businesses that require an in-person workforce to continue to operate; and

WHEREAS, Executive Order No. 107 (2020) permitted restaurants, cafeterias, dining establishments, food courts, bars, and all other holders of a liquor license with retail consumption privileges, to operate only food delivery and/or take-out services during their normal business hours; and

WHEREAS, Executive Order No. 107 (2020) stated that businesses or non-profits who have employees who cannot perform their functions via telework or work-from-home arrangements should make best efforts to reduce staff on site to the minimal number necessary to ensure that essential operations can continue; and

WHEREAS, Executive Order No. 107 (2020) directed all New Jersey residents to remain at home or at their place of residence, unless they qualified under certain defined categories, including reporting to, or performing, their job; and

WHEREAS, as of May 7, 2020, according to the World Health Organization, there were more than 3,672,000 confirmed cases of COVID-19 worldwide, with over 254,000 of those cases having resulted in death; and

WHEREAS, as of May 7, 2020, according to the CDC, there were more than 1,219,000 confirmed cases of COVID-19 in the United States, with over 73,000 of those cases having resulted in death; and

WHEREAS, as of May 7, 2020, there were over 133,000 positive cases of COVID-19 in New Jersey, with at least 8,801 of those cases having resulted in death; and

WHEREAS, because of the aggressive social distancing measures we have instituted, we have begun to see a slowdown in the spread of COVID-19 and a decrease in the number of hospitalizations; and

WHEREAS, public health experts have consistently warned that rescinding social distancing restrictions and allowing society to operate as it did before the COVID-19 outbreak would result in a new spike of cases, hospitalizations, and deaths that would overwhelm our health care system and impose massive economic damage; and

WHEREAS, any effort to loosen the restrictions in place must therefore be done thoughtfully, responsibly, and in a manner that does not unnecessarily jeopardize public health; and

WHEREAS, on April 28, 2020, I signed Executive Order No. 131 (2020) to establish the Governor's Restart and Recovery Commission, which is charged with providing guidance to the Governor for reopening the New Jersey economy in a manner consistent with the State's public health efforts to slow the spread of COVID-19; and

WHEREAS, the individuals I have appointed to that Commission represent a wide breadth of expertise in various sectors, including public health, business, infrastructure, mass transit, and academia; and

WHEREAS, this expertise can be complemented by the establishment of a second advisory body that will represent diverse stakeholders across a number of economic sectors, and provide additional insight into the unique facets of New Jersey's economy and society; and

WHEREAS, the combination of these perspectives will assist officials in government as they face difficult choices involving the appropriate levels of economic and other activity that can be allowed in light of the ongoing COVID-19 outbreak;

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 Governor's Restart and Recovery Advisory Council ("Advisory Council").

2. The Advisory Council will provide guidance to the Governor on the reopening and recovery of New Jersey's economy, taking into account the unique facets of New Jersey's economy and society.

3. The Advisory Council will have three co-chairs: 1) the Chief Executive Officer of the New Jersey Economic Development Authority; 2) the Secretary of Higher Education; and 3) the President and Chief Executive Officer of Choose New Jersey.

4. With the exception of the co-chairs, the members of the Advisory Council shall be appointed by and serve at the pleasure of the Chief Executive Officer of the New Jersey Economic Development Authority. The members will represent a variety of sectors of New Jersey's economy and society, including but not limited to small business, tourism and entertainment, county and local government, transportation and infrastructure, health care,

professional services, manufacturing, construction, logistics, social services, and communities of faith. All public members of the Advisory Council shall serve without compensation.

5. The Advisory Council shall organize as soon as practicable after the appointment of its members, and shall convene as requested and in the manner requested by the co-chairs. The co-chairs shall have the authority to create subcommittees or subgroups of the full Advisory Council.

6. The co-chairs of the Advisory Council are authorized to call upon any department, office, division, or agency of this State to supply it with public data and information, as well as any personnel or other assistance available to such agency as the Advisory Council determines to be necessary to discharge its duties under this Order. Each Executive Branch department, office, division, or agency of this State is hereby required, to the extent not inconsistent with law, to cooperate fully with the co-chairs of the Advisory Council and to furnish the co-chairs of the Advisory Council with such assistance on as timely a basis as is necessary to accomplish the purposes of this Order.

7. The Advisory Council shall be purely advisory in nature, and shall provide advice to the Governor and other Executive Branch departments and agencies as requested.

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

9. 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.

10. This Order shall take effect immediately.

GIVEN, under my hand and seal this
8th day of May,
Two Thousand and Twenty, and of
the Independence of the United
States, the Two Hundred and
Forty-Fourth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 141

WHEREAS, in light of the dangers posed by Coronavirus disease 2019 ("COVID-19"), I issued Executive Order No. 103 (2020) on March 9, 2020, the facts and circumstances of which are adopted by reference herein, which declared both a Public Health Emergency and State of Emergency; and

WHEREAS, the Public Health Emergency declared in Executive Order No. 103 (2020) has been twice extended, through Executive Order No. 119 (2020), which I signed on April 7, 2020, and through Executive Order No. 138 (2020), which I signed on May 6, 2020, and continues to exist today; and

WHEREAS, in accordance with N.J.S.A. App. A:9-34 and -51, I reserve the right to utilize and employ all available resources of State government to protect against the emergency created by COVID-19; and

WHEREAS, as COVID-19 continued to spread across New Jersey and an increasing number of individuals required medical care or hospitalization, I issued a series of Executive Orders pursuant to my authority under the New Jersey Civilian Defense and Disaster Control Act and the Emergency Health Powers Act, to protect the public health, safety, and welfare against the emergency created by COVID-19, including Executive Order Nos. 104-133, Executive Order Nos. 135-138, and Executive Order No. 140 (2020), the facts and circumstances of which are all adopted by reference herein; and

WHEREAS, the Commissioner of Health ("Commissioner") is authorized by N.J.S.A. 26:13-12 to take all reasonable and necessary measures to prevent the transmission of infectious disease; and

WHEREAS, during a declaration of a Public Health Emergency, the Department of Health is responsible for overseeing the uniform prevention of the spread of disease in accordance with N.J.S.A. 26:4-2; and

WHEREAS, the Commissioner has the authority to coordinate the activities of all local health agencies with regard to public health protection related to preparing for and responding to public health emergencies, in accordance with N.J.S.A. 26:13-21; and

WHEREAS, contact tracing is a critical disease control measure that has been employed by local, county, regional and State health department personnel for decades; and

WHEREAS, the Centers for Disease Control and Prevention ("CDC") has emphasized that contact tracing is a key strategy, together with testing, social distancing, quarantining, and treatment, for preventing further spread of COVID-19 and reopening the economy; and

WHEREAS, effective contact tracing requires engaging individuals with specialized training and access to social and medical support for patients and contacts; and

WHEREAS, New Jersey must scale up and train a case investigation and contact tracer workforce to stop the continued transmission of COVID-19, which will in turn require significant coordination between the State and local health departments; and

WHEREAS, county, regional, and local health departments play a critical role in performing case investigation and contact tracing functions; and

WHEREAS, as per the CDC, case investigation, contact tracing, and contact follow-up and monitoring must be linked with testing, clinical services, and timely, comprehensive and accurate reporting of data to facilitate immediate electronic transmission of laboratory and case data for public health action; and

WHEREAS, in scaling a statewide, data-driven contact tracing initiative to meet critical need, use of a single centralized contact tracing platform to track patients and their contacts will ensure that the State's overall effort is operationally efficient; and

WHEREAS, robust and consistent contact tracing state-wide is critical to both New Jersey's current COVID-19 response and to long-term efforts to combat the virus and re-open the economy; and

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. 26:13-1 et seq. and N.J.S.A. App. A:9-33 et seq., and all amendments and supplements thereto, confer upon the Governor of the State of New Jersey certain emergency powers, which I have invoked;

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 Commissioner shall take all necessary and appropriate actions within her authority to ensure an effective statewide contact tracing system, including to establish a secure centralized contact tracing platform within the State, to issue operating procedures for tracking and recording cases using the centralized platform, to identify or establish a training curriculum on system operations and contract tracing procedures, and to address staffing needs.

2. In exercising her authority to establish an effective statewide contact tracing system, the Commissioner shall consider how best to ensure that the secure centralized contact tracing platform connects to the existing Communicable Disease Reporting and Surveillance System operated by the Department of Health.

3. In exercising her authority to establish an effective statewide contact tracing system, the Commissioner shall consider how best to ensure that the operating procedures for tracking and recording cases using the centralized platform include, at minimum, standards for maintaining privacy and safe handling of personally identifiable information by contact tracers, and for review of positive cases within specified time frames.

4. In exercising her authority to establish an effective statewide contact tracing system, the Commissioner shall consider how best to ensure that the training curriculum on system operations and contact tracing procedures include, at minimum, training regarding:

- a. Technology operations;
- b. Security and privacy issues;
- c. Case/contact investigations; and
- d. Social assistance supports.

5. All State, county, regional, and local health departments performing COVID-19 contact tracing shall adhere to the Commissioner's orders relating to the statewide contact tracing system, including using the secure centralized contact tracing platform, complying with all operating procedures, and ensuring all individuals performing contact tracing participate in the training program, under any conditions and on any timelines that the Commissioner establishes.

6. This Order shall take effect immediately and shall remain in effect until revoked or modified by the Governor.

GIVEN, under my hand and seal this
12th day of May,
Two Thousand and Twenty, and of
the Independence of the United
States, the Two Hundred and
Forty-Fourth.

[seal]

/s/ Philip D. Murphy
Governor

Attest:

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

EXECUTIVE ORDER NO. 142

WHEREAS, in light of the dangers posed by Coronavirus disease 2019 ("COVID-19"), I issued Executive Order No. 103 (2020) on March 9, 2020, the facts and circumstances of which are adopted by reference herein, which declared both a Public Health Emergency and State of Emergency; and

WHEREAS, the Public Health Emergency declared in Executive Order No. 103 (2020) has been twice extended, through Executive Order No. 119 (2020), which I signed on April 7, 2020, and through Executive Order No. 138 (2020), which I signed on May 6, 2020, and continues to exist today; and

WHEREAS, in accordance with N.J.S.A. App. A:9-34 and -51, I reserve the right to utilize and employ all available resources of State government to protect against the emergency created by COVID-19; and

WHEREAS, as COVID-19 continued to spread across New Jersey and an increasing number of individuals required medical care or hospitalization, I issued a series of Executive Orders pursuant to my authority under the New Jersey Civilian Defense and Disaster Control Act and the Emergency Health Powers Act, to protect the public health, safety, and welfare against the emergency created by COVID-19, including Executive Order Nos. 104-133, Executive Order Nos. 135-138, and Executive Order Nos. 140-141 (2020), the facts and circumstances of which are all adopted by reference herein; and

WHEREAS, among other measures to protect the health, safety, and welfare of New Jersey residents, Executive Order No. 122 (2020) prohibited non-essential construction projects from continuing in the State, given the risk of transmission at such construction sites among the workers; and

WHEREAS, to further limit the spread of COVID-19 through person-to-person contact, I issued Executive Order No. 107 (2020), which canceled all gatherings of individuals, and which thereby prohibited everything from informal events such as parties and celebrations to organized events of any kind, unless otherwise authorized; and

WHEREAS, the State Director of Emergency Management, who is the Superintendent of the State Police, issued Administrative Order No. 2020-4 to establish that gatherings of 10 persons or fewer are presumed to be in compliance with Executive Order No. 107 (2020); and

WHEREAS, while Administrative Order No. 2020-4 acknowledged there may be circumstances in which clear evidence showed an impermissible gathering was happening even if 10 persons or fewer were in attendance, law enforcement has not identified any such situations in practice, and instead is consistently enforcing violations of the prohibition on gatherings only where there have been more than 10 people in attendance; and

WHEREAS, in addition to limiting person-to-person contact at construction sites and gatherings, I also established statewide social mitigation strategies in Executive Order No. 107 (2020) that included closing the brick-and-mortar premises of non-essential retail businesses to the public; and

WHEREAS, the Centers for Disease Control and Prevention ("CDC") has now recommended that all residents wear cloth face coverings in public settings where other social distancing measures are difficult to maintain, particularly in areas of significant community-based transmission; and

WHEREAS, the CDC has also recommended certain cleaning and disinfecting procedures for businesses to reduce potential spread of COVID-19 to staff and members of the public; and

WHEREAS, as the rate of reported new cases of COVID-19 in New Jersey decreases, including a reduction in the total number of individuals being admitted to hospitals for COVID-19, the State can begin to take certain steps to lift certain restrictions that were designed to limit person-to-person contact; and

WHEREAS, even as the rate of reported new cases of COVID-19 decreases, the ongoing risks presented by COVID-19 mean that a considerable number of the State's current measures must remain in place, both to reduce additional new infections and to save lives, until additional metrics - such as expanded testing and use of contact tracing - have been satisfied; and

WHEREAS, given the decrease in the rate of reported new cases of COVID-19, permitting non-essential construction projects to resume subject to strict social distancing measures, allowing for gatherings at which individuals remain in their closed vehicles, and authorizing curbside pickup at non-essential retail businesses are each measures that are appropriately tailored to the current risk to public health and safety; and

WHEREAS, construction sites are generally limited to workers, rather than customers and other members of the public, and so involve less risk of significant transmission of COVID-19 in the community; and

WHEREAS, although gatherings generally present a significant risk of person-to-person transmission, attendees at gatherings who remain in their vehicles and therefore do not come into significant in-person contact during the gathering pose a lower threat to public health and safety, but permitting individuals to leave their

vehicle or open their windows or roofs when in proximity with other individuals could result in significant person-to-person contact, meaning that there must be careful limits whenever individuals gather while remaining in their vehicles; and

WHEREAS, permitting curbside pickup at non-essential retail businesses is reasonable in that it avoids unnecessary contact between customers and staff in enclosed spaces, and instead only allows for the similar amount of limited contact that might happen when products are being delivered to a residence; and

WHEREAS, by contrast, the extensive interactions that would happen at in-person gatherings and that would happen from in-store retail operations continue to present a significant risk, and so the general ban on gatherings and the restrictions on in-store operations for non-essential retail businesses cannot be lifted at this time; and

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. 26:13-1 et seq. and N.J.S.A. App. A:9-33 et seq., and all amendments and supplements thereto, confer upon the Governor of the State of New Jersey certain emergency powers, which I have invoked;

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 physical operations of all construction projects that were not designated as essential in Executive Order No. 122 (2020) are permitted to resume, subject to the conditions in paragraph 2 of this Order.

2. All businesses engaged in construction projects in the State, whether or not the projects were designated as essential under Executive Order No. 122 (2020), must adopt policies that include, at minimum, the following requirements:

- a. Prohibit non-essential visitors from entering the worksite;
- b. Engage in appropriate social distancing measures when picking up or delivering equipment or materials;
- c. Limit worksite meetings, inductions, and workgroups to groups of fewer than 10 individuals;
- d. Require individuals to maintain six feet or more distance between them wherever possible;
- e. Stagger work start and stop times where practicable to limit the number of individuals entering and leaving the worksite concurrently;
- f. Identify congested and "high-risk areas," including but not limited to lunchrooms, breakrooms, portable rest rooms, and elevators, and limit the number of individuals at those sites concurrently where practicable;
- g. Stagger lunch breaks and work times where practicable to enable operations to safely continue while utilizing the least number of individuals possible at the site;
- h. Require workers and visitors to wear cloth face coverings, in accordance with CDC recommendations, while on the premises, except where doing so would inhibit the individual's health or the individual is under two years of age, and require workers to

wear gloves while on the premises. Businesses must provide, at their expense, such face coverings and gloves for their employees. If a visitor refuses to wear a cloth face covering for non-medical reasons and if such covering cannot be provided to the individual by the business at the point of entry, then the business must decline entry to the individual. Nothing in the stated policy should prevent workers or visitors from wearing a surgical-grade mask or other more protective face covering if the individual is already in possession of such equipment, or if the businesses is otherwise required to provide such worker with more protective equipment due to the nature of the work involved. Where an individual declines to wear a face covering on the premises due to a medical condition that inhibits such usage, neither the business nor its staff shall require the individual to produce medical documentation verifying the stated condition;

- i. Require infection control practices, such as regular hand washing, coughing and sneezing etiquette, and proper tissue usage and disposal;
- j. Limit sharing of tools, equipment, and machinery;
- k. Where running water is not available, provide portable washing stations with soap and/or alcohol-based hand sanitizers that have greater than 60% ethanol or 70% isopropanol;

- l. Require frequent sanitization of high-touch areas like restrooms, breakrooms, equipment, and machinery;
- m. When the worksite is an occupied residence, require workers to sanitize work areas and keep a distance of at least six feet from the occupants; and
- n. Place conspicuous signage at entrances and throughout the worksite detailing the above mandates.

3. Paragraph 2 of Executive Order No. 122 (2020) is hereby superseded in full. Paragraph 3 of that Order is hereby superseded to the extent that it applied to businesses engaged in essential construction projects. New Jersey Office of Emergency Management (NJOEM) Administrative Order No. 2020-11 is hereby superseded in full.

4. Any gathering that adheres to all of the following rules does not violate Paragraph 5 of Executive Order No. 107 (2020):

- a. Attendees participating in the gathering must arrive in a vehicle and they must remain in that same vehicle during the entire gathering;
- b. Each attendee's vehicle must remain entirely closed at all times, meaning that the windows, doors, sunroofs, and tops of the vehicle must be closed at all times, unless:
 - i. The vehicle is more than six feet from any other vehicle or individual, except for, as applicable, the limited number of individuals organizing or maintaining the gathering; or

- ii. A law enforcement officer, appropriate public official, or private security guard asks any attendee to open the vehicle's windows, doors, sunroofs, and/or tops.
- c. If there are individuals organizing or maintaining the gathering, and who are not in closed vehicles, such individuals must follow all applicable Executive Orders and Administrative Orders, and must wear cloth face coverings or more protective face coverings in any settings where other social distancing measures are difficult to maintain, except where doing so would inhibit that individual's health; and
- d. To the degree that a gathering requires pre-payment, or seeks donations of any kind, contactless options for pre-payment or donation, such as online or by telephone, must be offered wherever feasible.

5. If an individual leaves their home to participate in any gathering in accordance with Paragraph 4 of this Order, it shall not be a violation of Paragraph 2 of Executive Order No. 107 (2020).

6. If a recreational and entertainment event adheres to the rules laid out in Paragraph 4 of this Order, it will also not be a violation of Paragraph 9 of Executive Order No. 107 (2020). Paragraph 9 of Executive Order No. 107 (2020) is hereby superseded to the extent that it prohibited recreational and entertainment events where customers do not leave their vehicles.

7. Nothing in Paragraph 4 of this Order shall prevent an individual from leaving a vehicle, opening a vehicle's windows, sunroofs, doors, and/or tops, and/or approaching a vehicle, if done to protect their health or safety or the health or safety of another individual, or to access a restroom.

8. Where a gathering does not adhere to Paragraph 4 of this Order, gatherings of 10 persons or fewer are in compliance with the terms of Section 5 of Executive Order No. 107 (2020), while gatherings of more than 10 persons are in violation of that Executive Order.

9. Non-essential retail businesses are permitted to reopen to the public, but only where they adopt policies that include, at minimum, the following requirements:

- a. Customers shall not be permitted to enter the brick-and-mortar premises, but shall be permitted to pick up goods outside of the establishment that they have already ordered ("curbside pickup");
- b. In-store operations shall be limited, wherever feasible, to those employees who are responsible for the operations required for curbside pickup;
- c. Customer transactions shall be handled in advance by phone, email, facsimile, or other means that avoid person-to-person contact, wherever feasible;
- d. Customers shall notify the retailer by text message, email, or phone once they arrive, whenever feasible, or make best efforts to schedule their arrival time in advance. The customer shall be asked to remain in their vehicle, if arriving by car, until store staff delivers the purchase;

- e. Designated employees shall bring goods outside of the retail establishment and place the goods directly in a customer's vehicle whenever feasible; and
- f. Retail businesses operating in shopping malls are permitted to operate by curbside pickup, in accordance with the other requirements of this paragraph, but employees must bring the goods to customers at the exterior of the mall and shall place them directly in a customer's vehicle whenever feasible. The indoor portions of shopping malls shall remain closed to the public, consistent with Executive Order No. 107 (2020).

Additionally, the policies described in this paragraph should also ensure that non-essential retail business employers do the following, at a minimum:

- g. Require infection control practices, such as regular hand washing, coughing and sneezing etiquette, and proper tissue usage and disposal;
- h. Provide employees break time for repeated handwashing throughout the workday;
- i. Provide sanitization materials, such as hand sanitizer and sanitizing wipes, to staff;
- j. Require frequent sanitization of high-touch areas to which workers have access; and
- k. Require workers to wear cloth face coverings and gloves when interacting with other workers or customers and require workers to wear gloves when in contact with customers or goods. Businesses must provide, at their expense, such face coverings

and gloves for their employees. Nothing in the stated policy should prevent workers from wearing a surgical-grade mask or other more protective face covering if the individual is already in possession of such equipment, or if the business is otherwise required to provide such worker with more protective equipment due to the nature of the work involved.

10. The State Director of Emergency Management, who is the Superintendent of State Police, shall have the discretion to make additions, amendments, clarifications, exceptions, and exclusions to the terms of this Order.

11. 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 in all matters concerning this Executive Order, and to cooperate fully with Administrative Orders issued pursuant to this Executive Order.

12. 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 or might in any way interfere with or impede the achievement of this Order.

13. Penalties for violations of this Executive Order may be imposed under, among other statutes, N.J.S.A. App. A:9-49 and -50.

14. Paragraphs 4-8 shall take effect immediately and Paragraphs 1-3 and 9 shall take effect at 6:00 a.m. on Monday, May 18, 2020. This Order shall remain in effect until revoked or modified by the Governor.

GIVEN, under my hand and seal this
13th day of May,
Two Thousand and Twenty, and of
the Independence of the United
States, the Two Hundred and
Forty-Fourth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 143

WHEREAS, in light of the dangers posed by Coronavirus disease 2019 ("COVID-19"), I issued Executive Order No. 103 on March 9, 2020, the facts and circumstances of which are adopted by reference herein, which declared both a Public Health Emergency and State of Emergency; and

WHEREAS, on May 6, 2020, I issued Executive Order No. 138 (2020), the facts and circumstances of which are adopted by reference herein, which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, in accordance with N.J.S.A. App. A:9-34 and -51, I reserve the right to utilize and employ all available resources of State government to protect against the emergency created by COVID-19; and

WHEREAS, as COVID-19 continued to spread across New Jersey and an increasing number of individuals required medical care or hospitalization, I issued a series of Executive Orders pursuant to my authority under the New Jersey Civilian Defense and Disaster Control Act and the Emergency Health Powers Act, to protect the public health, safety, and welfare against the emergency created by COVID-19, including Executive Order Nos. 104-133, Nos. 135-138, and Nos. 140-142 (2020), the facts and circumstances of which are all adopted by reference herein; and

WHEREAS, among these actions, and in recognition that the Centers for Disease Control and Prevention ("CDC") has advised that social mitigation strategies for combatting COVID-19 require every effort to reduce the rate of community spread of the disease and that COVID-19 spreads most frequently through person-to-person contact when individuals are within six feet or less of one another, I issued Executive Order No. 107 (2020) to order steps to mitigate community spread of COVID-19; and

WHEREAS, to further limit community spread from person-to-person contact through use of social mitigation measures, Executive Order No. 107 (2020) required, with limited exceptions, New Jersey residents to remain in their place of residence, cancelled all gatherings, and closed all recreational and entertainment businesses; and

WHEREAS, Executive Order No. 108 (2020) ordered that 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 Executive Order No. 107 (2020), or which will or might in any way interfere with or impede its achievement, or the achievement of Administrative Orders issued as authorized by Executive Order No. 107 (2020); and

WHEREAS, Executive Order No. 108 (2020) contained an exception allowing municipalities and counties to, among other things, impose additional restrictions at municipal or county parks; and

WHEREAS, the New Jersey Office of Emergency Management ("NJOEM") Administrative Order No. 2020-5, clarified that municipalities may impose additional restrictions at beaches and boardwalks in response to COVID-19 pursuant to Executive Order No. 108 (2020); and

WHEREAS, due to increased public interaction and gatherings at county and State parks throughout the State, I issued Executive Order No. 118 (2020) on April 7, 2020, which closed State Parks and Forests, as well as county parks, to the public in order to further social distancing requirements; and

WHEREAS, Executive Order No. 118 (2020) defined "State Parks and Forests" as all State parks, forests, recreation areas, historic sites, marinas, golf courses, botanical gardens, and other lands, waters, and facilities assigned to the State Park Service in the Division of Parks and Forestry of the Department of Environmental Protection ("DEP"); and

WHEREAS, Executive Order No. 118 (2020) superseded Executive Order No. 108 (2020) to the extent that Executive Order No. 108 (2020) had allowed counties to impose additional restrictions at county parks in response to COVID-19; and

WHEREAS, on April 8, 2020, and April 11, 2020, I issued Executive Order Nos. 122 and 125 (2020), respectively, which imposed additional mitigation requirements on essential businesses and transportation carriers to ensure that they are following CDC and other public health guidelines regarding social distancing, cleaning, sanitizing, and hygiene practices; and

WHEREAS, on April 29, 2020, I issued Executive Order No. 133 (2020), superseding Executive Order No. 118 (2020), which reopened State Parks and Forests and provided counties the discretion to reopen their parks; and

WHEREAS, Executive Order No. 133 (2020) imposed certain mitigation requirements to be followed at State Parks and Forests, as well as county and municipal parks, to ensure that visitors follow CDC and other public health guidelines regarding social distancing, cleaning, sanitizing, and hygiene practices while visiting parks; and

WHEREAS, New Jersey is no longer seeing an increase in the number of new cases of COVID-19 that are being reported on a daily basis, and the State is experiencing a decrease in the number of individuals visiting emergency departments and being admitted to hospitals for COVID-19; and

WHEREAS, the CDC has issued guidance for visiting parks and recreational facilities, recognizing that parks and open spaces, which includes beaches and lakeshores, provide people a vital way to keep the mind and body healthy; and

WHEREAS, the CDC guidance regarding the safe access of parks and recreational facilities advises individuals to stay six feet away from other visitors, avoid use of playgrounds, decline participation

in organized sports and recreational activities, and visit parks close to home to limit travel distances; and

WHEREAS, the Jersey Shore, made up of approximately 140 miles of beaches on the ocean, rivers and bays, is a popular outdoor recreation destination for the public beginning on Memorial Day through the summer months; and

WHEREAS, under the common law and statutes of New Jersey, including the Public Trust Doctrine, codified at N.J.S.A. 13:1D-150, the natural resources, including certain lands, waters, air, and living resources, are held in trust by the State for the benefit of the public, who have the right to access and enjoy these resources, including the State's tidal waters and adjacent shorelines, and those of the lakes, rivers, and bays throughout the State; and

WHEREAS, municipalities that have property rights in lands bordering the ocean, tidal water, bays, or rivers utilized as a place of resort for public recreation and for other purposes, have the authority to make and enforce rules and regulations for the management and care of the beaches and any boardwalk, bathing, recreational, or related facilities pursuant to N.J.S.A. 40:61-22.20, subject to the Public Trust Doctrine, N.J.S.A. 13:1D-150, any easement, permit, agreement, or encumbrance held or issued by the State, and any applicable State law or regulation; and

WHEREAS, municipalities may impose reasonable restrictions on public access to beaches to protect public safety and welfare, such as limiting the number of persons allowed on the beach at any one time, provided such restrictions are applied in a non-discriminatory manner; and

WHEREAS, municipalities may not impose restrictions to public access of New Jersey's beaches that overtly or implicitly discriminate against persons based on residency, income-level, or any protected class; and

WHEREAS, New Jersey's abundant rivers, bays, lakes, and adjacent shores likewise provide popular outdoor recreation destinations for the public, including during the summer months; and

WHEREAS, as New Jersey makes continued progress in its fight against COVID-19, it is appropriate to ensure that New Jerseyans can safely enjoy outdoor recreation, including access to beaches, boardwalks, lakes, and lakeshores throughout the State as a way to enhance physical and mental health, while maintaining reasonable restrictions to help limit the spread and prevent future outbreaks of COVID-19 and protect the health, safety, and welfare of New Jersey residents; and

WHEREAS, notwithstanding public access rights and any individual, municipal, or private rights to control one's property, it is imperative that reasonable restrictions to protect public health are implemented consistently throughout the State, including in our coastal and lakeshore communities pursuant to a Statewide policy; and

WHEREAS, as public health experts have observed, even as the State is able to allow outdoor recreation with reasonable restrictions, due to the ongoing risk of community spread of COVID-19, the extensive interactions that would happen from in-store retail operations and within recreational and other businesses continue to present a significant risk, and so the restrictions on in-store operations for non-essential retail businesses, and inside recreational and other businesses cannot be lifted at this time; and

WHEREAS, in light of the above, the traditional Memorial Day openings of New Jersey's shore and lake communities that provide recreation and enjoyment of beaches, boardwalks, lakes, and lakeshores must be balanced with our continued need to implement the social mitigation measures that remain necessary in our ongoing fight against the spread of COVID-19 and to prevent future outbreaks; and

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. 26:13-1 et seq., 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, which I have invoked;

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. All public and private beaches, boardwalks, lakes, and lakeshores in the State may be open to the public as long as these spaces are used and maintained consistent with the restrictions and recommendations herein.

2. The following shall be closed to the public at all public and private beaches, boardwalks, lakes, and lakeshores:

- a. Water Fountains;
- b. Picnic Areas;
- c. Playgrounds;
- d. Pavilions;
- e. Indoor recreational areas;
- f. Water play areas, such as splash parks;
- g. Water play equipment, including but not limited to goggles, snorkels, fins, kick boards, pool noodles and toys; and
- h. Other ancillary buildings or facilities, including, but not limited to visitor centers, but excluding bathrooms, showering or changing areas.

3. Notwithstanding the requirements of the common law Public Trust Doctrine, N.J.S.A. 13:1D-150, N.J.S.A. 40:61-22.20, and other applicable laws, municipalities, lake commissions, and private club

associations or entities shall implement the following restrictions at all public and private beaches, boardwalks, lakes, and lakeshores:

- a. Impose non-discriminatory capacity restrictions including, but not limited to:
 - i. Limiting the number of available seasonal and daily beach tags; or
 - ii. Otherwise limiting beach or lakeshore access;
- b. Require that members of the public practice social distancing while present at all public and private beaches, boardwalks, lakes, and lakeshores, including staying six feet apart whenever practicable, excluding immediate family members, caretakers, household members, or romantic partners. Such measures may include, but are not limited to:
 - i. Controlling density at entrance points and gates and limiting points of ingress or egress to single directional flows of pedestrian traffic provided such restrictions are consistent with requirements and obligations under State and federal law, including but not limited to State Aid Agreements, permits and Green Acres restrictions;
 - ii. Demarcating six feet of spacing in any area where the public may form a line;
 - iii. Demarcating six feet of spacing along the beach or lakeshore to demonstrate appropriate spacing for social distancing through the placement of cones, flags, or other markings;
 - iv. Installing a physical barrier, such as a shield guard, between the public and employees, in any ticket or beach badge sales booths, or otherwise

- ensuring six feet of distance between those individuals, except at the moment of payment;
- v. Limiting occupancy of ticket or beach badge sales booths to one person at a time;
 - vi. Installing foot pedals or motion sensors for each shower pedestal and requiring foot coverings during use; and
 - vii. Relocating bicycle racks or other objects that may impede the flow of pedestrian traffic or facilitate congregating that is contrary to social mitigation measures;
- c. Develop and implement lifeguard training and beach operation plans, which can include limiting the number of lifeguards at a given time on any stand or tower while adding lifeguard towers, as necessary, to maintain social distance between lifeguards while providing the same coverage and protection necessary to ensure public safety, after consideration of guidance provided by the United States Lifesaving Association, the New Jersey Department of Health ("DOH"), and county health departments that address COVID-19 considerations;
 - d. Remove, tape-off, or otherwise block access to all benches and tables to discourage gatherings;
 - e. Prohibit the tying together or "rafting up" of boats to discourage group gatherings;
 - f. Develop and implement a continuous public outreach campaign to communicate restrictions, set expectations, and emphasize the importance of social distancing and hygiene. Examples of appropriate public outreach include, but are not limited to,

highly visible signage, social media, town and county websites, radio, mobile device applications, and banner-plane advertising;

- g. Prohibit impermissible gatherings of individuals, including special events such as festivals, concerts, fireworks, and movies, consistent with paragraph 5 of Executive Order No. 107 (2020) and paragraph 8 of Executive Order No. 142 (2020);
- h. Prohibit all organized or contact activities or sports;
- i. Limit occupancy in public restrooms that remain open to avoid over-crowding and maintain social distancing through signage and, where practicable, the utilization of attendants to monitor capacity; and
- j. Require frequent sanitization of any areas opened to the public, including, at minimum, the following cleaning protocols:
 - i. Routinely clean and disinfect high-touch areas at appropriate intervals in accordance with CDC and DOH guidelines, particularly in spaces that are accessible to staff, the public, or other individuals, including, but not limited to, restroom facilities, lifeguard stands or towers, gates, ticket or sales booths, shower pedestals, counter tops, sinks, door knobs, other common surfaces, and other frequently touched surfaces; and
 - ii. Train and equip workers to perform the above protocols effectively and in a manner that promotes the safety of public and staff.

4. All employees and visitors are strongly encouraged to wear face coverings when present on the public and private beaches, boardwalks, lakes, and lakeshores in any settings where other social distancing measures are difficult to maintain, except where doing so would inhibit that individual's health or where the individual is under two years of age, and all operators of public and private beaches, boardwalks, lakes, and lakeshores shall post signage indicating that face coverings are strongly encouraged.

5. Except as otherwise provided herein, access to public beaches, lakes, and lakeshores shall be consistent with State law and regulations, and shall not be restricted in any discriminatory manner, including by offering only seasonal beach tags without a daily beach tag option, by restricting municipal or street parking, or in any other manner that expressly or implicitly discriminates based on residency, race, income, ability, or any legally protected status or class of persons.

6. All restaurants, cafeterias, dining establishments, and food courts, with or without a liquor license, all bars, and all other holders of a liquor license with retail consumption privileges located on the public and private beaches, boardwalks, and lakeshores, including concessions, snack bars, and food trucks, shall remain limited to offering only food delivery and/or take-out services pursuant to Executive Order No. 107 (2020).

7. Amusement parks and arcades, as well as other places of public amusement located on the public and private beaches, boardwalks, and lakeshores, shall remain closed pursuant to Executive Order No. 107 (2020).

8. The restrictions set forth in paragraphs 2 through 7 of this Order shall also apply to all public piers, docks, wharfs, boat ramps, and boat landings throughout the State, including along

waterways managed or controlled by any commission, association, or unit of county or local government.

9. Consistent with Paragraph 3 of Executive Order No. 108 (2020), as clarified by paragraph 3 of NJOEM Administrative Order No. 2020-5, any responsible commission, association, or unit of county or local government may impose additional restrictions not inconsistent with this Order, or may close any public beaches, boardwalks, lakes, and lakeshores within their jurisdiction in response to COVID-19. Private beach club associations or entities may also impose additional restrictions upon private property in response to COVID-19 that are not inconsistent with this Order.

10. Nothing in this Order shall limit, or otherwise modify, existing regulatory requirements set forth in the New Jersey State Sanitary Code regulations, N.J.A.C. 8:26, adopted pursuant to N.J.S.A. 26:1A-7 and N.J.S.A. 26:4A-7, including but not limited to:

11. Requirements to post advisories or restrict access to beaches or lakes in accordance with water quality standards and protocols established by DEP or the Department of Health in connection with the New Jersey Cooperative Coastal Monitoring Program or Cyanobacterial Harmful Algal Bloom (HABs) Freshwater Recreational Response Strategy; and

b. Sanitation and safety regulations for recreational bathing facilities to preserve public health.

12. The following shall be allowed at State Parks and Forests, as well as county and municipal parks that remain open pursuant to Executive Order No. 133 (2020):

- a. Swimming in designated areas consistent with the restrictions herein; and
- b. Picnicking provided that social distancing requirements are observed, except that picnic areas shall remain closed.

13. Restrooms located at any State Park and Forest, as well as county and municipal parks subject to Executive Order No. 133 (2020), shall be opened to the public and subject to frequent sanitization pursuant to, at minimum, the following cleaning protocols:

- a. Routinely clean and disinfect high-touch areas at appropriate intervals in accordance with CDC and DOH guidelines, particularly in spaces that are accessible to staff, the public, or other individuals, including, but not limited to, restroom facilities, counter tops, sinks, door knobs, other common surfaces, and other frequently touched surfaces;
- b. Limit occupancy in public restrooms that remain open to avoid over-crowding and maintain social distancing through signage and, where practicable, the utilization of attendants to monitor capacity; and
- c. Train and equip workers to perform the above protocols effectively and in a manner that promotes the safety of public and staff.

14. Paragraph 9 of Executive Order No. 107 (2020) is hereby superseded to the extent it closes private beach clubs, but otherwise remains in full force and effect. Paragraphs 2 and 3 of Executive Order No. 133 (2020) are hereby superseded to the extent they prohibit swimming and picnicking and close restrooms at State Parks and Forests, as well as county and municipal parks.

15. The State Director of Emergency Management, who is the Superintendent of State Police, shall have the discretion to make additions, amendments, clarifications, exceptions and exclusions to the terms of this Order.

16. 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 in all matters concerning this Executive Order, and to cooperate fully with Administrative Orders issued pursuant to this Executive Order.

17. 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 or might in any way interfere with or impede its achievement.

18. Penalties for violations of this Executive Order may be imposed under, among other statutes, N.J.S.A. App. A:9-49 and -50.

19. This Order shall take effect beginning at 6:00 a.m. on Friday, May 22, 2020, except that paragraph 13 shall be effective at 6:00 a.m. on Saturday, May 16, 2020, and shall remain in effect until revoked or modified by the Governor, who shall consult with the Commissioner of DOH as appropriate.

GIVEN, under my hand and seal this
 14th day of May,
 Two Thousand and Twenty, and of
 the Independence of the United
 States, the Two Hundred and
 Forty-Fourth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 144

WHEREAS, in light of the dangers posed by COVID-19, I issued Executive Order No. 103 (2020) on March 9, 2020, the facts and circumstances of which are adopted by reference herein, which declared both a Public Health Emergency and State of Emergency; and

WHEREAS, to further protect the health, safety, and welfare of New Jersey residents by, among other things, reducing the rate of community spread of COVID-19, I issued Executive Order No. 104 (2020) on March 16, 2020, the facts and circumstances of which are also adopted by reference herein, which established statewide social mitigation strategies for combatting COVID-19; and

WHEREAS, on March 21, 2020, I issued Executive Order No. 107 (2020), superseding Executive Order No. 104 (2020) and requiring New Jersey residents to remain home or at their place of residence subject to limited exceptions, cancelling social gatherings, and limiting all restaurants and other dining establishments to offering only food delivery and/or take-out services; and

WHEREAS, on April 7, 2020, I issued Executive Order No. 119 (2020), which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, on May 6, 2020, I issued Executive Order No. 138 (2020), which again declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, as of May 14, 2020, according to the Centers for Disease Control and Prevention ("CDC"), there were more than 4,248,000 confirmed cases of COVID-19 worldwide, with over 292,000 of those cases having resulted in death; and

WHEREAS, as of May 14, 2020, there were more than 1,384,000 confirmed cases of COVID-19 in the United States, with over 83,000 of those cases having resulted in death; and

WHEREAS, as of May 14, 2020, there were over 142,000 positive cases of COVID-19 in New Jersey, with at least 9,946 of those cases having resulted in death; and

WHEREAS, on March 19, 2020, I issued Executive Order No. 105 (2020), which declared that certain elections set to take place in March and April were postponed until May 12, 2020 and that all registered voters would receive vote-by-mail ballots because allowing those elections to proceed as they were originally planned during this unprecedented COVID-19 health crisis would have created hardships and health risks for voters, poll workers and candidates alike; and

WHEREAS, pursuant to Executive Order No. 120 (2020), the primary elections set to take place on June 2, 2020, were postponed until July 7, 2020 ("July primary elections"), because preparing for elections to take place in June during the potential height of the COVID-19 emergency would have negatively impacted election officials' preparation efforts; and

WHEREAS, the COVID-19 emergency and its impact are likely to extend for an as-yet-undetermined period of time; and

WHEREAS, the COVID-19 emergency makes it difficult for election officials, candidates, and voters to properly plan and prepare for and fully participate in the July primary elections if they were to proceed as they would under normal circumstances; and

WHEREAS, States generally have discretion to dictate the time, manner, and place of elections in the absence of controlling federal law; and

WHEREAS, allowing the July primary elections to proceed as they would under normal circumstances during this unprecedented COVID-19 health crisis will create hardships and health risks for voters, poll workers and candidates alike; and

WHEREAS, election officials require flexibility and sufficient lead time to adapt the State's voting infrastructure to confront the magnitude of the public health and safety risks of the COVID-19 pandemic; and

WHEREAS, the full participation of voters and candidates is critical to a robust democracy; and

WHEREAS, as of May 1, 2020, there are over 6.1 million registered voters in New Jersey - over 2.4 million are Unaffiliated voters, over 2.3 million are registered Democrats, and over 1.3 million are registered Republicans; and

WHEREAS, failing to take proactive actions to mitigate the adverse impacts of the current health crisis on the upcoming primary carries the risk of disenfranchising countless citizens; and

WHEREAS, social distancing measures are required for a period of as-yet-undetermined duration, and the COVID-19 outbreak may have significant effects on New Jersey's voting systems as long as social distancing measures are in place and for some time thereafter; and

WHEREAS, failing to offer voters a ready alternative to reporting to public polling places to vote in July in the midst of the COVID-19 crisis will hinder public participation in the democratic process, particularly among elderly and immune-compromised voters, and undermine the legislative intent of provisions like N.J.S.A. 19:8-2 and 19:8-3.1, which are designed to ensure that such voters can exercise their right to vote; and

WHEREAS, voting by mail is already an authorized mode of voting in New Jersey pursuant to Title 19, subtitles 62 and 63; and

WHEREAS, at least 34 states and the District of Columbia already allow voters to cast their ballot via mail and five states run entirely vote-by-mail elections; and

WHEREAS, in-person voting has declined over the years, while the total number of voters who voted by mail has steadily increased; and

WHEREAS, voting-by-mail may have a disproportionate impact on historically disenfranchised voters such as disabled voters, low-income voters, voters with unstable housing, limited-English-speaking voters, and voters of color; and

WHEREAS, election officials can address this potential inequity by providing historically disenfranchised voters with an alternative to voting by mail; and

WHEREAS, pursuant N.J.S.A. 19:63-20(b), an individual who receives a vote-by-mail ballot but has not voted and returned that ballot, may show up to their polling place and vote a provisional ballot; and

WHEREAS, opening a limited number of public polling places that meet public health standards to mitigate the spread of COVID-19 will support historically disenfranchised citizens' ability to vote; and

WHEREAS, New Jersey citizens are presently faced with the choice of exercising their constitutional franchise, or endangering their health and safety; and

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. 26:13-1 et seq., 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, which I have invoked;

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. All elections that take place on July 7, 2020, shall be conducted primarily via vote-by-mail ballots, which will automatically be sent to all "Active" registered Democratic and Republican voters without the need for an application to receive a vote-by-mail ballot. The County Clerk shall send vote-by-mail applications to "Active" voters who are registered as "Unaffiliated," and to all "Inactive" registered Democrats, Republicans, and "Unaffiliated" voters.

2. To provide "Unaffiliated" voters, "Inactive" registered Democrats, and "Inactive" registered Republicans every opportunity to return a vote-by-mail application and receive a vote-by-mail ballot for the July 7, 2020 Primary Election, the deadline for returning a vote-by-mail application in person in N.J.S.A. 19:63-3(d) shall be suspended.

3. All vote-by-mail return envelopes and vote-by-mail applications shall have prepaid postage in order to guarantee the proper delivery of all cast vote-by-mail ballots and completed applications.

4. The Secretary of State shall prepare a vote-by-mail application form specific to the July 7, 2020 Primary Election to address issues created by sending applications and vote-by-mail ballots in accordance with this Order.

5. The requirements of N.J.S.A. 19:23-30 that sample ballots be sent shall be suspended. In lieu of sending a sample ballot, the appropriate county official, as identified in N.J.S.A. 19:23-30, shall send notice of the voter's polling place, information on where to obtain a sample ballot prior to the election, a statement indicating that a sample ballot will be available at the polling place on the day of the election, and, if applicable, information on a county website where a sample ballot may be viewed.

6. To the extent possible, each county shall procure at least 5 secure ballot drop boxes and place them in locations that are readily accessible to the registered voters within the county. The security of the ballot drop boxes and schedule of ballot pickup shall conform with standards set forth by the Secretary of State.

7. Each county shall open a minimum of at least 1 polling place in each municipality. Provided that sufficient poll workers are available, each county shall open a minimum of 50 percent of its polling places, and may open more than the minimum number of polling places. To the best of their ability, the County Boards of Elections shall select polling places based on geographic location and population density to best serve the voters of each municipality. County Boards of Elections must ensure that polling places and poll workers implement, at a minimum, the following requirements:

- a. Limit occupancy within a polling place to a number that permits voters to maintain a distance of six feet between each other and poll workers at any time;

- b. Ensure six feet of distance between voters and ensure six feet of distance between voters and poll workers through the demarcation of six feet of spacing in voter lines and poll worker stations to demonstrate appropriate spacing for social distancing;
- c. Require infection control practices, such as regular hand washing, coughing and sneezing etiquette, and proper tissue usage and disposal;
- d. Provide poll workers break time for repeated handwashing throughout their shifts;
- e. Require frequent sanitization of high-touch areas in polling places consistent with CDC guidelines as of the date of the election;
- f. Place conspicuous signage at entrances and throughout the polling place alerting poll workers and voters to the required six feet of physical distance;
- g. Provide sanitization materials, such as hand sanitizer and sanitizing wipes, to poll workers, voters, and those accompanying voters;
- h. Require poll workers to adhere to CDC guidelines as of the date of the election regarding face coverings while in the polling place, except where doing so would inhibit that individual's health, and require poll workers to wear gloves when in contact with voters and those accompanying voters. County boards of elections must provide any required face coverings and gloves for poll workers, without charge to the poll workers. If a

poll worker refuses to wear a required cloth face covering for non-medical reasons, then a county board of elections may decline entry to the individual. Nothing in the stated policy should prevent poll workers from wearing a surgical-grade mask or other more protective face covering if the individual is already in possession of such equipment. Where a poll worker declines to wear a required face covering at a polling place due to a medical condition that inhibits such usage, they shall not be required to produce medical documentation verifying the stated condition; and

- i. Strongly encourage voters and those accompanying voters to adhere to any CDC guidelines as of the date of the election regarding face coverings while inside polling places except where doing so would inhibit that individual's health. County boards of elections may provide such face coverings for voters and those accompanying voters, without charge to them. If a voter or person accompanying a voter refuses to comply with the CDC guidelines, a poll worker shall not deny entry to the voter or person. Nothing in the stated policy should prevent voters from wearing a surgical-grade mask or other more protective face covering if the individual is already in possession of such equipment.

8. In accordance with Executive Order No. 120 (2020), the deadline to certify a list of polling places for the July 7, 2020 Primary Election is June 15, 2020. That certification need only

include those polling places to be used in the July 7, 2020 Primary Election. The deadline for certification of polling places for the remainder of the year, pursuant to N.J.S.A. 19:8-4, is hereby extended to September 15, 2020.

9. The Secretary of State may modify the requirements of N.J.S.A. 19:31-21 concerning the use of poll books and the information contained therein as necessary to address the procedure by which the July 7, 2020 Primary Election will be conducted under this Order, and the needs resulting therefrom.

10. Any voter who appears at a polling place on the day of the July primary shall vote via a provisional ballot, except that a voter with disabilities may vote on an ADA-accessible voting machine.

11. Voted mail-in ballots may not be returned to a polling place established pursuant to paragraph 5 of this Order.

12. The time restrictions of N.J.S.A. 19:63-9 shall be suspended, and vote-by-mail ballots shall be mailed in compliance with a schedule to be prepared by the Secretary of State in a manner to ensure the timely receipt and return of ballots for counting in the July 7, 2020 elections.

13. Vote-by-mail ballots shall be processed and canvassed in accordance with guidelines provided by the Centers for Disease Control and Prevention, the State Department of Health, and the respective county departments of health.

14. To account for the increase in vote-by-mail ballots and to ensure that registered voters' efforts to vote are not impacted by delays in the postal service, the ballot-return deadline in N.J.S.A. 19:63-22 shall be suspended. Every vote-by-mail ballot that is postmarked on or before July 7, 2020, and that is received

by July 14, 2020, at 8:00 p.m. shall be considered valid and shall be canvassed.

15. To account for the increase in vote-by-mail ballots and to provide the county Boards of Elections sufficient time to canvass the returned ballots, N.J.S.A. 19:63-18 is hereby suspended. The county Boards of Elections may continue the counting of ballots beyond the close of polls on July 7, 2020, and adjourn counting to the following day, and any day thereafter, within the limits of this Order, until the counting is completed.

16. To allow for greater flexibility in obtaining poll workers, the county-resident requirement for poll workers set forth in N.J.S.A. 19:6-2 is hereby suspended.

17. Due to the limited number of polling places that will be open for July 7, 2020 Primary Election, the 1,000 foot limitation on the location of polling places set forth in N.J.S.A. 19:8-2 shall be suspended.

18. Due to the suspension of N.J.S.A. 19:63-22 and N.J.S.A. 19:63-18, the deadlines in the following statutes are all hereby extended by five (5) days: the impoundment period for voting machines in N.J.S.A. 19:52-6; the filing of selection of column and designation, pursuant to N.J.S.A. 19:14-9; the certification of the election results in N.J.S.A. 19:23-54; the filing of an election contest petition, pursuant to N.J.S.A. 19:29-3; the certification of results, pursuant to N.J.S.A. 19:23-55; the filing of a recount petition, pursuant to N.J.S.A. 19:28-1; the application for voting machine recheck, pursuant to N.J.S.A. 19:52-6; and the time to prepare reports pursuant to N.J.S.A. 19:53B-21 and 19:53C-21.

19. The Secretary of State shall establish other appropriate standards for ensuring that all eligible voters, including but not limited to those voters with disabilities, are able to exercise their right to vote in the July 7, 2020 elections.

20. The Secretary of State and county election officials, as appropriate, shall coordinate with the United States Postal Service to facilitate proper delivery of ballots by the United States Postal Service.

21. The Secretary of State and county election officials, as appropriate, shall act to facilitate the public's understanding of the rules governing the July 7, 2020 elections.

22. The Secretary of State shall establish a hotline number for reports of violations of the election laws and this Order in connection with the July 7, 2020 elections.

23. Any actions taken by the Secretary of State pursuant to this Order shall not be subject to the requirements of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq.

24. This Order shall take effect immediately.

GIVEN, under my hand and seal this
15th day of May,
Two Thousand and Twenty, and of
the Independence of the United
States, the Two Hundred and
Forty-Fourth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 145

WHEREAS, in light of the dangers posed by Coronavirus disease 2019 ("COVID-19"), I issued Executive Order No. 103 (2020) on March 9, 2020, the facts and circumstances of which are adopted by reference herein, which declared both a Public Health Emergency and State of Emergency; and

WHEREAS, through Executive Order Nos. 119 and 138 (2020), issued on April 7, 2020, and May 6, 2020, respectively, the facts and circumstances of which are adopted by reference herein, I declared that the COVID-19 Public Health Emergency continued to exist and declared that all Executive Orders and Administrative Orders adopted in whole or in part in response to the COVID-19 Public Health Emergency remained in full force and effect; and

WHEREAS, in accordance with N.J.S.A. App. A:9-34 and -51, I reserve the right to utilize and employ all available resources of State government to protect against the emergency created by COVID-19; and

WHEREAS, as of May 14, 2020, according to the Centers for Disease Control and Prevention (CDC), there were more than 4,248,000 confirmed cases of COVID-19 worldwide, with over 292,000 of those cases having resulted in death; and

WHEREAS, as of May 14, 2020, there were more than 1,384,000 confirmed cases of COVID-19 in the United States, with over 83,000 of those cases having resulted in death; and

WHEREAS, as of May 14, 2020, there were over 142,000 positive cases of COVID-19 in New Jersey, with at least 9,946 of those cases having resulted in death; and

WHEREAS, on March 23, 2020, I issued Executive Order No. 109 (2020) which ordered that as of 5:00 p.m. on Friday, March 27, 2020, all "elective" surgeries performed on adults, whether medical or dental, and all "elective" invasive procedures

performed on adults, whether medical or dental, would be suspended in New Jersey; and

WHEREAS, an "elective" surgery or invasive procedure was defined as any surgery or invasive procedure that can be delayed without undue risk to the current or future health of the patient as determined by the patient's treating physician or dentist; and

WHEREAS, this step was necessary at the time because hospitalizations, intensive care unit admissions, and ventilator usage were rapidly spiking, and these surgeries and procedures, whether undertaken in a hospital, ambulatory surgery center or provider office, necessarily draw upon the skill and time of critical health care professionals and involve the use of equipment and supplies that may be needed to treat those who are critically ill; and

WHEREAS, the suspension of these surgeries and procedures preserved the capacity of our health care system to deal with the surge of COVID-19 cases, which reached its maximum impact on the health care system in the middle of April; and

WHEREAS, over the last month, because of the social distancing measures that have been put in place, the rates of confirmed COVID-19 spread have decreased drastically; and

WHEREAS, on April 4, the three-day average of new confirmed positive COVID-19 cases peaked at 4,064 cases, while by May 11, this three-day average had fallen to 1,572 new cases - a 61 percent decrease; and

WHEREAS, the decreased rates of confirmed spread of COVID-19 resulted in fewer individuals seeking COVID-19-related emergency medical care; and

WHEREAS, on April 10, the three-day average of new COVID-19 hospitalizations peaked at 869 new patient hospitalizations, while by May 11, this three-day average had fallen to 250 new patient hospitalizations - a 71 percent decrease; and

WHEREAS, the decrease in new admissions to hospitals and the number of patients who have recoveries enabling them to leave the hospital has resulted in an overall decrease in the number of COVID-19 patients in hospitals; and

WHEREAS, on April 15, the three-day average of patients in hospitals confirmed or suspected to have COVID-19 peaked at 8,226 patients, while by May 11, this three-day average had fallen to 4,277 patients - a 48 percent decrease; and

WHEREAS, on April 15, the three-day average of patients confirmed or suspected to have COVID-19 receiving intensive or critical care peaked at 2,015 patients, while by May 11, this three-day average had fallen to 1,300 patients - a 36 percent decrease; and

WHEREAS, on April 15, the three-day average of patients confirmed or suspected to have COVID-19 on a ventilator peaked at 1,659 patients, while by May 11, this three-day average had fallen to 982 patients - a 41 percent decrease; and

WHEREAS, elective surgeries or invasive procedures, which by definition do not have to happen immediately, may still be necessary for patients' health; and

WHEREAS, the decreasing burden on our health care system from COVID-19 means that elective surgeries or invasive procedures can be reasonably resumed, subject to limitations and precautions that would not be necessary but for the continued effects of the COVID-19 pandemic; and

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. 26:13-1 et seq., 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, which I have invoked;

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. Beginning at 5:00 a.m. on Tuesday, May 26, 2020, the suspension on elective surgeries and invasive procedures instituted in Executive Order No. 109 (2020) is rescinded.

2. Elective surgeries and invasive procedures, as defined by Executive Order No. 109 (2020), may proceed at health care facilities, subject to limitations and precautions set forth in policies, which may include but are not limited to Executive Directives, to be issued by the Department of Health, in consultation with the Division of Consumer Affairs, by Monday, May 18, 2020. The policies to be issued by the Department of Health will address relevant considerations, such as the following:

- a. Which types of facilities can resume these procedures;
- b. Which specific facilities are eligible to resume these procedures, based upon their current or potential capacity;
- c. Whether facilities will be required to prioritize certain procedures, and if so, what considerations should guide these decisions;

- d. Personal Protective Equipment requirements for facilities that resume these procedures;
- e. Staffing requirements for facilities that resume these procedures;
- f. Whether facilities should cohort COVID-19 and non-COVID-19 patients;
- g. Requirements for patients seeking these procedures to undergo testing, self-quarantine, or other preventive measures, as applicable;
- h. Policies surrounding visitors;
- i. Policies surrounding discharge of patients after the procedures are completed; and
- j. Reporting metrics regarding the resumption of these procedures.

3. Elective surgeries and invasive procedures, as defined by Executive Order No. 109 (2020), performed by licensed health care providers practicing in outpatient settings not licensed by the Department of Health (e.g., health care professional offices, clinics, and urgent care centers) may proceed, subject to limitations and precautions set forth in policies, which may include but are not limited to rules and administrative orders, to be issued by the Division of Consumer Affairs, in consultation with the Department of Health, by Monday, May 18, 2020. The policies to be issued by the Division of Consumer Affairs will address relevant considerations, such as the following:

- a. The categories of licensed health care providers who may resume these procedures;
- b. Whether licensed health care providers in outpatient settings will be required to prioritize certain procedures, and if so, what considerations should guide these decisions;

- c. Personal Protective Equipment requirements for outpatient settings where such procedures are resumed;
- d. Staffing requirements for outpatient settings where such procedures are resumed;
- e. How licensed health care providers and outpatient settings can minimize person-to-person contact and facilitate social distancing;
- f. Requirements for patients seeking these procedures to undergo testing, self-quarantine, or other preventive measures, as applicable;
- g. Policies surrounding companions;
- h. Policies surrounding patient follow-up after the procedures are completed; and
- i. Recordkeeping and reporting requirements.

4. The Department of Health and/or the Division of Consumer Affairs may issue supplemental or amended policies concerning elective surgeries and elective invasive procedures on or after Monday, May 18, 2020, which shall be similarly enforceable, or rescind such policies at a later date.

5. Any actions taken by the Commissioner of the Department of Health and/or the Director of the Division of Consumer Affairs pursuant to this Order shall not be subject to the requirements of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq.

6. 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 in all matters concerning this Order.

7. Penalties for violations of this Order may be imposed under, among other statutes, N.J.S.A. App. A:9-49 and -50.

8. This Order shall take effect immediately.

GIVEN, under my hand and seal this
15th day of May,
Two Thousand and Twenty, and of
the Independence of the United
States, the Two Hundred and
Forty-Fourth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 146

WHEREAS, in light of the dangers posed by Coronavirus disease 2019 ("COVID-19"), I issued Executive Order No. 103 on March 9, 2020, the facts and circumstances of which are adopted by reference herein, which declared both a Public Health Emergency and State of Emergency; and

WHEREAS, through Executive Order Nos. 119 and 138 (2020), issued on April 7, 2020, and May 6, 2020, respectively, the facts and circumstances of which are adopted by reference herein, I declared that the COVID-19 Public Health Emergency continued to exist and declared that all Executive Orders and Administrative Orders adopted in whole or in part in response to the COVID-19 Public Health Emergency remained in full force and effect; and

WHEREAS, in accordance with N.J.S.A. App. A:9-34 and -51, I reserve the right to utilize and employ all available resources of State government to protect against the emergency created by COVID-19; and

WHEREAS, as COVID-19 continued to spread across New Jersey and an increasing number of individuals required medical care or hospitalization, I issued a series of Executive Orders pursuant to my authority under the New Jersey Civilian Defense and Disaster Control Act and the Emergency Health Powers Act, to protect the public health, safety, and welfare against the emergency created by COVID-19, including Executive Order Nos. 104-133, Nos. 135-138, and Nos. 140-145 (2020), the facts and circumstances of which are all adopted by reference herein; and

WHEREAS, among these actions, and in recognition that the Centers for Disease Control and Prevention ("CDC") has advised that social mitigation strategies for combatting COVID-19 require

every effort to reduce the rate of community spread of the disease and that COVID-19 spreads most frequently through person-to-person contact when individuals are within six feet or less of one another, I issued Executive Order No. 107 (2020) to order steps to mitigate community spread of COVID-19; and

WHEREAS, to further limit community spread from person-to-person contact through use of social mitigation measures, Executive Order No. 107 (2020) required, with limited exceptions, New Jersey residents to remain in their place of residence, cancelled all gatherings, and closed all recreational and entertainment businesses; and

WHEREAS, the CDC has recommended certain cleaning and disinfecting procedures for businesses to reduce potential spread of COVID-19 to staff and members of the public; and

WHEREAS, on April 8, 2020, and April 11, 2020, I issued Executive Order Nos. 122 and 125 (2020), respectively, which imposed additional mitigation requirements on essential businesses and transportation carriers to ensure that they are following CDC and other public health guidelines regarding social distancing, cleaning, sanitizing, and hygiene practices; and

WHEREAS, due to increased public interaction and gatherings at county and State parks throughout the State, I issued Executive Order No. 118 (2020) on April 7, 2020, which closed State Parks and Forests, as well as county parks, to the public in order to further social distancing requirements; and

WHEREAS, as the rate of reported new cases of COVID-19 in New Jersey decreases, including a reduction in the total number of individuals being admitted to hospitals for COVID-19, the State

can begin to take certain steps to lift certain restrictions that were designed to limit person-to-person contact; and

WHEREAS, even as the rate of reported new cases of COVID-19 decreases, the ongoing risks presented by COVID-19 mean that a considerable number of the State's current measures must remain in place, both to reduce additional new infections and to save lives, until additional metrics - such as expanded testing and use of contact tracing - have been satisfied; and

WHEREAS, the CDC has issued guidance for visiting parks and recreational facilities, recognizing that outdoor recreation provides people a vital way to keep the mind and body healthy; and

WHEREAS, on April 29, 2020, I issued Executive Order No. 133 (2020), superseding Executive Order No. 118 (2020), which reopened State Parks and Forests and provided counties the discretion to reopen their parks; and

WHEREAS, Executive Order No. 133 (2020) imposed certain mitigation requirements to be followed at State Parks and Forests, as well as county and municipal parks, to ensure that visitors follow CDC and other public health guidelines regarding social distancing, cleaning, sanitizing, and hygiene practices while visiting parks; and

WHEREAS, Executive Order No. 143 (2020) allowed for all public and private beaches, boardwalks, lakes, and lakeshores in the State to open to the public as long as they are maintained consistent with a series of social distancing restrictions, including rules that ensure visitors follow CDC and other public health guidelines regarding social distancing, cleaning, sanitizing, and hygiene practices while visiting such spaces; and

WHEREAS, charter fishing services and for-hire vessel activities provide an opportunity for the public to access the State's natural resources and waterways in a manner not otherwise available; and

WHEREAS, the charter fishing and for-hire vessel industry is generally composed of two different types of vessels, private charter boats and larger vessels typically referred to as "head boats" that require a Coast Guard inspection and are generally larger than 50 feet in length; and

WHEREAS, watercraft rental services likewise provide popular outdoor recreation opportunities for the public during the summer months; and

WHEREAS, as New Jersey makes continued progress in its fight against COVID-19, it is appropriate to ensure that New Jerseyans can safely enjoy additional outdoor recreation activities, while maintaining reasonable restrictions to help limit the spread and prevent future outbreaks of COVID-19 and protect the health, safety, and welfare of New Jersey residents; and

WHEREAS, as public health experts have observed, even as the State allows outdoor recreation with reasonable restrictions, due to the ongoing risk of community spread of COVID-19, recreation in such outdoor spaces must currently continue to include adherence to the same restrictions on gatherings that apply in any other context; and

WHEREAS, as public health experts have observed, even as the State allows outdoor recreation with reasonable restrictions, due to the ongoing risk of community spread of COVID-19, the extensive interactions that would happen from indoor retail and recreation operations continue to present a significant risk, and so the

restrictions on in-store operations for retail businesses and indoor operations for recreational and entertainment businesses cannot be lifted at this time; and

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. 26:13-1 et seq., 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, which I have invoked;

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. Charter fishing services and for-hire vessels, including charter and head boat activities, shall be allowed to reopen to the public, but such businesses must adopt policies that include, at minimum, the following requirements:

- a. Require that reservations, cancellations and pre-payments be made via electronic or telephone reservation systems to limit physical interactions. Such policies shall, wherever possible, consider populations that do not have access to internet service or credit cards;
- b. Limit capacity on board the vessel to no more than 10 people at the same time consistent with the restrictions contained within paragraph 5 of Executive Order No. 107 (2020) and paragraph 8 of Executive Order No. 142 (2020);

- c. "Make-up" or "open boat" trips that combine groups to fill a vessel are not permitted;
- d. Set up and maintain waiting areas, wherever feasible, large enough for passengers seeking to board vessels to ensure appropriate social distancing;
- e. Demarcate and post signs that denote six feet of spacing in commonly used and other applicable areas at boarding site or where people may form a line;
- f. Demarcate six feet of spacing in all areas of the vessel to demonstrate appropriate spacing for social distancing;
- g. Prohibit the sharing of fishing equipment, bait, and gear;
- h. Nets or gaffs shall be handled only by crew members;
- i. Require infection control practices, such as regular hand washing, coughing and sneezing etiquette, and proper tissue usage and disposal by passengers and crew;
- j. Require additional infection control practices, as necessary, to address sea sickness and injuries, consistent with CDC and the Department of Health ("DOH") guidelines;
- k. Close all enclosed spaces on the vessel to passengers, except restrooms;
- l. Provide sanitization materials, such as hand sanitizer and sanitizing wipes, to the crew and passengers, especially where hand washing may not be available;

- m. Require frequent sanitization of high-touch areas including, at minimum, the following cleaning protocols:
 - i. Routinely, and at the beginning and end of each trip, clean and disinfect all high-touch areas in accordance with CDC and DOH guidelines, particularly in spaces that are accessible to crew members, passengers, or other individuals, including, but not limited to, restroom facilities, door knobs, other common surfaces, handrails, life jackets, safety gear, fishing equipment and gear, tools, and other frequently touched surfaces, and ensure cleaning procedures; and
 - ii. Train and equip crew members to perform the above protocols effectively and in a manner that promotes the safety of the passengers and crew;
- n. Prohibit any food and beverage service;
- o. Provide mandatory captain and crew briefing to the passengers prior to embarking on the social distancing, capacity limits, and hygiene requirements provided herein by the crew to all passengers prior to leaving dock;
- p. Conspicuously post signage with the social distancing and hygiene requirements throughout the vessel;
- q. Require workers and passengers to wear cloth face coverings, in accordance with CDC recommendations,

while on the vessel, except where doing so would inhibit the individual's health or the individual is under two years of age, and require workers to wear gloves while on the premises. Businesses must provide, at their expense, such face coverings and gloves for their employees. If a passenger refuses to wear a cloth face covering for non-medical reasons and if such covering cannot be provided to the individual by the business at the point of entry, then the business must decline entry to the individual. Nothing in the stated policy should prevent workers or passengers from wearing a surgical-grade mask or other more protective face covering if the individual is already in possession of such equipment, or if the businesses is otherwise required to provide such worker with more protective equipment due to the nature of the work involved. Where an individual declines to wear a face covering on the premises due to a medical condition that inhibits such usage, neither the business nor its staff shall require the individual to produce medical documentation verifying the stated condition;

- r. Immediately separate and send home crew members who appear to have symptoms consistent with COVID-19 set forth in CDC guidelines upon arrival at work or who become sick during the day;
- s. Survey passengers prior to boarding for symptoms consistent with COVID-19. Any person with symptoms

consistent with shall not be allowed to board the vessel;

- t. Promptly notify crew members of any known exposure to COVID-19 on the vessel, consistent with the confidentiality requirements of the Americans with Disabilities Act and any other applicable laws;
- u. Clean and disinfect the vessel in accordance with CDC guidelines if a crew member has been diagnosed with COVID-19 illness, or when directed by a public health official consistent with a contact tracing program;
- v. Provide employees break time for handwashing throughout the day; and
- w. Continue to follow guidelines and directives issued by the DOH, the CDC and the Occupational Health and Safety Administration, as applicable, for maintaining a clean, safe and healthy work environment.

2. The brick-and-mortar premises of watercraft rental businesses, including but not limited to boats, jet skis, and surfboards, must remain closed pursuant to Executive Order No. 107 (2020), but, consistent with Executive Order No. 142 (2020), such businesses are permitted to reopen to the public. Such businesses must abide by the terms of paragraph 9 of Executive Order No. 142 (2020), which require the adoption of policies that include, at minimum, requirements for "curbside pickup." For the businesses subject to this paragraph, such policies shall also include protocols for cleaning and disinfecting equipment that is rented, in accordance with CDC and DOH guidelines.

3. Employees, customers, and other individuals should wear face coverings in any setting on charter fishing and for-hire vessels and at watercraft rental businesses, except where doing so would inhibit that individual's health, or where the individual is under two years of age.

4. Nothing in this Order shall be construed to replace, limit, or otherwise modify any existing applicable local, State, and federal laws, regulations, and standards that apply to charter fishing and for-hire vessels.

5. If New Jersey resident leaves their home or place of residence to participate in any activity otherwise authorized by any executive order issued after March 21, 2020, it shall not be a violation of Paragraph 2 of Executive Order No. 107 (2020).

6. Paragraph 9 of Executive Order No. 107 (2020) is hereby superseded to the extent it closes charter fishing services and for-hire vessel activities, as well as watercraft rental businesses, but otherwise remains in full force and effect.

7. Paragraph 2 of Executive Order No. 133 (2020) is hereby superseded to the extent it closes chartered watercraft services and rentals at State Parks and Forests, as well as county and municipal parks, but otherwise remains in full force and effect.

8. The State Director of Emergency Management, who is the Superintendent of State Police, shall have the discretion to make additions, amendments, clarifications, exceptions, and exclusions to the terms of this Order.

9. 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 in all matters concerning this Order, and to cooperate fully with Administrative Orders issued pursuant to this Order.

10. 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 or might in any way interfere with or impede its achievement.

11. Penalties for violations of this Order may be imposed under, among other statutes, N.J.S.A. App. A:9-49 and -50.

12. This Order shall take effect at 6:00 a.m. on Sunday, May 17, 2020, and shall remain in effect until revoked or modified by the Governor, who shall consult with the Commissioner of DOH as appropriate.

GIVEN, under my hand and seal this
16th day of May,
Two Thousand and Twenty, and
of the Independence of the
United States, the Two
Hundred and Forty-Fourth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 147

WHEREAS, in light of the dangers posed by Coronavirus disease 2019 ("COVID-19"), I issued Executive Order No. 103 on March 9, 2020, the facts and circumstances of which are adopted by reference herein, which declared both a Public Health Emergency and State of Emergency; and

WHEREAS, through Executive Order Nos. 119 and 138 (2020), issued on April 7, 2020, and May 6, 2020, respectively, the facts and circumstances of which are adopted by reference herein, I declared that the COVID-19 Public Health Emergency continued to exist and declared that all Executive Orders and Administrative Orders adopted in whole or in part in response to the COVID-19 Public Health Emergency remained in full force and effect; and

WHEREAS, in accordance with N.J.S.A. App. A:9-34 and -51, I reserve the right to utilize and employ all available resources of State government to protect against the emergency created by COVID-19; and

WHEREAS, as COVID-19 continued to spread across New Jersey and an increasing number of individuals required medical care or hospitalization, I issued a series of Executive Orders pursuant to my authority under the New Jersey Civilian Defense and Disaster Control Act and the Emergency Health Powers Act, to protect the public health, safety, and welfare against the emergency created by COVID-19, including Executive Order Nos. 104-133, Nos. 135-138, and Nos. 140-146 (2020), the facts and circumstances of which are all adopted by reference herein; and

WHEREAS, among these actions, and in recognition that the Centers for Disease Control and Prevention ("CDC") has advised that social mitigation strategies for combatting COVID-19 require

every effort to reduce the rate of community spread of the disease and that COVID-19 spreads most frequently through person-to-person contact when individuals are within six feet or less of one another, I issued Executive Order No. 107 (2020) to order steps to mitigate community spread of COVID-19; and

WHEREAS, to further limit community spread from person-to-person contact through use of social mitigation measures, Executive Order No. 107 (2020) required, with limited exceptions, New Jersey residents to remain in their place of residence, cancelled all gatherings, and closed all recreational and entertainment businesses; and

WHEREAS, the CDC has recommended certain cleaning and disinfecting procedures for businesses to reduce potential spread of COVID-19 to staff and members of the public; and

WHEREAS, on April 8, 2020, and April 11, 2020, I issued Executive Order Nos. 122 and 125 (2020), respectively, which imposed additional mitigation requirements on essential businesses and transportation carriers to ensure that they are following CDC and other public health guidelines regarding social distancing, cleaning, sanitizing, and hygiene practices; and

WHEREAS, due to increased public interaction and gatherings at county and State parks throughout the State, I issued Executive Order No. 118 (2020) on April 7, 2020, which closed State Parks and Forests, as well as county parks, to the public in order to further social distancing requirements; and

WHEREAS, as the rate of reported new cases of COVID-19 in New Jersey decreases, including a reduction in the total number of individuals being admitted to hospitals for COVID-19, the State

can begin to take certain steps to lift certain restrictions that were designed to limit person-to-person contact; and

WHEREAS, even as the rate of reported new cases of COVID-19 decreases, the ongoing risks presented by COVID-19 mean that a considerable number of the State's current measures must remain in place, both to reduce additional new infections and to save lives, until additional metrics - such as expanded testing and use of contact tracing - have been satisfied; and

WHEREAS, the CDC has issued guidance for visiting parks and recreational facilities, recognizing that outdoor recreation provides people a vital way to keep the mind and body healthy; and

WHEREAS, on April 29, 2020, I issued Executive Order No. 133 (2020), superseding Executive Order No. 118 (2020), which reopened State Parks and Forests and provided counties the discretion to reopen their parks; and

WHEREAS, Executive Order No. 133 (2020) imposed certain mitigation requirements to be followed at State Parks and Forests, as well as county and municipal parks, to ensure that visitors follow CDC and other public health guidelines regarding social distancing, cleaning, sanitizing, and hygiene practices while visiting parks; and

WHEREAS, Executive Order No. 143 (2020) allowed for all public and private beaches, boardwalks, lakes, and lakeshores in the State to open to the public as long as they are maintained consistent with a series of social distancing restrictions, including rules that ensure visitors follow CDC and other public health guidelines regarding social distancing, cleaning, sanitizing, and hygiene practices while visiting such spaces; and

WHEREAS, Executive Order No. 146 (2020) allowed chartered for-hire vessels and watercraft rentals to open to the public with social distancing, cleaning, sanitizing, and hygiene practices in place; and

WHEREAS, outdoor archery ranges, batting cages, golf driving ranges, shooting ranges, and tennis clubs, as well as all-terrain vehicle and dirt bike rentals, provide additional outdoor recreation opportunities for the public during the summer months where appropriate social distancing, cleaning, sanitizing, and hygiene practices can be implemented; and

WHEREAS, community gardens not only provide outdoor recreational opportunities to a diverse community of individuals, but they also provide people an opportunity to grow food when they may not otherwise have available space to do so; and

WHEREAS, as New Jersey makes continued progress in its fight against COVID-19, it is appropriate to ensure that New Jerseyans can safely enjoy additional outdoor recreation activities, while maintaining reasonable restrictions to help limit the spread and prevent future outbreaks of COVID-19 and protect the health, safety, and welfare of New Jersey residents; and

WHEREAS, as public health experts have observed, even as the State allows outdoor recreation with reasonable restrictions, due to the ongoing risk of community spread of COVID-19, recreation in such outdoor spaces must currently continue to include adherence to the same gatherings restrictions that apply in any other context; and

WHEREAS, as public health experts have observed, even as the State allows outdoor recreation with reasonable restrictions, due to the ongoing risk of community spread of COVID-19, the extensive

interactions that would happen from indoor retail and recreation operations continue to present a significant risk, and so the restrictions on in-store operations for retail businesses and indoor operations for recreational and entertainment businesses cannot be lifted at this time; and

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. 26:13-1 et seq., 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, which I have invoked;

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 following outdoor recreational businesses or activities that were closed by paragraph 9 of Executive Order No. 107 (2020) are permitted to reopen to the public or their members:

- a. Archery ranges;
- b. Batting cages;
- c. Golf driving ranges;
- d. Horseback riding;
- e. Shooting ranges; and
- f. Tennis clubs.

2. The following shall remain closed at outdoor recreational businesses or activities permitted to open pursuant to paragraph 1 of this Order:

- a. Picnic areas;
- b. Playgrounds;

- c. Pavilions;
- d. Fitness centers;
- e. Locker rooms; and
- f. Other buildings, amenities, or facilities, except for restrooms and facilities providing access to an outdoor facility where no other means of access is available.

3. Outdoor recreational businesses or activities permitted to reopen pursuant to paragraph 1 of this Order shall adopt policies that include, at minimum, the following requirements:

- a. Require that reservations, cancellations and pre-payments be made via electronic or telephone reservation systems to limit physical interactions. Such policies shall, wherever possible, consider populations that do not have access to internet service or credit cards;
- b. Limit capacity to no more than 10 people at the same time consistent with the restrictions contained within paragraph 5 of Executive Order No. 107 (2020) and paragraph 8 of Executive Order No. 142 (2020);
- c. Install a physical barrier, such as a shield guard, between visitors and employees wherever feasible or otherwise ensuring six feet of distance between those individuals, except at the moment of payment;
- d. Limit the use of equipment rented or otherwise provided by the recreational business to one person, excluding immediate family members,

caretakers, household members, or romantic partners;

- e. Demarcate and post signs that denote six feet of spacing in all commonly used and other applicable areas or where people may form a line;
- f. Require infection control practices, such as regular hand washing, coughing and sneezing etiquette, and proper tissue usage and disposal;
- g. Provide employees break time for repeated handwashing throughout the workday;
- h. Provide sanitization materials, such as hand sanitizer and sanitizing wipes, to staff and customers;
- i. Limit occupancy in restrooms that remain open to avoid over-crowding and maintain social distancing through signage and, where practicable, the utilization of attendants to monitor capacity; and
- j. Require frequent sanitization of high-touch areas including, at minimum, the following cleaning protocols:
 - i. Routinely clean and disinfect all high-touch areas in accordance with the Department of Health ("DOH") and CDC guidelines, particularly in spaces that are accessible to staff, customers, or members, or other individuals, including, but not limited to, restroom and locker facilities, counter tops, hand rails, door knobs, other common surfaces, safety equipment, and other frequently touched

- surfaces including employee used equipment, and ensure cleaning procedures following a known or potential exposure in compliance with CDC recommendations;
- ii. Clean and disinfect equipment that is rented, including but not limited to, firearms, helmets, bats, mitts, gloves, balls, bows, arrows, clubs, and tennis rackets, in accordance with CDC and DOH guidelines; and
 - iii. Train and equip employees to perform the above protocols effectively and in a manner that promotes the safety of the visitors and staff;
- k. Place additional restrictions on areas of the business, as necessary, to limit person-to-person interactions and facilitate appropriate social distancing;
- l. Immediately separate and send home workers who appear to have symptoms consistent with COVID-19 illness upon arrival at work or who become sick during the day;
- m. Promptly notify workers of any known exposure to COVID-19 at the worksite, consistent with the confidentiality requirements of the Americans with Disabilities Act and any other applicable laws;
- n. Clean and disinfect the worksite in accordance with CDC guidelines when a worker at the site has been diagnosed with COVID-19 illness; and

- o. Continue to follow guidelines and directives issued by the New Jersey Department of Health, the CDC and the Occupational Health and Safety Administration, as applicable, for maintaining a clean, safe and healthy work environment.

4. The brick-and-mortar premises of all-terrain vehicle and dirt bike rental businesses must remain closed pursuant to Executive Order No. 107 (2020), but, consistent with Executive Order No. 142 (2020), such businesses are permitted to reopen to the public. Such businesses must abide by the terms of paragraph 9 of Executive Order No. 142 (2020), which require the adoption of policies that include, at minimum, requirements for "curbside pickup." For the businesses subject to this paragraph, such policies shall also include protocols for cleaning and disinfecting equipment that is rented, in accordance with CDC and DOH guidelines.

5. Community Gardens shall be allowed to reopen provided they comply with the recommendations and policies set forth in paragraph 3 of Executive Order No. 133 (2020).

6. Golf courses may adopt a policy that allows:

- a. Tee-times available to four players;
- b. Forecaddies;
- c. Club and equipment rentals, provided that such policy requires:
 - i. Rental equipment be limited to one person, excluding immediate family members, caretakers, household members, or romantic partners; and

- ii. Protocols for cleaning and disinfecting equipment that is rented, in accordance with CDC and DOH guidelines.

- d. Restrooms to remain open, subject to frequent sanitization pursuant to, at minimum, the following cleaning protocols:

- i. Routinely clean and disinfect high-touch areas at appropriate intervals in accordance with CDC and DOH guidelines, particularly in spaces that are accessible to staff, players, or other individuals, including, but not limited to, restroom facilities, counter tops, sinks, door knobs, other common surfaces, and other frequently touched surfaces;

- ii. Limit occupancy in restrooms that remain open to avoid over-crowding and maintain social distancing through signage and, where practicable, the utilization of attendants to monitor capacity; and

- iii. Train and equip workers to perform the above protocols effectively and in a manner that promotes the safety of public and staff.

7. Employees, visitors, members, and other individuals should wear face coverings in any setting at outdoor recreational businesses or activities permitted to reopen pursuant to paragraph 1 and community gardens where other social distancing measures are difficult to maintain, except where doing so would inhibit that individual's health, or where the individual is under two years of age.

8. Amusement parks, arcades, and other places of public amusement located at outdoor recreational businesses or activities permitted to reopen pursuant to paragraph 1 of this Order, shall remain closed pursuant to Executive Order No. 107 (2020). Amusement parks, arcades, and other places of public amusement are required to be closed even when located at a place otherwise authorized to be open by any Executive Order issued after March 21, 2020, such as a boardwalk.

9. Paragraph 9 of Executive Order No. 107 (2020) is hereby superseded to the extent it closes outdoor recreational businesses or activities permitted to reopen pursuant to paragraph 1 of this Order and community gardens as non-essential recreational businesses, but otherwise remains in full force and effect.

10. Paragraph 9 of Executive Order No. 133 (2020) is hereby superseded to the extent it closes golf driving ranges, limits golf tee-times to two players, forecaddies, and restrooms, and prohibits club and equipment rentals, but otherwise remains in full force and effect.

11. Nothing in the terms of any Executive Order issued after March 21, 2020 shall be construed to limit, prohibit, or restrict access to benches and other resting places in parks, beaches, lakes, businesses, and recreational areas open to the public for individuals with medical conditions or mobility impairments.

12. The State Director of Emergency Management, who is the Superintendent of State Police, shall have the discretion to make additions, amendments, clarifications, exceptions, and exclusions to the terms of this Order.

13. 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 in all matters concerning this Executive Order, and to cooperate fully with Administrative Orders issued pursuant to this Executive Order.

14. 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 or might in any way interfere with or impede its achievement.

15. Penalties for violations of this Order may be imposed under, among other statutes, N.J.S.A. App. A:9-49 and -50.

16. Paragraph 6 of this Order shall take effect beginning at 6:00 a.m. on Tuesday, May 19, 2020, and Paragraphs 1-5 shall take effect at 6:00 a.m. on Friday, May 22, 2020. This Order shall remain in effect until revoked or modified by the Governor, who shall consult with the Commissioner of DOH as appropriate.

GIVEN, under my hand and seal this
 18th day of May,
 Two Thousand and Twenty, and
 of the Independence of the
 United States, the Two
 Hundred and Forty-Fourth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 148

WHEREAS, in light of the dangers posed by Coronavirus disease 2019 ("COVID-19"), I issued Executive Order No. 103 on March 9, 2020, the facts and circumstances of which are adopted by reference herein, which declared both a Public Health Emergency and State of Emergency; and

WHEREAS, through Executive Order Nos. 119 and 138 (2020), issued on April 7, 2020, and May 6, 2020, respectively, the facts and circumstances of which are adopted by reference herein, I declared that the COVID-19 Public Health Emergency continued to exist and declared that all Executive Orders and Administrative Orders adopted in whole or in part in response to the COVID-19 Public Health Emergency remained in full force and effect; and

WHEREAS, in accordance with N.J.S.A. App. A:9-34 and -51, I reserve the right to utilize and employ all available resources of State government to protect against the emergency created by COVID-19; and

WHEREAS, as COVID-19 continued to spread across New Jersey and an increasing number of individuals required medical care or hospitalization, I issued a series of Executive Orders pursuant to my authority under the New Jersey Civilian Defense and Disaster Control Act and the Emergency Health Powers Act, to protect the public health, safety, and welfare against the emergency created by COVID-19, including Executive Order Nos. 104-133, Nos. 135-138, and Nos. 140-147 (2020), the facts and circumstances of which are all adopted by reference herein; and

WHEREAS, among these actions, and in recognition that the Centers for Disease Control and Prevention ("CDC") has advised that social mitigation strategies for combatting COVID-19 require

every effort to reduce the rate of community spread of the disease and that COVID-19 spreads most frequently through person-to-person contact when individuals are within six feet or less of one another, I issued Executive Order No. 107 (2020) to order steps to mitigate community spread of COVID-19; and

WHEREAS, to further limit community spread from person-to-person contact through use of social mitigation measures, Executive Order No. 107 (2020) required, with limited exceptions, New Jersey residents to remain in their place of residence, cancelled all gatherings, and closed all recreational and entertainment businesses; and

WHEREAS, as the rate of reported new cases of COVID-19 in New Jersey decreases, including a reduction in the total number of individuals being admitted to hospitals for COVID-19, the State can begin to take certain steps to lift certain restrictions that were designed to limit person-to-person contact; and

WHEREAS, even as the rate of reported new cases of COVID-19 decreases, the ongoing risks presented by COVID-19 mean that a considerable number of the State's current measures must remain in place, both to reduce additional new infections and to save lives, until additional metrics - such as expanded testing and use of contact tracing - have been satisfied; and

WHEREAS, after consultation with officials from the Department of Health ("DOH"), I announced a multi-stage New Jersey's Road Back Plan for the methodical and strategic reopening of businesses and activities based on scientific data and metrics concerning the level of disease transmission risk and essential classification; and

WHEREAS, the State is in the first stage of the reopening process and has begun to relax restrictions on low-risk activities where appropriately safeguarded, including the resumption of certain work activities at physical locations that can meet safeguarding and modification guidelines, as well as certain outdoor activities; and

WHEREAS, consistent with this Plan, I have issued a number of Executive Orders, including Executive Order Nos. 133, 142, 143, 146 and 147, which lifted closures and/or prohibitions of parks, beaches, lakefronts, and several outdoor recreational facilities and activities, with social distancing, cleaning, sanitizing, and hygiene practices in place, given repeated observations from public health experts, including but not limited to the CDC, that outdoor environments present reduced risks of COVID-19 transmission as compared to indoor environments; and

WHEREAS, the CDC has issued guidance for mass gatherings or large community events, such as conferences, festivals, parades, concerts, sporting events, weddings, and other potentially super-spreading events, recognizing that such gatherings significantly contribute to the spread of COVID-19 and introduce the virus to new communities through increased transmission to a large number of people in a short period of time, and states throughout the region have canceled such events; and

WHEREAS, because public health experts have identified that outdoor environments present reduced risks of transmission as compared to indoor environments, it is appropriate to also adjust restrictions relative to gatherings that happen outdoors, meaning that certain gatherings in open-air spaces outdoors can be allowed while still maintaining reasonable restrictions to help limit the

spread and prevent future outbreaks of COVID-19 and protect the health, safety, and welfare of New Jersey residents; and

WHEREAS, maintaining the overall social distancing and mitigation requirements in place while gathering in open-air outdoor spaces, particularly by maintaining a six-foot distance from other individuals, is imperative to continuing to reduce the ongoing risk of community spread of COVID-19; and

WHEREAS, as public health experts have observed, the higher the number of people an individual interacts with at a gathering contribute to a greater risk of COVID-19 spread, and so large in-person gatherings where it is difficult for individuals to remain spaced six feet apart or more pose an increased risk, which also means that outdoor activities should be prioritized where social distancing can be maintained as much as possible; and

WHEREAS, in order to reduce the continued risk of widespread transmission of COVID-19 at large gatherings, a number of other states that have begun to relax restrictions on gatherings of 10 people or more have imposed a limit on outdoor gatherings up to 25 people, including Pennsylvania, even as states still maintain more stringent requirements for gatherings indoors; and

WHEREAS, it is likewise appropriate to limit outdoor gatherings in our State to no more than 25 people to prevent increased transmission through super-spreading events and large community gatherings; and

WHEREAS, even as the State allows outdoor gatherings in open-air spaces and recreational campgrounds, due to the ongoing risk of community spread of COVID-19, the extensive interactions that occur at gatherings in indoor places and certain indoor retail, recreational, and entertainment operations continue to

present a significant risk, and so the prohibition of indoor gatherings of more than 10 individuals, and the restrictions on the indoor operations of certain retail, recreational, and entertainment businesses, have not been lifted at this time; and

WHEREAS, the State's restrictions on gatherings are tailored to the harms they present, regardless of the purpose of any such gathering, meaning that indoor in-person gatherings are limited to 10 persons, outdoor in-person gatherings are limited to 25 persons so long as all persons remain six feet apart at all times, and any number of individuals may participate in a gathering where all participants remain in their vehicles, given the relative risks of COVID-19 transmission presented by each scenario; and

WHEREAS, recreational campgrounds in the State provide popular outdoor lodging and recreation options during the summer months that allow for limited person-to-person contact and involve appropriate social distancing measures, and thus can also resume consistent with the State's framework on outdoor recreation and the relative risks of COVID-19 transmission; and

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. 26:13-1 et seq., 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, which I have invoked;

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. Any gathering that adheres to all of the following rules does not violate Paragraph 5 of Executive Order No. 107 (2020):

- a. The gathering takes place outdoors, whether on public or private property, and all attendees remain outdoors at all times during the gathering, with the sole exception of restroom use;
- b. Open-air rain tarps, tents, and other outdoor structures shall be allowed solely for the purpose of protecting against foul weather or for shade;
- c. The capacity of the gathering must be limited to no more than 25 people at the same time;
- d. All attendees at the gathering are required to be six feet apart from other attendees at all times, excluding immediate family members, caretakers, household members, or romantic partners;
- e. There may be no contact between attendees, excluding immediate family members, caretakers, household members, or romantic partners, and no organized or contact sports shall be allowed;
- f. All individuals at the gathering should wear face coverings at all times where other social distancing measures are difficult to maintain, in accordance with CDC recommendations, except where doing so would inhibit the individual's health or where the individual is under two years of age, and they must wear such face coverings where required by another Executive Order;

- g. If there are individuals organizing or maintaining the gathering, they should, where applicable, demarcate six feet of spacing in the area of the gathering to demonstrate appropriate spacing for social distancing, such as through the placement of cones, flags, or other markings;
- h. If seating is provided, such as chairs or mats, all seating must be limited to single individuals, except for immediate family members, caretakers, household members, or romantic partners, and must be placed six feet apart at all times, and such seating must be sanitized before and after that individual's use in accordance with CDC guidelines;
- i. If any physical items, including equipment, are provided, such items may not be shared by anyone except for immediate family members, caretakers, household members, or romantic partners, and such physical items must be sanitized before and after use; and
- j. To the degree the gathering requires pre-payment, or seeks donations of any kind, contactless options for pre-payment or donation, such as online or by telephone, must be offered wherever feasible.

2. Any outdoor recreational business or activity permitted to reopen to the public or their members under Paragraph 1 of Executive Order No. 147 (2020), and any charter fishing services and for-hire vessels permitted to reopen to the public under Paragraph 1 of Executive Order No. 146 (2020), must adopt policies that limit capacity to, at most, the number that ensures all

individuals remain six feet apart at all times, but at no times shall that limit exceed 25 people. Any capacity limits imposed on them by Executive Order Nos. 146 and 147 (2020) are hereby superseded, but all remaining requirements in those Orders remain in full force and effect.

3. Where a recreational or entertainment business organizes and/or maintains a gathering that adheres to the requirements of Paragraph 1 of this Order, it shall not be a violation of Paragraph 9 of Executive Order No. 107 (2020).

4. Gatherings authorized by Paragraph 1 of this Order are permitted at State Parks and Forests, county and municipal parks, public and private beaches, boardwalks, lakes, and lakeshores; however, consistent with Executive Order Nos. 108 and 133 (2020), counties and municipalities may impose additional restrictions at county and municipal parks in response to COVID-19. Paragraphs 3 and 7 of Executive Order No. 133 (2020) and Paragraph 3 of Executive Order No. 143 (2020) are hereby superseded to the extent that they prohibit outdoor gatherings of no more than 25 people. All remaining requirements in those Orders, including the prohibition of special events at public and private beaches, boardwalks, lakes, and lakeshores such as festivals, concerts, fireworks, and movies, remain in full force and effect.

5. Where a gathering takes place indoors, or otherwise does not adhere to either the requirements of Paragraph 1 of this Order or to the requirements of Executive Order No. 142 (2020) relating to car gatherings, then gatherings of 10 persons or fewer remain in compliance with Paragraph 5 of Executive Order No. 107 (2020), while gatherings of more than 10 persons remain in violation of that Executive Order.

6. Nothing in this Order shall prevent an individual at a gathering from coming within six feet of another person, or going indoors, if done to protect their health or safety or the health or safety of another individual.

7. Nothing in this Order shall prevent professional athletes from fulfilling their job duties, including when those job duties may require person-to-person contact, consistent with Paragraph 10 of Executive Order No. 107 (2020).

8. Notwithstanding Paragraph 12 of Executive Order No. 107 (2020), schools may allow individuals, including students, on to their premises, but only to engage in the passive recreational activities authorized by Paragraph 1 of Executive Order No. 133 (2020) or to participate in a gathering authorized by Executive Order No. 142 (2020) or by this Order.

9. All private recreational campgrounds are permitted to reopen to the public, but shall adopt policies that include, at a minimum, the following requirements:

- a. Require that individuals maintain a six-foot distance from other individuals that are not immediate family members, caretakers, household members, or romantic partners;
- b. Establish appropriate site-specific physical distancing between occupied fixed camping units, including but not limited to all cottages, cabins, and tent and RV camping sites;
- c. Require that reservations, cancellations and pre-payments be made via electronic or telephone reservation systems to limit physical interactions. Such policies shall, wherever possible, consider

populations that do not have access to internet service or credit cards;

- d. Install a physical barrier, such as a shield guard, between visitors and employees wherever feasible or otherwise ensuring six feet of distance between those individuals;
- e. Limit the use of equipment rented or otherwise provided by the campground to one person at a time, excluding immediate family members, caretakers, household members, or romantic partners;
- f. Demarcate and post signs that denote six feet of spacing in all public spaces, communal areas, and other applicable areas, whenever possible;
- g. Employees, visitors, and other individuals should wear face coverings in any setting at recreational campgrounds where other social distancing measures are difficult to maintain, except where doing so would inhibit that individual's health, or where the individual is under two years of age;
- h. Require infection control practices, such as regular hand washing, coughing and sneezing etiquette, and proper tissue usage and disposal;
- i. Provide employees break time for repeated handwashing throughout the workday;
- j. Provide sanitization materials, such as hand sanitizer and sanitizing wipes, to employees and visitors;

- k. Limit occupancy in restrooms and shower facilities that remain open to avoid over-crowding and maintain social distancing through signage and, where practicable, the utilization of attendants to monitor capacity;
- l. Require frequent sanitization of high-touch areas including, at minimum, the following cleaning protocols:
 - i. Routinely clean and disinfect all high-touch areas in accordance with the DOH and CDC guidelines, particularly in spaces that are accessible to employees, visitors, or other individuals, including, but not limited to, restroom and shower facilities, counter tops, hand rails, door knobs, other common surfaces, safety equipment, and other frequently touched surfaces including employee used equipment, and ensure cleaning procedures following a known or potential exposure in compliance with CDC recommendations;
 - ii. Clean and disinfect equipment that is rented, or otherwise provided to visitors in accordance with CDC and DOH guidelines after each use; and
 - iii. Train and equip employees to perform the above protocols effectively and in a manner that promotes the safety of the visitors and staff;

- m. Place additional restrictions on areas of the campground, as necessary, to limit person-to-person interactions and facilitate appropriate social distancing;
- n. Immediately separate and send home workers who appear to have symptoms consistent with COVID-19 illness upon arrival at work or who become sick during the day;
- o. Promptly notify workers of any known exposure to COVID-19 at the worksite, consistent with the confidentiality requirements of the Americans with Disabilities Act and any other applicable laws;
- p. Clean and disinfect the worksite in accordance with CDC guidelines when a worker at the site has been diagnosed with COVID-19 illness; and
- q. Continue to follow guidelines and directives issued by the DOH, the CDC and the Occupational Health and Safety Administration, as applicable, for maintaining a clean, safe and healthy work environment.

10. The following shall remain closed to the public at recreational campgrounds:

- a. Picnic areas;
- b. Playgrounds;
- c. Pavilions; and
- d. Other buildings, amenities, or facilities, except for restrooms and shower facilities.

11. The Department of Environmental Protection shall prepare and publish within 15 days of the effective date of this Order a plan for the phased reopening of all recreational campgrounds located in any State Park and Forest in a manner that is protective of public health, safety, and the environment, and shall apply, at minimum, the policies provided in paragraphs 9 and 10 of this Order.

12. County and municipally-owned recreational campgrounds are permitted to reopen, but the counties and municipalities shall apply, at minimum, the policies provided in paragraphs 9 and 10 of this Order at any county and municipally-owned recreational campground that are open to the public; however, consistent with Executive Order Nos. 108 and 133 (2020), counties and municipalities may impose additional restrictions at county and municipally-owned recreational campgrounds in response to COVID-19.

13. Paragraph 6 of Executive Order No. 133 (2020) is hereby superseded to the extent it closes recreational campgrounds, but all remaining requirements in that Order remain in full force and effect.

14. The State Director of Emergency Management, who is the Superintendent of State Police, shall have the discretion to make additions, amendments, clarifications, exceptions and exclusions to the terms of this Order.

15. 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 in all matters concerning this Order, and to cooperate fully with Administrative Orders issued pursuant to this Order.

16. 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 or might in any way interfere with or impede its achievement.

17. Penalties for violations of this Order may be imposed under, among other statutes, N.J.S.A. App. A:9-49 and -50.

18. This Order shall take effect immediately, and shall remain in effect until revoked or modified by the Governor, who shall consult with the Commissioner of DOH as appropriate.

GIVEN, under my hand and seal this
22nd day of May,
Two Thousand and Twenty, and
of the Independence of the
United States, the Two
Hundred and Forty-Fourth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 149

WHEREAS, in light of the dangers posed by Coronavirus disease 2019 ("COVID-19"), I issued Executive Order No. 103 on March 9, 2020, the facts and circumstances of which are adopted by reference herein, which declared both a Public Health Emergency and State of Emergency; and

WHEREAS, through Executive Order Nos. 119 and 138 (2020), issued on April 7, 2020, and May 6, 2020, respectively, the facts and circumstances of which are adopted by reference herein, I declared that the COVID-19 Public Health Emergency continued to exist and declared that all Executive Orders and Administrative Orders adopted in whole or in part in response to the COVID-19 Public Health Emergency remained in full force and effect; and

WHEREAS, in accordance with N.J.S.A. App. A:9-34 and -51, I reserve the right to utilize and employ all available resources of State government to protect against the emergency created by COVID-19; and

WHEREAS, as COVID-19 continued to spread across New Jersey and an increasing number of individuals required medical care or hospitalization, I issued a series of Executive Orders pursuant to my authority under the New Jersey Civilian Defense and Disaster Control Act and the Emergency Health Powers Act ("EHPA"), to protect the public health, safety, and welfare against the emergency created by COVID-19, including Executive Order Nos. 104-133, Nos. 135-138, and Nos. 140-148 (2020), the facts and circumstances of which are all adopted by reference herein; and

WHEREAS, in an effort to reduce exposure of children, staff, and parents to COVID-19, I issued Executive Order No. 110 (2020), which required child care centers to close unless they could comply with heightened health and safety standards and would agree to solely service the children of essential workers; and

WHEREAS, emergency child care centers have operated since that time to service those individuals, and continue to operate; and

WHEREAS, given the decrease in the rate of reported new cases of COVID-19 in New Jersey, including a reduction in the total number of individuals being admitted to hospitals for COVID-19, the State can begin to take certain steps to lift certain restrictions that were designed to limit person-to-person contact; and

WHEREAS, even as the rate of reported new cases of COVID-19 decreases, the ongoing risks presented by COVID-19 mean that many of the State's current measures must remain in place, both to reduce additional new infections and to save lives; and

WHEREAS, after consultation with officials from the Department of Health ("DOH"), I announced a multi-stage New Jersey's Road Back Plan (the "Plan") for the methodical and strategic reopening of businesses and activities based on scientific data and metrics concerning the level of disease transmission risk and essential classification; and

WHEREAS, in order to support the expanded reopening of business operations in the State, we must ensure that our workforce has, in turn, expanded access to child care services with appropriate safeguards for children and staff; and

WHEREAS, the health and safety standards currently in effect for emergency child care centers helped to prevent significant spread of COVID-19 throughout the child care community, and must remain in place, subject to certain updates and revisions, as additional centers become operational; and

WHEREAS, the State is implementing its reopening process and has begun to relax restrictions on certain businesses, including the authorization of curbside pickup at retail establishments deemed

non-essential, the resumption of non-essential construction, and the allowance of a number of lower-risk outdoor activities; and

WHEREAS, consistent with this Plan, I have issued a number of Executive Orders, including Executive Order Nos. 133, 142, 143, 146, and 147 (2020), which authorized the openings of parks, beaches, lakefronts, and several outdoor recreational facilities and activities, with social distancing, cleaning, sanitizing, and hygiene practices in place, given repeated observations from public health experts, including but not limited to the Centers for Disease Control and Prevention (CDC), that outdoor environments present reduced risks of COVID-19 transmission as compared to indoor environments; and

WHEREAS, consistent with this Plan, I issued Executive Order No. 148 (2020) to allow for additional numbers of individuals to gather outdoors, consistent with the same repeated observations from public health experts; and

WHEREAS, youth summer camps provide our workforce with necessary alternatives to child care; and

WHEREAS, as with child care centers, heightened health and safety protocols can be instituted for summer camps to ensure an environment that would limit spread of COVID-19; and

WHEREAS, overnight camps would have immense difficulty in enforcing social distancing protocols, particularly with regards to sleeping arrangements, meaning that they cannot be permitted to operate at this time; and

WHEREAS, while Executive Order No. 148 (2020) prohibited organized or contact sports in outdoor gatherings, organized sporting activities that do not involve contact or individuals routinely interacting in close proximity can safely proceed in outdoor settings; and

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. 26:13-1 et seq., 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, which I have invoked;

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. 110 (2020) is hereby rescinded effective at 6:00 a.m. on June 15, 2020.

2. The Commissioner of the Department of Health, pursuant to her authority under the Emergency Health Powers Act, N.J.S.A. 26:13-1 et seq., and in consultation with the Commissioners of the Departments of Children and Families ("DCF") and Human Services (DHS), shall impose Standards for COVID-19 Related Health and Safety Applicable in New Jersey Child Care and Youth Summer Camp Settings ("COVID-19 Child Care and Youth Summer Camp Standards"). These Standards shall supersede previous guidelines applicable to emergency child care centers, and shall detail the appropriate social distancing, hygiene, cleaning, and other public health prevention strategies applicable in child care centers and other child care facilities and youth summer camps. The Standards imposed by the DOH may be informed by or incorporate guidelines issued by the Commissioner of DCF for child care centers.

3. "Child care centers," for purposes of this Order, shall mean any facility defined as a child care center pursuant to N.J.S.A. 30:5B-3. Nothing in this Order shall affect such child care centers' obligations under N.J.S.A. 30:B-1, et seq.

4. "Other child care facilities," for purposes of this Order, are defined as those facilities described in N.J.S.A. 30:5B-3(b) (2), (3), (7), (8), and (11).

5. "Youth summer camps," for purposes of this Order, shall include youth day camps required to be licensed pursuant to N.J.S.A. 26:12-1 et seq., facilities operating programs as described in N.J.S.A. 30:5B-3(b) (4), and other entities that provide daily multi-hour programming for youths, without regard to whether the program is subject to the certification requirements pursuant to N.J.S.A. 26:12-1 et seq., including youth programs operated by municipal agencies.

6. Effective 6:00 a.m. on June 15, 2020, child care centers and other child care facilities are permitted to resume operations for all clients, provided that they comply with the COVID-19 Child Care and Youth Summer Camp Standards and other applicable statutes, regulations, and Executive Orders. Each child care center and other child care facility must submit an attestation to the DCF no later than 24 hours prior to the anticipated opening date, or in the case of currently operating emergency child care centers, within fourteen days of the effective date of this Order, attesting that it will follow all applicable health and safety standards, as detailed in the COVID-19 Child Care and Youth Summer Camp Standards. Those child care centers and other child care facilities that were authorized to remain open pursuant to Executive Order No. 110 (2020) as emergency child care centers are not exempt from this requirement and must also submit an attestation to the DCF.

7. Nothing in this Order shall prevent child care centers and other child care facilities from engaging in pre-operational activities prior to June 15, 2020.

8. Youth summer camps shall be permitted to operate on or after Monday, July 6, 2020, provided that they comply with the COVID-19 Child Care and Youth Summer Camp Standards and other applicable statutes, regulations, and Executive Orders. Youth summer camps that wish to operate on or after July 6, 2020, must submit an attestation to the Department of Health no later than 24 hours prior to the anticipated opening date, attesting that they will follow all applicable health and safety standards, as detailed in the COVID-19 Child Care and Youth Summer Camp Standards, and subject to other restrictions imposed by Executive Order.

9. Youth camp operators, as defined by N.J.S.A. 26:12-3, wishing to operate a youth camp on July 6, 2020, may do so only if they have submitted an application for a certificate of approval, or renewal thereof, to operate the camp, as required by N.J.S.A. 26:12-6 and -7, by June 15, 2020. Those youth camp operators wishing to commence operations of a youth camp after July 6, 2020, may do so only if they have submitted such an application at least fourteen days prior to the start date.

10. Residential and overnight camps are prohibited from operating, although nothing in this Order shall be construed to prevent youth from staying overnight at recreational campgrounds operating in accordance with Executive Order No. 148 (2020), to the extent such overnight stays are otherwise permitted.

11. Nothing in this Order shall prevent youth summer camps from engaging in pre-operational activities prior to July 6, 2020.

12. Any child care center, child care facility or youth summer camp that fails to adhere to the COVID-19 Child Care and Youth Summer Camp Standards is subject to closure by the Commissioner of the Department of Health pursuant to N.J.S.A. 26:13-8.

13. The provision in Paragraph 1(e) of Executive Order No. 148 (2020) prohibiting organized or contact sports is hereby rescinded effective June 22, 2020, insofar as it applies to sporting activities in outdoor settings that do not involve person-to-person contact or routinely entail individuals interacting within six feet of one another. At that time, sporting activities, including organized sporting activities, are permitted in outdoor settings only, provided that they do not involve person-to-person contact or routinely entail individuals interacting within six feet of one another. Any sporting activities that involve person-to-person contact or individuals routinely interacting in close proximity (within six feet of one another) will remain prohibited in any setting. The Commissioner of the Department of Health, pursuant to her authority under the EHPA, N.J.S.A. 26:13-1 et seq., shall impose health and safety standards regarding sporting activities before that date, and such activities must comply with all applicable laws, regulations, and Executive Orders, including restrictions on gatherings in place at the time the sporting activities occur. No part of this Paragraph shall be construed to restrict the ability of professional athletes to fulfill their job duties, pursuant to Paragraph 7 of Executive Order No. 148 (2020), and no part of this Paragraph shall be construed to restrict the ability of United States national team athletes or athletes training at United States National Team Training Centers to conduct their training activities.

14. High school sporting activities under the jurisdiction of the New Jersey State Interscholastic Athletic Association ("NJSIAA") may resume in accordance with reopening protocols issued by NJSIAA, which shall consider DOH guidance in issuing these protocols. However, these high school sporting activities cannot resume any earlier than June 30, 2020.

15. The provision in Paragraph 9 of Executive Order No. 107 (2020) closing recreational and entertainment businesses to the public, is hereby superseded to the extent that it would prevent youth summer camps or sporting activities from operating in accordance with Paragraphs 13 or 14 of this Order.

16. The provisions in Paragraphs 3(e) of Executive Order No. 133 (2020), 3(h) of Executive Order No. 143 (2020), and 1(e) of Executive Order No. 148 (2020) are hereby superseded to the extent that they would prevent organized sporting activities from occurring.

17. The provisions in paragraphs 12 and 13 of Executive Order No. 107 (2020), paragraph 8 of Executive Order No. 148 (2020), and paragraph 1 of Administrative Order No. 2020-12 are hereby superseded to the extent that they prohibit youth summer camps and sporting activities from taking place in or on the premises of public or private schools.

18. Any actions taken by the Commissioner of the Department of Health pursuant to this Order shall not be subject to the requirements of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq.

19. 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 in all matters concerning this Executive Order.

20. Penalties for violations of this Executive Order may be imposed under, among other statutes, N.J.S.A. App. A:9-49 and -50.

21. 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 Executive Order No. 149 (2020), or which will or might in any way interfere with or impede its achievement.

22. This Order shall take effect immediately and shall remain in effect until revoked or modified by the Governor, who shall consult with the Commissioner of the Department of Health as appropriate.

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

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor