

**EXECUTIVE ORDER NO. 300**

WHEREAS, Dr. Anthony M. ("Doc") Villane, Jr. was born in Newark, New Jersey on December 24, 1929, to Anthony and Margaret Villane; and

WHEREAS, Dr. Villane was educated in the Newark Public School System, graduating from Barringer High School in 1948; and

WHEREAS, Dr. Villane attended Rutgers-Newark's pre-dental curriculum and was a multiple letter winner in fencing, track, and wrestling; and

WHEREAS, Dr. Villane earned his Doctor of Dental Surgery in 1955 from Temple Dental School in Philadelphia, Pennsylvania; and

WHEREAS, following his graduation, Dr. Villane served as a Captain in the United States Air Force for three years; and

WHEREAS, upon his return from service in 1958, Dr. Villane established a dental practice in Eatontown, New Jersey, which he maintained for nearly 55 years; and

WHEREAS, Dr. Villane continued to remain active in public service and was elected Long Branch Republican municipal chair in 1972; and

WHEREAS, Dr. Villane was appointed to the Long Branch Board of Education in 1975 before winning a seat in the New Jersey General Assembly, which he held until 1988; and

WHEREAS, Dr. Villane ascended to several positions in Assembly leadership, including Assembly Minority Whip and Deputy Assistant Minority Leader; and

WHEREAS, during his time in the Assembly, Dr. Villane was a champion for New Jersey's coastal communities, fighting illegal dumping and sponsoring legislation to provide lasting sources of funding for shore protection; and

WHEREAS, in 1988, Governor Tom Kean appointed Dr. Villane to his Cabinet as Commissioner of Community Affairs, a position he held through the end of the Kean administration in 1990; and

WHEREAS, in 1990, Dr. Villane continued his public service at the federal level by joining President George H. W. Bush's administration as regional administrator of the United States Department of Housing and Urban Development for the New York and New Jersey Region; and

WHEREAS, in 1953, Dr. Villane married his high school sweetheart Sarah, with whom he had five children, nine grandchildren, and six great-grandchildren; and

WHEREAS, Dr. Villane passed away peacefully on June 29, 2022, at the age of 92 with his wife and children by his side; and

WHEREAS, Dr. Villane will be greatly missed by his family, friends, and former colleagues; and

WHEREAS, as we mourn the passing of Dr. Villane, it is appropriate to honor his history of leadership, his many achievements, and his exemplary legacy;

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 until sunset on Wednesday, July 6, 2022, in recognition and mourning of Dr. Anthony M. Villane, Jr., an esteemed legislator and dedicated public servant.

2. This Order shall take effect immediately.

GIVEN, under my hand and seal this  
5<sup>th</sup> day of July,  
Two Thousand and Twenty-two, and  
of the Independence of the  
United States, the Two Hundred  
and Forty-Seventh.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

**EXECUTIVE ORDER NO. 301**

WHEREAS, Assemblyman Ronald "Ron" Stanley Dancer was born on May 31, 1949, to Stanley and Rachel (née Young) of the New Egypt section of Plumsted Township; and

WHEREAS, Assemblyman Dancer attended the Peddie School in Hightstown and the Edward J. Bloustein School of Planning and Public Policy at Rutgers University; and

WHEREAS, Assemblyman Dancer served in the United States Army from 1969 to 1971; and

WHEREAS, Assemblyman Dancer's father was a Hall of Fame Harness Racing driver, and Assemblyman Dancer was a professional horse trainer and driver for the Stanley Dancer Horse Racing Stables for decades; and

WHEREAS, Assemblyman Dancer became active in local politics in the 1980s, and served as Mayor of Plumsted Township from 1990 until 2011; and

WHEREAS, Assemblyman Dancer was selected to fill a seat in the General Assembly following the passing of Assemblyman Melvin Cottrell in 2002, and has served in the General Assembly continuously since then, having been elected and re-elected 10 times; and

WHEREAS, Assemblyman Dancer was a dedicated representative of his constituents in parts of Ocean, Monmouth, Middlesex, Mercer, and Burlington Counties; and

WHEREAS, during his time in the General Assembly, Assemblyman Dancer served in leadership positions such as Assistant Minority Leader and Deputy Republican Leader, and on committees such as Agriculture and Food Security, Military and Veterans' Affairs, and Tourism, Gaming and the Arts; and

WHEREAS, Assemblyman Dancer was known for being a passionate champion for veterans, farmers, and the horse racing industry, as well as for his bipartisanship; and

WHEREAS, Assemblyman Dancer also served on local government and volunteer boards, such as the Plumsted Township Planning Board and Municipal Utilities Authority and the Ocean County Board of Social Services, Natural Lands Trust Funds Advisory Committee, Senior Citizens Advisory Board, and Human Services Advisory Council; and

WHEREAS, Assemblyman Dancer was married to his wife Brenda for 54 years, with whom he had two children and three grandchildren; and

WHEREAS, Assemblyman Dancer passed away at age 73 on July 23, 2022, following a long illness; and

WHEREAS, Assemblyman Dancer will be greatly missed not only by his family and friends, but also his former colleagues in the Legislature, Plumsted Township, and Ocean County; and

WHEREAS, as we mourn the passing of Assemblyman Dancer, it is appropriate to commemorate his history of public service, his many achievements in State and local politics, and his legacy of public service, friendship, and civility;

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

1. The flag of the United States of America and the flag of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours on Tuesday, July 26, 2022, in recognition and mourning of

Assemblyman Ronald Dancer, an accomplished and respected legislator and devoted public servant.

2. This Order shall take effect immediately.

GIVEN, under my hand and seal this  
25<sup>th</sup> day of July,  
Two Thousand and Twenty-two,  
and of the Independence of  
the United States, the Two  
Hundred and Forty-Seventh.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

**EXECUTIVE ORDER NO. 302**

WHEREAS, on March 9, 2020, I issued Executive Order No. 103, declaring the existence of a Public Health Emergency, pursuant to the Emergency Health Powers Act ("EHPA"), N.J.S.A. 26:13-1 et seq., and a State of Emergency, pursuant to the New Jersey Civilian Defense and Disaster Control Act ("Disaster Control Act"), N.J.S.A. App A:9-33 et seq., in the State of New Jersey for Coronavirus disease 2019 ("COVID-19"), the facts and circumstances of which are adopted by reference herein; and

WHEREAS, through Executive Order Nos. 119, 138, 151, 162, 171, 180, 186, 191, 200, 210, 215, 222, 231, 235, and 240, which were issued each month between April 7, 2020 and May 14, 2021, the facts and circumstances of which are adopted by reference herein, I declared that the COVID-19 Public Health Emergency in effect at the time continued to exist; and

WHEREAS, New Jersey made significant progress in responding to COVID-19 and mitigating its devastating effects, in particular in light of the advent of several effective vaccines that, among other things, had significantly reduced the likelihood of both contracting and transmitting the variants of COVID-19 that were present in the United States at the time; and

WHEREAS, on June 4, 2021, in light of these developments, I signed Assembly Bill No. 5820 into law as P.L.2021, c.103, and issued Executive Order No. 244, which terminated the Public Health Emergency declared in Executive Order No. 103 (2020); and

WHEREAS, P.L.2021, c.103 sought to enable the State to bring an end to its initial Public Health Emergency while still allowing for an orderly continuation of the Administration's ability to order certain public health measures relating to COVID-19, including but not limited to vaccine distribution, administration, and management, COVID-19 testing, health resource and personnel

allocation, data collection, and implementation of recommendations of the Centers for Disease Control and Prevention ("CDC") to prevent or limit the transmission of COVID-19, including in specific settings; and

WHEREAS, P.L.2021, c.103 explicitly maintained the State of Emergency declared in Executive Order No. 103 (2020), and stated it would in no way diminish, limit, or impair the powers of the Governor to respond to any of the threats presented by COVID-19 pursuant to the Disaster Control Act; and

WHEREAS, in addition to leaving the prior State of Emergency in effect, nothing in P.L.2021, c.103 prevented the Governor from declaring any new public health emergency under the EHPA, N.J.S.A. 26:13-1 et seq., should the evolving circumstances on the ground require such a declaration; and

WHEREAS, Executive Order No. 252, issued August 6, 2021, required all covered health care and high-risk congregate settings ("covered settings") to maintain a policy that required all covered workers to either provide adequate proof to the covered settings that they have been fully vaccinated or submit to COVID-19 testing at minimum one to two times weekly beginning September 7, 2021; and

WHEREAS, Executive Order No. 253, issued August 23, 2021, requires all public, private, and parochial preschool programs and elementary and secondary schools, including charter and renaissance schools (collectively "school districts") to maintain a policy that requires all covered workers to either provide adequate proof to the school district that they have been fully vaccinated or submit to COVID-19 testing at minimum one to two times weekly beginning October 18, 2021; and

WHEREAS, Executive Order No. 264, issued September 20, 2021, requires all child care centers and other child care facilities (collectively "child care settings") to maintain a policy that requires all covered workers to either provide adequate proof to the child care settings that they have been fully vaccinated or submit to COVID-19 testing at minimum one to two times weekly beginning November 1, 2021; and

WHEREAS, Executive Order No. 271, issued October 20, 2021, requires that each executive department and agency, including an independent authority, ensure that certain new contracts, new solicitations for contracts, extensions or renewals of existing contracts, and exercising options on existing contracts, include a clause that the contractor or any subcontractors, at any tier, that is party to the contract ("covered contractor(s)"), must maintain a policy that requires all covered workers to either provide adequate proof to the covered contractor that they have been fully vaccinated or submit to COVID-19 testing at minimum one to two times weekly; and

WHEREAS, as the CDC has recognized, viruses can change through mutation and mutations can result in variants of the virus, and some variants can spread more easily and quickly than other variants of the same virus, which may lead to more cases of COVID-19, increased strain on healthcare resources, more hospitalizations, and more deaths; and

WHEREAS, since Executive Order No. 244 (2021) took effect, the CDC has reported that new variants of concern of COVID-19 have been identified in the United States, particularly the B.1.617.2 (Delta) variant and most recently the B1.1.529, BA.1, BA.1.1, BA.2, BA.3, BA.4, and BA.5 lineages of the Omicron variant ("Omicron"); and

WHEREAS, although New Jersey was able to end the initial Public Health Emergency on account of the effectiveness of vaccines in reducing transmissibility of COVID-19, the Omicron spread more easily than other variants and required additional action to protect the public; and

WHEREAS, on January 11, 2022, I issued Executive Order No. 280, declaring the existence of a new Public Health Emergency, pursuant to the EHPA, N.J.S.A. 26:13-1 et seq., and continuing the State of Emergency declared in Executive Order No. 103 (2020) pursuant to the Disaster Control Act, N.J.S.A. App. A:9-33 et seq., in the State of New Jersey due to the surge of cases and hospitalizations tied to the new variants of COVID-19; and

WHEREAS, on January 11, 2022, I issued Executive Order No. 281, extending various orders to ensure the State continues to have the necessary resources in place to respond to the new variants of COVID-19; and

WHEREAS, on January 19, 2022, I issued Executive Order No. 283, requiring certain health care and high-risk congregate settings to maintain a policy that requires all covered workers to provide adequate proof to the covered settings that they are up to date with their COVID-19 vaccinations, including a booster dose when eligible; and

WHEREAS, on February 10, 2022, I issued Executive Order No. 288, which declared that the Public Health Emergency declared in Executive Order No. 280 (2022) continued to exist; and

WHEREAS, on March 2, 2022, I issued Executive Order No. 290, clarifying and extending the timeframes within which covered settings must require their covered workers to comply with the vaccination and booster requirements set forth in Executive Order No. 283 (2022); and

WHEREAS, as a result of significant emergency measures taken, the State made considerable progress in combating COVID-19 variants and decreasing key statistics, such as the number of hospitalized patients in the State, the number of daily positive COVID-19 cases, spot positivity, and the rate of transmission; and

WHEREAS, in light of these developments, on March 4, 2022, I issued Executive Order No. 292 terminating the Public Health Emergency declared in Executive Order No. 280 (2022) effective March 7, 2022, while continuing the State of Emergency declared in Executive Order No. 103; and

WHEREAS, Executive Order No. 292 (2022) stated that Executive Order Nos. 111, 112, and 207 (2020), Nos. 252, 253, 264, and 271 (2021) and Nos. 283 and 290 (2022) remain in full force and effect pursuant to the Disaster Control Act, N.J.S.A. App. A:9-33 et seq., except that paragraphs 11 and 13 of Executive Order No. 264 (2021) were rescinded; and

WHEREAS, Executive Order No. 292 (2022) lifted certain mitigation protocols, including the requirement that face masks be worn in school districts and child care settings, while continuing to require workers in school districts and child care settings to receive a COVID-19 vaccine or undergo regular testing in order to help prevent outbreaks and reduce transmission to children; and

WHEREAS, on April 13, 2022, I issued Executive Order No. 294, clarifying the vaccination and booster requirements applicable to workers in certain covered settings as set forth in Executive Order No. 283 (2022) and Executive Order No. 290 (2022); and

WHEREAS, the Department of Health's ("DOH") Executive Directive No. 21-011 (Revised), dated April 6, 2022, provides protocols for COVID-19 testing and vaccination reporting for covered settings pursuant to Executive Order Nos. 252, 253, and 264 (2021) and Nos. 283 and 290 (2022), including the requirement

that school districts report information to DOH using the Surveillance for Influenza and COVID-19 ("SIC") Module in the Communicable Disease Reporting and Surveillance System; and

WHEREAS, throughout the course of the COVID-19 pandemic, the U.S. Food and Drug Administration ("FDA") has continually evaluated data on the safety and effectiveness of the COVID-19 vaccine, including as administered to children of various age groups; and

WHEREAS, on October 29, 2021 and May 17, 2022, the FDA issued amendments to its Emergency Use Authorizations ("EUAs") of the COVID-19 vaccines which, collectively, expanded eligibility of certain COVID-19 vaccines and booster doses to children and adolescents between 5 and 17 years of age; and

WHEREAS, on June 17, 2022, the FDA issued further amendments to its EUAs of the COVID-19 vaccines which expanded eligibility of the primary COVID-19 vaccination series of certain COVID-19 vaccines to children between 6 months to 5 years of age; and

WHEREAS, New Jersey has administered over 18.4 million doses of the COVID-19 vaccine in the State to date, with over 8 million or 93% of New Jerseyans having received at least one dose of the vaccine; and

WHEREAS, of the total doses of the COVID-19 vaccine administered in New Jersey, over 1.9 million doses have been administered to children between 6 months to 17 years of age; and

WHEREAS, according to the CDC, various treatments and FDA-authorized therapeutics for COVID-19, such as antiviral medications and monoclonal antibodies, that can reduce the likelihood of severe illness and death have become widely available; and

WHEREAS, over the last five months, the State has experienced stable rates on key benchmark statistics, such as the number of hospitalized patients, patients in intensive care, and ventilators in use, and the spot positivity of COVID-19 tests; and

WHEREAS, on August 11, 2022, the CDC issued updated "Guidance for Minimizing the Impact of COVID-19 on Individual Persons, Communities, and Health Care Systems" in which the CDC recognizes that high levels of vaccine and infection-induced immunity and the availability of effective treatments and prevention tools have substantially reduced the risk for medically significant COVID-19 illness, and associated hospitalization and death; and

WHEREAS, the CDC's updated guidance notes that as a result of improved circumstances and the availability of multicomponent prevention measures, public health efforts to minimize the impacts of COVID-19 can now be tailored to individual and societal health factors, with a focus on reducing medically significant illness and minimizing the strain on the health care system, while removing barriers to social, educational, and economic activity; and

WHEREAS, the CDC's updated guidance recognizes that continuing to increase COVID-19 vaccination coverage, including booster doses, expanding access to therapeutics, and undertaking testing and other prevention measures remain essential to prevent severe outcomes and death from COVID-19, particularly for persons who are at an increased personal risk for severe adverse reactions and persons in certain health care and high-risk congregate settings; and

WHEREAS, the CDC's updated guidance further recognizes that in general community settings, including school districts and child care settings, local public health officials and jurisdictions are equipped with a host of COVID-19 prevention strategies and localized data to decide which mitigation protocols to use and

when, based on COVID-19 Community Levels and setting-specific factors; and

WHEREAS, on August 11, 2022, the CDC also issued updated "Operational Guidance for K-12 Schools and Early Care and Education Programs to Support Safe In-Person Learning" in which the CDC recommends that school districts and child care settings utilize COVID-19 mitigation protocols on a flexible basis; and

WHEREAS, as reported in the updated guidance for school districts and child care settings, the CDC is no longer recommending routine screening testing in school districts and child care settings, except as may be deemed necessary for certain high-risk, close contact activities, or when the CDC Community Levels in the local region of the school district or child care setting reach high levels; and

WHEREAS, in light of the CDC's updated guidance, and given the progress the State has made, the State can begin to responsibly lift certain mitigation protocols in place, including the requirement that school districts and child care settings maintain a policy requiring their unvaccinated covered workers to submit to weekly or twice weekly COVID-19 testing, as well as the requirement that covered contractors maintain a policy requiring their unvaccinated covered workers submit to weekly or twice weekly COVID-19 testing, as the State continues the next phase of the COVID-19 response; and

WHEREAS, continued surveillance of school-associated COVID-19 cases, clusters, and outbreaks is necessary for DOH to understand and track COVID-19 in the school setting, including monitoring the impact of vaccination, in order to inform public health decisions and actions, therefore it is critical that school districts continue to be required to report into the SIC module; and

WHEREAS, despite the extensive progress made in combatting COVID-19, and the ability to lift certain mitigation protocols, there remains an ongoing threat necessitating that certain actions taken by the State in response to COVID-19 and new variants, can remain in place as the State continues the next phase of our COVID-19 response; and

WHEREAS, the CDC continues to emphasize the importance of heightened mitigation protocols in certain covered settings, especially high-risk congregate care settings, because of the significant risk of spread and vulnerability of the populations served; and

WHEREAS, continuing to require workers in those covered settings to be up to date with their COVID-19 vaccinations, including the first booster dose for which they are eligible, can help prevent outbreaks and reduce transmission to vulnerable individuals who may be at higher risk of severe disease; and

WHEREAS, the Constitution and statutes of the State of New Jersey, 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 Nos. 253 and 264 (2021) are hereby rescinded.

2. Nothing in this Order shall prevent a school district or child care setting from maintaining a vaccination or testing policy implemented pursuant to Executive Order Nos. 253 and 264 (2021).

3. School districts shall continue to report information to DOH using the COVID-19 SIC Module, as set forth in Executive Directive 21-011, until Executive Directive 21-011 is revoked or modified by DOH or until the State of Emergency is no longer in effect, whichever is sooner.

4. Executive Order No. 271 (2021) is hereby rescinded.

5. The Commissioner of DOH is hereby authorized to issue a directive supplementing the requirements outlined in this Order, which may include, but not be limited to, any requirements for reporting vaccination and testing data to DOH.

6. 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.

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 Order, and to cooperate fully with any Administrative Orders issued pursuant to this 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,

or which will or might in any way interfere with or impede its achievement.

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

10. This Order shall take effect immediately, except that paragraph 4 of this Order shall take effect September 1, 2022.

11. This Order shall remain in effect until revoked or modified by the Governor.

GIVEN, under my hand and seal this  
15<sup>th</sup> day of August,  
Two Thousand and Twenty-two,  
and of the Independence of  
the United States, the Two  
Hundred and Forty-Seventh.

[seal]

/s/ Philip D. Murphy  
Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

**EXECUTIVE ORDER NO.303**

WHEREAS, Maureen Ogden was a dedicated conservationist, supporter of the arts, and seven-term Assemblywoman in the New Jersey Legislature; and

WHEREAS, Assemblywoman Ogden was born in Vancouver, Canada on November 1, 1928; and

WHEREAS, Assemblywoman Ogden graduated from Smith College in 1950 and received a Master of Arts in Public Law and Government from Columbia University in 1963; and

WHEREAS, in 1971, Assemblywoman Ogden began her career in public service in Millburn, New Jersey as a board member of the Citizen's League for Environmental Action Now before becoming Chair of the Millburn Environmental Commission in 1974; and

WHEREAS, Assemblywoman Ogden served as Deputy Mayor of Millburn from 1976 to 1979; and

WHEREAS, Assemblywoman Ogden served as Mayor of Millburn from 1979 to 1981, becoming the first female Mayor in Millburn's history; and

WHEREAS, Assemblywoman Ogden was first elected to the New Jersey Assembly in 1981 and went on to serve for seven terms before retiring in 1996; and

WHEREAS, Assemblywoman Ogden served as Assistant Minority Whip 1982 to 1985; and

WHEREAS, as a steadfast champion of the environment, Assemblywoman Ogden became Chair of the Assembly Conservation, Energy and Natural Resources Committee in 1985; and

WHEREAS, during her dedicated career in the Legislature, Assemblywoman Ogden also served as Chair of the Committee on Arts, Tourism, and Cultural Affairs, as Vice Chair of the Financial Institutions Committee and the Drug Abuse Committee, and as a

member of the Health Committee, the Conservation and Natural Resources Committee, and the State Government Committee; and

WHEREAS, Assemblywoman Ogden authored critically important environmental legislation protecting freshwater wetlands as well as several Green Acres bond issues to preserve open space; and

WHEREAS, in 1994, Assemblywoman Ogden was the chief sponsor of legislation affording adopted individuals the opportunity to obtain their original birth certificates; and

WHEREAS, in addition to her legislative achievements, Assemblywoman Ogden served as the first Chair of the Garden State Preservation Trust, Chair of the Conservation Committee of the New Jersey Garden Clubs, a member of the Palisades Interstate Park Commission, a trustee of the New Jersey Conservation Foundation, and a member of the New Jersey State Council on the Arts; and

WHEREAS, in 2019, the Drakestown Preserve in Long Valley was fittingly renamed the Maureen Ogden Preserve in honor of Assemblywoman Ogden's 50 years of public service and environmental activism; and

WHEREAS, Assemblywoman Ogden passed away on August 17, 2022 at the age of 93; and

WHEREAS, Assemblywoman Ogden was predeceased by her loving husband Bob in 2010, and will be sorely missed by her family, including her three sons and grandchildren, her friends, former colleagues, and the people of New Jersey who she served faithfully for decades; and

WHEREAS, as we mourn the passing of Assemblywoman Ogden, it is appropriate to commemorate her history of public service, her many achievements in State politics, and her legacy of public service, friendship, and conservationism;

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, August 19, 2022, in recognition and mourning of Assemblywoman Maureen Ogden.

2. This Order shall take effect immediately.

GIVEN, under my hand and seal this  
18<sup>th</sup> day of August,  
Two Thousand and Twenty-two,  
and of the Independence of  
the United States, the Two  
Hundred and Forty-Seventh.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

**EXECUTIVE ORDER NO. 304**

WHEREAS, the residents of New Jersey are entitled to a government that is effective, efficient, and free from corruption, favoritism, and waste; and

WHEREAS, the efficient and effective functioning of the State government depends upon the State's ability to obtain competent and professional legal counsel; and

WHEREAS, both the State and the residents of New Jersey benefit from the retention of legal counsel that is cost-effective and efficient; and

WHEREAS, the New Jersey Court Rules and Rules of Professional Conduct, and in particular Court Rule 1:21-11, establish that lawyers may provide legal services to "governmental entities" on a pro bono basis; and

WHEREAS, New Jersey Rule of Professional Conduct 6.1 establishes that "[e]very lawyer has a professional responsibility to render public interest legal service"; and

WHEREAS, the provision of pro bono legal services further enables the government to pursue public protection enforcement matters, such as civil rights, environmental justice, labor, and public nuisance cases, in a manner that maximizes the financial recovery that can be utilized to compensate victims and redress harms, contributing to the benefit of victims and the State; and

WHEREAS, the ability to retain legal services on a pro bono basis will enable State agencies to further their missions while safeguarding the State's public finances; and

WHEREAS, P.L.2005, c.51 (C.19:44A-20.13 et seq.), known as "Chapter 51," was enacted by the Legislature in 2005; and

WHEREAS, since its enactment and continuing to the present day, Chapter 51 only applies to government contracts where a vendor is paid in excess of \$17,500, but does not apply to

contracts that pay \$17,500 or less and, as such, does not apply to legal services donated to the State for free as part of the State's retention of outside counsel on a pro bono basis; and

WHEREAS, certain measures are nonetheless appropriate to prevent the risk or appearance that outside counsel will seek to gain an advantage in obtaining State government contracts for compensated legal services by providing a State agency with legal services on a pro bono basis; and

WHEREAS, as provided herein, those measures include a prohibition on simultaneous provision of pro bono and compensated legal services during the pro bono retention and a six-month "cooling off" period following the conclusion of the pro bono retention;

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 Executive Branch department, agency, authority, or independent State authority that is authorized to retain outside counsel may do so on a pro bono basis, using existing applicable procedures for retention of outside counsel.

2. To prevent the appearance of impropriety, any outside counsel providing legal services on a pro bono basis to the State is disqualified from providing legal services to the State for remuneration throughout the duration of that pro bono representation and for a period of six months thereafter.

3. The rules governing conflicts of interest that are provided in the Attorney General's May 15, 2019 letter to Governor's Chief Counsel, "[Identifying Government Clients for Purposes of Conflicts of Interest](#)," apply to any outside counsel

working on a pro bono basis for the State.

4. Executive Order 81 (2019) is hereby rescinded.
5. This Order shall take effect immediately.

GIVEN, under my hand and seal this  
25<sup>th</sup> day of August,  
Two Thousand and Twenty-two,  
and of the Independence of  
the United States, the Two  
Hundred and Forty-Seventh.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

**EXECUTIVE ORDER NO.305**

WHEREAS, the opioid epidemic has caused profound harm to the residents of New Jersey; and

WHEREAS, the number of suspected overdose-related deaths in New Jersey nearly doubled from 1,587 in 2015 to 3,006 in 2018, and has stayed around 3,000 every year since that time; and

WHEREAS, in the first seven months of 2022 alone, there have been 1,699 suspected overdose-related deaths and 7,959 administrations of the lifesaving drug Naloxone by law enforcement and Emergency Medical Services; and

WHEREAS, my Administration has dedicated hundreds of millions of dollars to addressing the opioid epidemic and its impacts in New Jersey; and

WHEREAS, New Jersey is dedicated to ending the opioid epidemic through a collaborative, inter-departmental, and data-driven strategy; with goals including increasing access to evidence-based prevention and treatment programs at the community level, supporting individuals on their path to and maintenance of recovery, reducing harm to people who use drugs and their loved ones, supporting data-driven work and strengthening system-wide infrastructure, and using robust law enforcement to stem the supply of illicit drugs and oversee innovative law enforcement-led programs that aim to divert or deflect individuals from the criminal justice system to public health services; and

WHEREAS, the State's approach to battling the opioid crisis must continue to be informed by individuals and communities who have experienced it firsthand, including those who have or whose family members have struggled with substance use disorder and opioid use disorder and those who work in the fields of addiction treatment, prevention, and recovery; and

WHEREAS, in July 2021, I signed six bills dedicated to ending the opioid epidemic in New Jersey, including bills to expand low-barrier access to Naloxone, build bridges to medication-assisted treatment, strengthen public health data, and increase resiliency among children and families impacted by the opioid crisis; and

WHEREAS, in January 2022, I signed three more bills aimed at expanding harm reduction efforts and furthering the State's commitment to ending the opioid epidemic, including a bill establishing local drug overdose fatality review teams; and

WHEREAS, Johnson & Johnson and McKesson, Cardinal, and Amerisource-Bergen have entered into nationwide settlement agreements relating to their contributions to the opioid crisis and, as part of the settlement agreements, will pay the State of New Jersey and eligible counties and municipalities a combined \$641 million over the next 18 years, which will be divided among the State and its eligible counties and municipalities; and

WHEREAS, the State has reached and may in the future reach additional national opioid litigation resolutions with other companies and individuals relating to their contributions to the opioid crisis; and

WHEREAS, on June 30, 2022, the Office of the Attorney General announced that the State and its counties and municipalities are expected to receive approximately \$30 million over time as a result of the bankruptcy of Mallinckrodt PLC, in connection with their opioid-related claims against the company; and

WHEREAS, on August 22, 2022, the Office of the Attorney General announced an additional nationwide settlement with Endo International PLC and its lenders, which is expected to provide some portion of a \$450 million national opioid litigation resolution to New Jersey and its counties and municipalities; and

WHEREAS, funds obtained by the State in national opioid litigation resolutions will be used to further the goals of preventing opioid misuse, addiction, and overdose deaths; providing assistance, treatment, and recovery support to individuals and communities affected by the opioid crisis; developing wraparound supports and connections to care for individuals with substance and opioid use disorders; and expanding harm reduction efforts; and

WHEREAS, certain national opioid litigation resolutions require the State to designate a lead agency for purposes relating to implementation of these resolutions, such as coordination, reporting, and public disclosure of expenditures and communication with the settlement administrator; and

WHEREAS, the State today is launching an online portal that will enable members of the public to provide recommendations on the expenditure of proceeds from national opioid litigation resolutions for an initial comment period and from time to time thereafter; and

WHEREAS, forming an Opioid Recovery and Remediation Advisory Council to consider proposals, develop best practices, and inform deployment of settlement funds is contemplated by the national opioid litigation resolutions with Johnson & Johnson and McKesson, Cardinal, and Amerisource-Bergen; and

WHEREAS, New Jersey has entered into a separate Memorandum of Agreement with participating counties and municipalities that requires each county to establish a county advisory council to provide input, advice, and recommendations on the disbursement of the county's share of the recovery and of the shares of its participating municipalities; and

WHEREAS, the State finds stakeholder collaboration through an advisory council to be critical to effective distribution of proceeds from national opioid litigation resolutions at the State level as well as at the county and municipal levels; and

WHEREAS, the State remains steadfast in its commitment to ending the opioid epidemic; supporting those affected by it and fighting it; and accomplishing these goals by distributing proceeds from national opioid litigation resolutions efficiently and equitably;

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 Department of Human Services ("DHS") is hereby designated as the lead agency for the State for purposes of directing the disbursement and allocation of the State's proceeds from national opioid litigation resolutions; for monitoring the use of moneys disbursed to counties or municipalities under national opioid litigation resolutions; and performing the various reporting, compliance, administrative functions and other obligations imposed upon the State pursuant to the terms and conditions of national opioid litigation resolutions.

2. There is hereby established in DHS the Opioid Recovery and Remediation Advisory Council (the "Advisory Council"). The Advisory Council, which shall be wholly advisory in nature, shall be chaired by the Commissioner of DHS or the Commissioner's designee.

3. In addition to the Commissioner of the DHS, the Advisory Council's membership shall consist of the Commissioner of the Department of Health, the Commissioner of the Department of

Children and Families, and the Attorney General, or their designees, as well as at least ten public members appointed by the Governor. The ten public members shall reflect the diversity of New Jersey and shall include public health and policy experts; as well as people with lived experience from the opioid epidemic, including those with a substance use disorder or a history of opioid misuse or addiction, and loved ones of those with a substance use disorder or a history of opioid misuse or addiction.

4. The Governor may, as determined to be appropriate, appoint additional public and ex officio members to the Advisory Council. All members of the Advisory Council shall serve at the pleasure of the Governor and shall serve without compensation.

5. The Advisory Council shall organize as soon as practicable after the appointment of its members and shall convene at least as often as requested by the Governor or the Chairperson.

6. The purpose of the Advisory Council shall be to review proposals, data, and analysis and engage with stakeholders and community members to develop and provide recommendations on the allocation and distribution of the State's share of proceeds from national opioid litigation resolutions.

7. To effectuate this purpose, the Advisory Council shall, to the extent not inconsistent with law:

- a. Gather and evaluate data regarding the availability of, gaps in, and barriers to substance use disorder prevention and treatment programs and recovery services;
- b. Solicit feedback, in a manner and method established by the Advisory Council, from stakeholders, local providers, advocates, those with lived experience with opioid use, the academic

community, and other subject matter experts and evaluators, community groups, and other members of the public regarding the services needed to prevent and treat substance use and opioid use disorders across the State;

- c. Review and evaluate recommendations submitted by the public via the online portal launched on August 31, 2022;
- d. Evaluate approaches taken by New Jersey and other states in administering proceeds from national opioid litigation resolutions; and
- e. Take any other measures deemed appropriate by the Advisory Council to inform its recommendations, with the purpose of promoting the equitable and efficient distribution of funds including through evidence-based or evidence-informed practices or strategies.

8. The Advisory Council shall provide information, advice, and general recommendations consistent with its purpose to the Governor, DHS, and other Executive Branch departments and agencies.

9. The Advisory Council shall remain operational until no later than six months after all proceeds from national opioid litigation resolutions have been expended and DHS's final report pursuant to such resolutions has been issued, at which time the Advisory Council shall disband.

10. The Advisory Council may, but is not required to, provide information and general recommendations to New Jersey counties and municipalities on the expenditure of the share of proceeds from national opioid litigation resolutions allocated to those entities

and may coordinate with any similarly situated County Advisory Council as determined by the Chairperson to be appropriate.

11. DHS shall provide such staff and administrative support to the Advisory Council as it requires to carry out its responsibilities. The Advisory Council is authorized to call upon any Executive Branch department or agency to supply it with information 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 and agency is hereby required, to the extent not inconsistent with law, to cooperate fully with the Advisory Council and to furnish such assistance on as timely a basis as is necessary to accomplish the purpose of this Order. The Advisory Council may consult with experts and other knowledgeable individuals in the public or private sector on any aspect of its mission.

12. 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.

13. For purposes of this Order, "national opioid litigation resolution" means: (1) a settlement agreement, entered into by the Attorney General of New Jersey on behalf of the State and by other state attorneys general on behalf of their respective states, which provides for the participation of states, counties, and municipalities to resolve claims by the state attorneys general

and counties and municipalities against opioid manufacturers, opioid distributors or pharmacies, or persons or entities affiliated with such manufacturers, distributors, or pharmacies, related to the manufacture, marketing, distribution, or dispensing of opioids; or (2) a bankruptcy plan which channels, releases, or otherwise finally disposes of claims by the state attorneys general and counties and municipalities against opioid manufacturers, opioid distributors or pharmacies, or persons or entities affiliated with such manufacturers, distributors, or pharmacies, related to the manufacture, marketing, distribution, or dispensing of opioids, which has received final approval and which the Attorney General determines shall be implemented in accordance with a memorandum of agreement between the State and its local governments on opioid litigation recoveries.

14. This Order shall take effect immediately.

GIVEN, under my hand and seal this  
 31<sup>st</sup> day of August,  
 Two Thousand and Twenty-two,  
 and of the Independence of  
 the United States, the Two  
 Hundred and Forty-Seventh.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

**EXECUTIVE ORDER NO. 306**

WHEREAS, on September 11, 2001, unprecedented acts of terrorism were committed in New York, Washington, D.C., and Pennsylvania; and

WHEREAS, these horrific attacks caused the largest loss of life from a foreign attack on American soil, and the largest single loss of rescue personnel in U.S. history; and

WHEREAS, approximately one quarter of the victims of the September 11, 2001 attacks were New Jerseyans, with nearly 700 residents of our State killed in the attacks; and

WHEREAS, the terrorist attacks on our nation not only caused an immense loss of life, but also inflicted immeasurable agony and anguish on those who lived through the events, which include hundreds of New Jersey families whose lives have been forever altered by the loss of a parent, spouse, child, or other loved one; and

WHEREAS, many New Jerseyans, including thousands of police, fire, military, emergency, and construction personnel bravely responded to this tragedy, and many first responders continue to deal with chronic health effects to this day; and

WHEREAS, twenty-one years later, September 11, 2001 will continue to be remembered by New Jerseyans across the State, both privately and at public remembrances and memorials, as we continue to display the patriotism and compassion that defines us as Americans and as New Jerseyans; and

WHEREAS, it is also important to remember all those who have served in the U.S. military and intelligence agencies defending our nation during the 21 years since the September 11<sup>th</sup> attacks, including the thousands of servicemembers who have lost their lives in overseas engagements; and

WHEREAS, we remain grateful to our law enforcement officers, armed forces, and intelligence officers for their extraordinary sacrifices in the protection of our country and our State; and

WHEREAS, it is appropriate and fitting that this day be observed with full solemnity, in honor of the victims of the attacks;

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 beginning at sunset on Friday, September 9, 2022, until sunrise on Monday, September 12, 2022, in recognition and in mourning of the victims of the attacks of September 11, 2001, including those from our home State.

2. This Order shall take effect immediately.

GIVEN, under my hand and seal this  
9<sup>th</sup> day of September,  
Two Thousand and Twenty-two,  
and of the Independence of  
the United States, the Two  
Hundred and Forty-Seventh.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

**EXECUTIVE ORDER NO. 307**

WHEREAS, New Jersey is and must continue to be a national leader in the production of renewable energy; and

WHEREAS, my Administration took office with a commitment to jumpstart the offshore wind industry in New Jersey given our State's ideal geographic location; and

WHEREAS, Executive Order No. 8 (2018) called upon the Board of Public Utilities ("BPU"), the Department of Environmental Protection ("DEP"), and any other State agencies with responsibilities arising under the Offshore Wind Economic Development Act ("OWEDA") to take all necessary actions to implement OWEDA and meet the goal I established of 3,500 megawatts of offshore wind energy generation by the year 2030, which would be sufficient to power up to 1.5 million homes; and

WHEREAS, in February 2018, my Administration established the New Jersey Offshore Wind Interagency Taskforce, comprised of BPU, DEP, the Economic Development Authority ("EDA"), the Department of the Treasury, and the Department of Labor and Workforce Development, to work collaboratively to support my offshore wind agenda and establish a vibrant offshore wind market in our State and the Mid-Atlantic region; and

WHEREAS, in September 2018, the BPU issued a solicitation for 1,100 megawatts of offshore wind energy generation; and

WHEREAS, in September 2018, I called on the BPU to consider two future solicitations for 1,200 megawatts of offshore wind generation to take place in 2020 and 2022, providing visibility for offshore wind developers, suppliers, and stakeholders; and

WHEREAS, in January 2019, the EDA opened applications for its Offshore Wind Tax Credit Program intended to attract investment into New Jersey's offshore wind industry; and

WHEREAS, in June 2019, the BPU awarded 1,100 megawatts of offshore wind capacity to Ørsted's Ocean Wind I project, which was the largest single-state procurement of offshore wind electricity generation capacity in the United States at that time; and

WHEREAS, in November 2019, I signed Executive Order No. 92 rescinding the target of 3,500 megawatts of offshore wind energy generation by 2030 and establishing a new goal of 7,500 megawatts of offshore wind energy generation by 2035; and

WHEREAS, in January 2020, the BPU released the State's 2019 Energy Master Plan, which outlines key strategies to reach my Administration's goal of 100 percent clean energy by 2050, including recommendations for the continued development of offshore wind energy as a key component of the State's clean energy portfolio; and

WHEREAS, in February 2020, I announced an offshore wind solicitation schedule to achieve the goal of 7,500 megawatts of offshore wind energy by 2035, which provided for a second solicitation of 1,200 megawatts to be issued in the third quarter of 2020, a third solicitation of 1,200 megawatts to be issued in the third quarter of 2022, a fourth solicitation of 1,200 megawatts to be issued in the second quarter of 2024, a fifth solicitation of 1,400 megawatts to be issued in the second quarter of 2026, and a sixth solicitation of 1,400 megawatts to be issued in the first quarter of 2028; and

WHEREAS, in June 2020, I announced a plan to develop the New Jersey Wind Port in Lower Alloways Creek, Salem County, construction for which began in September 2021, as the first purpose-built offshore wind port in the United States, with the potential to create up to 1,500 jobs and \$500 million in economic activity, including marshaling the Ocean Wind I project as

announced by Ørsted Offshore North America and the EDA in April 2022; and

WHEREAS, in September 2020, the BPU issued its second offshore wind solicitation, and in June 2021 awarded a total of 2,658 megawatts of offshore wind capacity, the largest combined offshore wind award in the nation at the time, to two projects, Atlantic Shores Offshore Wind, to be developed by Atlantic Shores Offshore Wind 1, LLC, a joint venture between EDF-RE Offshore Development, LLC and Shell New Energies US LLC, and Ocean Wind II, to be developed by Ørsted's Ocean Wind II, LLC; and

WHEREAS, also in September 2020, the BPU issued the New Jersey Offshore Wind Strategic Plan, developed together with DEP as I directed in Executive Order No. 8 (2018), to serve as New Jersey's roadmap to achieving the goal of 7,500 megawatts by 2035, and which addresses the need for assessing community impacts, including those within overburdened environmental justice communities; and

WHEREAS, the EDA, with over \$11 million in clean energy program funding from BPU in fiscal years 2021 and 2022, and in collaboration with the Department of Labor and Workforce Development and the Office of the Secretary of Higher Education, has launched numerous offshore wind workforce development programs, including grants to public four-year universities, community colleges, and technical high schools for programs to prepare New Jersey residents for participation in a range of occupations in the offshore wind industry; and

WHEREAS, in December 2020, I announced an investment of \$250 million in a state-of-art manufacturing facility at the Paulsboro Marine Terminal in Gloucester County to build steel monopiles, an offshore wind turbine component, to serve the entire U.S. offshore wind industry; and

WHEREAS, in April 2021, the BPU, in collaboration with regional grid operator PJM Interconnection, LLC, issued a competitive solicitation for transmissions solutions to help deliver offshore wind energy to the existing power grid; and

WHEREAS, in February 2022, the United States Department of the Interior's Bureau of Ocean Energy Management ("BOEM") held an auction for six offshore wind lease areas, totaling more than 480,000 acres and capable of supporting 5.6 to 7 gigawatts of offshore wind energy, off New York and New Jersey in the area known as the New York Bight, which auction included lease stipulations designed to promote the development of a robust domestic U.S. supply chain for offshore wind and enhance engagement with underserved communities, the commercial fishing industry, and other ocean users; and

WHEREAS, around this time, New Jersey, together with BOEM and the State of New York, released a shared vision statement to develop a robust offshore wind domestic supply chain that will deliver benefits to residents in the region, including underserved communities; and

WHEREAS, my Administration, led by the DEP, continues to participate in regional and national scientific consortia and engage in outreach with New Jersey's fishing industry and conservation community to facilitate responsible offshore wind development that considers the needs of New Jersey's commercial and recreational fishing industries and ensures that natural resources are protected throughout all stages of offshore wind energy development and generation; and

WHEREAS, because of these efforts, offshore wind development is a growing economic sector in the State with increases in supply chain presence, private investment in ports, workforce development

efforts, and research and development for offshore wind industry and labor; and

WHEREAS, offshore wind has the potential to deliver the scale of clean, renewable energy generation needed to meet the State's goals of 50 percent clean energy by 2030 and 100 percent clean energy by 2050, in addition to creating a significant number of good-paying jobs; and

WHEREAS, continuing to expand the State's offshore wind energy generation goals will ensure we achieve these clean energy goals and further strengthen New Jersey's economy;

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. Paragraph 2 of Executive Order No. 92 (2019), which established a goal of 7,500 megawatts of offshore wind energy generation by the year 2035, is hereby rescinded.

2. The BPU, the DEP, the EDA, and all other New Jersey State agencies with responsibilities arising under OWEDA shall take all necessary actions to implement OWEDA in order to promote and realize the development of wind energy off the coast of New Jersey to meet a goal of 11,000 megawatts of offshore wind energy generation by the year 2040.

3. The BPU shall undertake to study the feasibility and benefits of further increasing the goal stated in paragraph 2 of this Order, and shall provide me with recommendations, no later than one year from the effective date of this Order, for an updated target that will further support the achievement of New Jersey's clean energy goal and the continued growth of the offshore wind

industry in the State and the good-paying jobs associated with the industry.

4. This Order shall take effect immediately.

GIVEN, under my hand and seal this  
21<sup>st</sup> day of September,  
Two Thousand and Twenty-two,  
and of the Independence of  
the United States, the Two  
Hundred and Forty-Seventh.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Lisa M. Almeida

Deputy Chief Counsel to the Governor

**EXECUTIVE ORDER NO. 308**

WHEREAS, Governor Jim Florio was born James Joseph Florio on August 29, 1937, in Brooklyn, New York; and

WHEREAS, after growing up and graduating from Erasmus Hall High School in Brooklyn, Governor Florio enlisted in the United States Navy; and

WHEREAS, Governor Florio served in the Navy from 1955 to 1958, and remained in the Naval Reserve until 1975, eventually ascending to the rank of Lieutenant Commander; and

WHEREAS, during his time in the Navy, Governor Florio also had a distinguished career as an amateur boxer; and

WHEREAS, in 1958, Governor Florio moved to New Jersey to attend Trenton State College, now The College of New Jersey, and received his Bachelor of Arts degree in 1962; and

WHEREAS, after completing graduate coursework at Columbia University, Governor Florio enrolled at Rutgers School of Law-Camden and received his Juris Doctor in 1967; and

WHEREAS, Governor Florio began his legal career as an assistant Camden City Solicitor and served as the borough solicitor for other South Jersey towns, including Runnemede, Woodlynne, and Somerdale; and

WHEREAS, Governor Florio first ran for public office in 1969, when he was elected to represent the 3rd Legislative District in the New Jersey General Assembly; and

WHEREAS, Governor Florio was re-elected to the Assembly in 1971, and then subsequently re-elected in 1973 as a representative of the 5th Legislative District; and

WHEREAS, in 1974, Governor Florio was elected to the U.S. House of Representatives, where he would serve for 15 years representing New Jersey's First Congressional District; and

WHEREAS, during his time in Congress, Governor Florio was best-known for authoring the landmark "Superfund" law in 1980, which established a program in the Environmental Protection Agency to investigate and cleanup sites contaminated with hazardous substances; and

WHEREAS, Governor Florio ran for the Democratic nomination for Governor in 1977, and then won the Democratic nomination for Governor four years later in 1981, when he was narrowly defeated by the Republican nominee, Tom Kean, in the closest gubernatorial race in New Jersey history; and

WHEREAS, Governor Florio ran for Governor again in 1989 and this time was elected, securing landslide victories in both the primary and general elections; and

WHEREAS, Governor Florio took office during an economic recession, forcing him to make difficult choices to raise the revenue needed to balance the State budget, increase education aid to school districts, and expand property tax relief; and

WHEREAS, in May 1990, Governor Florio signed the strictest ban on assault weapons in the United States; and

WHEREAS, for the next three years, the National Rifle Association launched an all-out campaign to repeal the assault weapons ban, but Governor Florio repeatedly vetoed efforts to repeal the law and successfully mobilized the residents of New Jersey to sustain his vetoes in the Legislature; and

WHEREAS, for his leadership on this issue in the face of intense opposition, Governor Florio received the John F. Kennedy Profile in Courage Award in 1993; and

WHEREAS, during his governorship, Governor Florio also signed legislation expanding Medicaid services for children and pregnant women, amending New Jersey's Law Against Discrimination to

prohibit discrimination based on sexual orientation, and strengthening New Jersey's clean water laws; and

WHEREAS, after being narrowly defeated for re-election, Governor Florio remained active in public life, running for the United States Senate in 2000 and serving as the Chair of the New Jersey Pinelands Commission from 2002 to 2005; and

WHEREAS, Governor Florio was a founding partner and of counsel to the law firm of Florio Perrucci Steinhardt Cappelli Tipton & Taylor LLC; and

WHEREAS, Governor Florio also served on the boards of a number of non-profit organizations, including New Jersey Future, the New Jersey Health Care Quality Institute, and the Fund for New Jersey; and

WHEREAS, Governor Florio served as a Senior Fellow for Public Policy and Administration at the Edward J. Bloustein Graduate School of Public Policy at Rutgers University, where he educated the next generation of policymakers for over 20 years; and

WHEREAS, Governor Florio had three children, Christopher, Gregory, and Catherine, from his first marriage, and then in 1985 married Lucinda Coleman, who would serve as New Jersey's First Lady, where she focused on issues affecting women and children; and

WHEREAS, during my tenure as Governor, I had the great privilege to get to know Governor Florio, and have always been appreciative for his advice and counsel; and

WHEREAS, Governor Florio leaves behind a legacy as a public servant who stood on principle, doing what he believed was right regardless of the political consequences; and

WHEREAS, the initiatives that Governor Florio launched during his administration made New Jersey a safer, cleaner, and more just State for all of its residents; and

WHEREAS, Governor Florio will be sorely missed by his family, friends, and the people of New Jersey whom he served so well;

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 beginning at sunrise on Tuesday, September 27, 2022, until sunset on Tuesday, October 11, 2022, in recognition and mourning of a statesman and public servant, Governor Jim Florio.

2. This Order shall take effect immediately.

GIVEN, under my hand and seal this  
26<sup>th</sup> day of September,  
Two Thousand and Twenty-two,  
and of the Independence of  
the United States, the Two  
Hundred and Forty-Seventh.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

**EXECUTIVE ORDER NO. 309**

WHEREAS, across the country, states and school districts have reported staff shortages and continue to face challenges related to vacancies of teachers and educational support professionals ("ESP"); and

WHEREAS, data suggests the pandemic has exacerbated shortages in specific teaching areas, including, but not limited to, special education, science and math, and English as a second language or bilingual education; and

WHEREAS, New Jersey public schools rank among the best in the nation and our teachers are one of the primary reasons why New Jersey's school system is consistently ranked so high; and

WHEREAS, students need diverse, effective teachers and ESPs more than ever to help them accelerate back to grade level after the disruption of the past two years; and

WHEREAS, collaboration is critical for understanding the challenges our schools are facing and to allow policymakers to provide assistance to help our students and educators where it is needed; and

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, within the Office of the Governor, the Task Force on Public School Staff Shortages in New Jersey (the "Task Force") that will develop recommendations to address teacher and ESP shortages in school districts across the State.

2. The Task Force shall be composed of no more than 25 members, including the Chief Policy Advisor to the Governor, or

his designee; the Commissioner of the Department of Education, or her designee; four members upon the recommendation of the New Jersey Education Association; three members upon recommendation of the New Jersey Association of School Administrators, with at least two of these members being superintendents representing a separate and distinct sector of the diverse student population across the State; two members upon the recommendation of the American Federation of Teachers New Jersey; one member upon the recommendation of the New Jersey Principals and Supervisors Association; one member upon the recommendation of the New Jersey School Boards Association; one member upon the recommendation of the New Jersey Association of School Business Officials; one member upon the recommendation of the New Jersey Public Charter Schools Association; one member upon the recommendation of the New Jersey Parent Teacher Association; one member upon the recommendation of the New Jersey Council on County Vocational-Technical Schools; two members upon the recommendation of the New Jersey Association of Colleges for Teacher Education; one member upon the recommendation of the New Jersey Association of State Colleges and Universities; one member upon the recommendation of the Senate President; and one member upon the recommendation of the Speaker of the General Assembly. All members shall be appointed by and serve at the pleasure of the Governor.

3. The Governor may, as determined to be appropriate, appoint additional members to the Task Force.

4. The Chief Policy Advisor to the Governor, or his designee, shall serve as the chairperson to the Task Force.

5. All public members of the Task Force shall serve without compensation.

6. The Task Force shall organize as soon as practicable after the appointment of its members, and shall convene as often as practicable and as requested by the Governor or chairperson.

7. The Task Force is authorized to call upon any department, office, division, or agency of this State to supply it with data and any other information or assistance available to such agency as the Task Force deems necessary to execute its duties under this Order. Each department, office, division, or agency of this State is hereby required, to the extent not inconsistent with law, to cooperate fully with the Task Force within the limits of its statutory authority and to furnish it with such assistance on as timely a basis as is necessary to accomplish the purpose of this Order. The Task Force may, and is expected to, consult with experts and other knowledgeable individuals in the public or private sector on any aspect of its mission.

8. The objectives of the Task Force shall include, but not be limited to, the following:

- a. To develop short-term and long-term recommendations to increase the quantity of teacher applicants in our State;
- b. To develop short-term and long-term recommendations to increase the quantity of ESP applicants in our State;
- c. To explore innovative ways the State can recruit and retain the educators and school staff our students need;
- d. To identify best practices and resources to increase the pipeline of teacher candidates;
- e. To identify best practices and resources to increase the pipeline of ESP candidates; and

f. To identify best practices and resources to ensure retention of school staff members.

9. The Task Force shall be purely advisory in nature, and shall provide initial recommendations to the Governor no later than January 31, 2023.

10. This Order shall take effect immediately.

GIVEN, under my hand and seal this  
10<sup>th</sup> day of November,  
Two Thousand and Twenty-two,  
and of the Independence of  
the United States, the Two  
Hundred and Forty-Seventh.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

## EXECUTIVE ORDER NO. 310

WHEREAS, New Jersey is home to abundant and diverse wildlife that is critical to the State's varied ecosystems, including the American black bear (*Ursus americanus*); and

WHEREAS, the State of New Jersey, through the Department of Environmental Protection ("DEP") and its predecessors, has long authorized hunting and trapping of certain species in New Jersey, including black bears, for multiple purposes, including recreation and wildlife management; and

WHEREAS, on August 20, 2018, I signed Executive Order No. 34, which directed the Commissioner of DEP (the "Commissioner") to take all necessary and appropriate actions to protect black bears on lands controlled by the State, including determining whether to close such lands to hunting of black bears; and

WHEREAS, in accordance with Executive Order No. 34 (2018), the Commissioner signed Administrative Order No. 2018-24, ordering and directing that all lands owned, managed, or otherwise controlled by DEP be closed to the hunting of black bears; and

WHEREAS, with the expiration of the Comprehensive Black Bear Management Plan in 2021, no bear hunting has taken place in New Jersey since 2020; and

WHEREAS, DEP and the Fish and Game Council ("Council") estimate that the black bear population in Morris, Passaic, Sussex, and Warren counties, where the bulk of the State's bear population is centered, has increased to approximately 3,000 bears from approximately 1,500 bears in 2018; and

WHEREAS, State biologists project that, in the absence of population control measures, the black bear population in the northwest portion of New Jersey would increase to over 4,000 bears in the next two years; and

WHEREAS, the DEP received 1,538 bear incident reports between January and October 2022, a 237 percent increase from the same period in 2021, including 1 human attack, 62 aggressive encounters with humans,

12 dog attacks, 12 home entries, 15 attempted home entries, 89 instances of property damage, and 52 attacks on protected livestock; and

WHEREAS, on November 15, 2022, the Council found that the increasing bear population and increasing number of adverse human-bear interactions constitute an imminent peril necessitating the reinstatement of a bear hunting season for December 2022; and

WHEREAS, the Council further found that increases in adverse human-bear interactions are closely correlated with increases in the black bear population, which cause bears to disperse into more densely populated areas and seek food from human sources such as trash and agricultural crops and livestock; and

WHEREAS, the Council also found that the data on the ground has shown that, in addition to control of human food sources, non-lethal strategies such as outreach and education, while helping to increase awareness and public safety, have proven to be insufficient to reduce dangerous human-bear interactions in the face of uncontrolled population growth; and

WHEREAS, based upon the findings described above, the Council enacted emergency regulations adopting a new Comprehensive Black Bear Management Plan and amending the Game Code to implement appropriate black bear hunting restrictions, including prohibitions on the taking of cubs under 75 pounds and adults traveling with cubs under 75 pounds, as well as certain restrictions on baiting; and

WHEREAS, on the same date, the Commissioner approved the Comprehensive Black Bear Management Plan and stated his agreement with the Council's finding of imminent peril; and

WHEREAS, in consultation with the Commissioner, I have determined that a regulated bear hunt that takes place on both state and private lands is necessary to protect New Jersey residents from harm and reduce the threat of tragic human-bear interactions, and I have concurred with the Council's Statement of Imminent Peril; and

WHEREAS, as a result of this emergency rulemaking, a Bear Hunting Season will take place pursuant to the Comprehensive Black Bear Management Plan and N.J.A.C. 7:25-5.6 from December 5 through December

10, 2022, and will be extended from December 14 through December 17 if necessary to achieve a 20 percent harvest rate;

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. 34 (2018) is hereby rescinded.

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

3. This Order shall take effect immediately.

GIVEN, under my hand and seal this  
15<sup>th</sup> day of November,  
Two Thousand and Twenty-two, and  
of the Independence of the  
United States, the Two Hundred  
and Forty-Seventh.

[seal]

/s/ Philip D. Murphy  
Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

**EXECUTIVE ORDER NO. 311**

WHEREAS, pursuant to N.J.S.A. 2A:52-1, a person seeking to change their name may file an action to do so in Superior Court; and

WHEREAS, per a July 30, 2021 order that became effective on September 1, 2021, the New Jersey Supreme Court amended its court rules to exclude all records in name change actions from public access, see N.J. Court Rule 1:38-3(f)(10); and

WHEREAS, Rule 4:72-4 of the New Jersey Court Rules requires a certified copy of a Superior Court name change order to be filed with the Department of the Treasury; and

WHEREAS, name change orders filed with the Executive Branch prior to 1948 are publicly archived; and

WHEREAS, name change orders filed since 1948 are maintained by the Division of Revenue and Enterprise Services in the Department of the Treasury, and such orders are not currently treated as confidential; and

WHEREAS, as noted by the New Jersey Supreme Court, the privacy and safety interests of all individuals who have legally changed their names are served by maintaining the confidentiality of name change records; and

WHEREAS, for someone who is transgender, non-binary, or gender non-conforming, legally changing one's name can be a crucial aspect of that person's affirmation of their gender identity or gender expression; and

WHEREAS, the Supreme Court explained that its rule amendment excluding name change records from public access was proposed in consideration of "the safety concerns and privacy interests of transgender, non-binary, and gender non-conforming people who seek

name changes in affirmation of their gender identity as well as others who seek name changes through the courts"; and

WHEREAS, it is the policy of the State of New Jersey to take steps to protect transgender, non-binary, and gender non-conforming individuals from violence, discrimination, harassment, and invasions of privacy whenever possible; and

WHEREAS, in its report titled "Addressing Discrimination Against Transgender New Jerseyans," the New Jersey Transgender Equality Task Force, established pursuant to P.L.2018, c.60, noted that publicizing the name changes of transgender individuals rarely serves a public benefit; and

WHEREAS, the Open Public Records Act ("OPRA"), N.J.S.A. 47:1A-1 to -13 permits certain government records to be exempted from public access by Executive Order of the Governor, see N.J.S.A. 47:1A-1, -5, -9; and

WHEREAS, maintaining the confidentiality of name change records would serve to protect the privacy and safety of transgender, non-binary, and gender non-conforming New Jerseyans; and

WHEREAS, it is appropriate to align the procedures of the Executive Branch with respect to name change records with those of the Judicial Branch;

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. Within 14 days of the effective date of this Order, all name change orders filed with the Division of Revenue and Enterprise Services in the Department of the Treasury after December 31, 1948 shall be exempt from public access under OPRA.

2. Within 14 days of the effective date of this Order, the Division of Revenue and Enterprise Services in the Department of the Treasury shall treat all name change orders filed after December 31, 1948 as confidential, except for when a record of such order is requested by the person whose name was changed or by the person's parent or guardian, if the person is a minor at the time of the request, or otherwise for good cause shown.

3. This Order shall take effect immediately.

GIVEN, under my hand and seal this  
16<sup>th</sup> day of November,  
Two Thousand and Twenty-two,  
and of the Independence of  
the United States, the Two  
Hundred and Forty-Seventh.

[seal]

/s/ Philip D. Murphy  
Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

**EXECUTIVE ORDER NO. 312**

WHEREAS, First Lady Lucinda Florio was born Lucinda Coleman in Lafayette, Indiana in 1947, before moving to Philadelphia, Pennsylvania and then to Gloucester City, New Jersey; and

WHEREAS, after leaving high school early for a first marriage and to raise her young son, Lucinda attended Gloucester County College and graduated from Glassboro State University with a degree in education in 1975, becoming a dedicated teacher who made a difference in the lives of generations of preschool, first grade, and third grade children; and

WHEREAS, Lucinda married Jim Florio in February 1988, when he was serving in the U.S. House of Representatives, and the two shared 34 years together before Governor Florio's passing on September 25, 2022; and

WHEREAS, Lucinda strongly supported her husband's campaign for Governor of New Jersey in 1989 and served as New Jersey's First Lady from 1990 to 1994; and

WHEREAS, Lucinda served as an active and visible First Lady who used her role to advocate for women and children, supporting causes from early childhood education and literacy to health and women's rights and serving as honorary chair of efforts to establish the Alice Paul Institute, a leadership training institute for young women in Burlington County; and

WHEREAS, Lucinda led continuing efforts to restore and refurbish the Governor's Mansion at Drumthwacket in Princeton, where she and Governor Florio were the first official occupants of the executive residence, raising funds and focusing in particular on restoration of the second floor private quarters and gardens; and

WHEREAS, after her time as First Lady, Lucinda remained devoted to supporting women and children in the State, co-chairing a building campaign for the YMCA in her hometown of Metuchen, serving as trustee of the Liberty Science Center, and working with the United Way of Middlesex County on childcare programming, among other charitable and volunteer endeavors; and

WHEREAS, Lucinda will be remembered as a gracious and dedicated First Lady of New Jersey; and

WHEREAS, Lucinda will also be remembered for her devotion to her family as a loving wife and mother to her son Mark, a respected history teacher at Lawrence High School, and to her stepchildren Christopher, Gregory, and Catherine; and

WHEREAS, Lucinda will be deeply missed by her family and the people of the State of New Jersey; and

WHEREAS, it is with immense sadness that we mourn Lucinda Florio'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 Lucinda Florio 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 Thursday, November 17, 2022 in recognition and mourning of First Lady Lucinda Florio.

2. This Order shall take effect immediately.

GIVEN, under my hand and seal this  
16<sup>th</sup> day of November,  
Two Thousand and Twenty-two, and  
of the Independence of the  
United States, the Two Hundred  
and Forty-Seventh.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

**EXECUTIVE ORDER NO. 313**

WHEREAS, on March 9, 2020, Governor Murphy issued Executive Order No. 103, declaring the existence of a Public Health Emergency, pursuant to the Emergency Health Powers Act ("EHPA"), N.J.S.A. 26:13-1 et seq., and a State of Emergency, pursuant to the New Jersey Civilian Defense and Disaster Control Act ("Disaster Control Act"), N.J.S.A. App A:9-33 et seq., in the State of New Jersey for Coronavirus disease 2019 ("COVID-19"), the facts and circumstances of which are adopted by reference herein; and

WHEREAS, through Executive Order Nos. 119, 138, 151, 162, 171, 180, 186, 191, 200, 210, 215, 222, 231, 235, and 240, which were issued each month between April 7, 2020 and May 14, 2021, the facts and circumstances of which are adopted by reference herein, Governor Murphy declared that the COVID-19 Public Health Emergency in effect at the time continued to exist; and

WHEREAS, as a result of significant emergency measures taken, the State made considerable progress against the initial outbreak of COVID-19; and

WHEREAS, in the context of our elections, the State's use of certain COVID-19 mitigation protocols, including social distancing and masking, and the increased access to vote-by-mail opportunities, allowed New Jersey residents to exercise their right to vote safely and securely; and

WHEREAS, pursuant to Executive Order Nos. 105, 120, 144, 164, 169, 177, 179, 193, 198, 203, 211, and No. 216 (2020) and No. 223 (2021), which were issued between March 19, 2020 and February 19, 2021, the facts and circumstances of which are adopted by reference herein, New Jersey was able to navigate federal and State primary and general elections in 2020 and 2021, as well as other municipal,

special, and run-off elections, despite the challenges COVID-19 imposed upon election administration; and

WHEREAS, given the progress the State made in initially combating COVID-19, on June 4, 2021, Governor Murphy signed Assembly Bill No. 5820 into law as P.L.2021, c.103, and Executive Order No. 244 which, collectively, terminated the initial Public Health Emergency declared in Executive Order No. 103 (2020), but explicitly maintained the State of Emergency declared in Executive Order No. 103 (2020); and

WHEREAS, shortly after Executive Order No. 244 (2021) took effect, several new variants of COVID-19 emerged, thereby necessitating additional action to protect the public; and

WHEREAS, on January 11, 2022, Governor Murphy issued Executive Order No. 280, declaring the existence of a new Public Health Emergency, pursuant to the EHPA, N.J.S.A. 26:13-1 et seq., and continuing the State of Emergency declared in Executive Order No. 103 (2020) pursuant to the Disaster Control Act, N.J.S.A. App. A:9-33 et seq., in the State of New Jersey; and

WHEREAS, through Executive Order Nos. 281, 283, 288, and 290, which were issued between January 11, 2022 and March 2, 2022, the facts and circumstances of which are adopted by reference herein, Governor Murphy continued the Public Health Emergency declared in Executive Order No. 280 (2022) and extended various orders to protect the public against COVID-19 variants; and

WHEREAS, through the use of multicomponent COVID-19 prevention strategies, including increased vaccination coverage, expanded access to therapeutics, testing and other prevention measures, the State was able to significantly reduce the spread and impact of COVID-19 variants; and

WHEREAS, on March 4, 2022, Governor Murphy issued Executive Order No. 292 terminating the Public Health Emergency declared in Executive Order No. 280 (2022) effective March 7, 2022, while continuing the State of Emergency declared in Executive Order No. 103 (2020); and

WHEREAS, despite the extensive progress made in combatting COVID-19, and the ability to lift certain mitigation protocols in the context of election administration, New Jersey residents have increasingly voted by mail due, in part, to the measures implemented in response to COVID-19; and

WHEREAS, voting by mail offers voters a safe alternative to in-person participation in the democratic process, particularly among elderly and immunocompromised voters that may still be reticent about increasing their risk of exposure to COVID-19 by voting in-person at a polling site; and

WHEREAS, at the same time, the increased interest in vote-by-mail as a safe alternative to avoid the potential risk of exposure to COVID-19, combined with current statutory deadlines, has imposed administrative constraints upon State, county and municipal election officials; and

WHEREAS, the sustained interest in voting by mail, combined with certain statutory deadlines, continue to impose administrative time constraints upon State, county and municipal election officials that make it increasingly unlikely that they will be unable to complete a run-off election in the timeframe required; and

WHEREAS, these administrative time constraints are particularly exacerbated in the case of municipal elections where it is yet uncertain whether there will even be a need for a run-off election further limiting election officials' ability to

prepare, send, and receive the anticipated increased amount of vote-by-mail ballots within the statutory deadlines; and

WHEREAS, N.J.S.A. 40:45-19 requires a run-off election in any municipal election held under N.J.S.A. 40:45-18 if a candidate does not receive a majority of the votes cast, in the case of a mayoral election, or if a sufficient number of candidates do not receive a majority of the votes cast, in the case of a councilman-at-large, commissioner, or village trustee election; and

WHEREAS, pursuant to N.J.S.A. 40:45-19, run-off elections resulting from municipal elections occurring on the day of the November General Election shall be held on the Tuesday following the first Monday in December; and

WHEREAS, the date of a municipal run-off election resulting from a November General Election occurs fifteen days following the certification of election results, and ten days after such results have been transmitted to the Secretary of State; and

WHEREAS, in the interim, county and municipal election officials must undertake the at times impossible task of printing a voluminous amount of election day materials and ballots in time for the municipal run-off election date, including the printing and mailing of sample ballots and vote-by-mail ballots to the voters in the relevant municipalities; and

WHEREAS, in practice, extreme efforts must be undertaken over the course of the Thanksgiving holiday, a time when mail is delayed by the closure of the United States Postal Office, and when many New Jersey voters travel out of State; and

WHEREAS, as of the date of this Executive Order, the Administration has been made aware of at least three municipalities in three separate counties which, despite having outstanding ballots to be canvassed, have confirmed the need to hold municipal

run-off elections, including the City of Trenton, the City of Perth Amboy, and the Township of Manchester; and

WHEREAS, as of the date of this Executive Order, the Administration has been informed that the County of Mercer is unlikely to certify the results of the 2022 General Election by the upcoming deadline of Monday, November 21, 2022; and

WHEREAS, as of the date of this Executive Order, the Administration has been informed that the County of Monmouth is still canvassing ballots and therefore is not aware of whether a run-off election will be necessary in a certain municipality within that county and is not aware of when the information related to the run-off election will be available to election officials, voters, and candidates, making it unlikely that election officials will be able to make the necessary preparations for a run-off election within the required timeframe; and

WHEREAS, while the relevant county and municipal election officials continue to work around the clock, it is already apparent that these municipalities will be unable to meet the statutory timeframe for run-off elections pursuant to N.J.S.A. 40:45-19; and

WHEREAS, to accommodate the increased interest in vote-by-mail ballots resulting, in part, from the COVID-19 pandemic, particularly those at increased risk of exposure to COVID-19, including those that are immunocompromised and the elderly and to ensure enough time to complete preparations of vote-by-mail ballots ahead of these and any other upcoming run-off elections, county and municipal election officials need sufficient preparation time to ensure that are ballots are received and counted within the required timeframes; and

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

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

NOW, THEREFORE, I, SHEILA Y. OLIVER, Acting 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 run-off elections resulting from municipal elections held in the 2022 General Election and required under N.J.S.A. 40:45-19, shall be postponed and rescheduled for Tuesday, December 13, 2022.

2. If any school was used as a polling place in the 2022 General Election by a municipality needing to hold a run-off election on December 13, 2022, those schools may provide remote instruction pursuant to N.J.S.A. 18A:7F-9.

3. The notice provision of N.J.S.A. 40:45-12 is modified as follows to allow for the timely printing and mailing of the vote-by-mail ballots. The notice to the candidates or groups of candidates required by N.J.S.A. 40:45-12, shall be made by email and phone immediately following the certification of the results of the 2022 General Election resulting in the run-off election. The ballot draw must not take place within 24 hours from the date and time the notice was sent to the candidates or groups of candidates. The county clerk shall send vote-by-mail ballots by first-class mail to all voters issued General Election vote-by-mail ballots on or before November 28, 2022 in municipalities holding run-off elections.

4. To allow for the signature verification and cure process, the certification deadline set forth in N.J.S.A. 40:45-16 is hereby suspended. The municipal clerk shall certify the results of the run-off election on December 30, 2022.

5. County and municipal election officials, as appropriate, shall act to facilitate the public's understanding of the rules governing the December 13, 2022 run-off elections.

6. This Order shall take effect immediately.

GIVEN, under my hand and seal this  
18<sup>th</sup> day of November,  
Two Thousand and Twenty-two,  
and of the Independence of  
the United States, the Two  
Hundred and Forty-Seventh.

[seal]

/s/ Sheila Y. Oliver

Acting Governor

Attest:

/s/ Lisa M. Almeida

Deputy Chief Counsel to the Governor

**EXECUTIVE ORDER NO. 314**

WHEREAS, Sayreville Councilwoman Eunice Dwumfour was the child of immigrants from Africa, grew up in Newark, and graduated from Weequahic High School, where she excelled academically; and

WHEREAS, Councilwoman Dwumfour attended William Paterson University and graduated in 2017 with a bachelor's degree in women's studies with a minor in social justice, while also serving her community as a part-time Emergency Medical Technician during her tenure at the university; and

WHEREAS, Councilwoman Dwumfour was a woman of deep and abiding faith who was active in her community and her church, Champions Royal Assembly in Newark; and

WHEREAS, in November 2021, Councilwoman Dwumfour was elected to the Sayreville Borough Council at the age of 29, representing the Republican Party; and

WHEREAS, Councilwoman Dwumfour took her seat on the Council in 2022, serving on the Public Safety, Recreation, and Water & Sewer/Environmental Standing Committees, as well as Sayreville's Human Relations Commission; and

WHEREAS, during her time on the Sayreville Borough Council, Councilwoman Dwumfour was known for her respectful discourse and composure, and was considered a passionate champion for her constituents; and

WHEREAS, Councilwoman Dwumfour tragically lost her life on February 1, 2023 at the age of 30 in a senseless act of gun violence; and

WHEREAS, Councilwoman Dwumfour will be deeply missed, not only by her friends and family, but also by her colleagues on the Sayreville Borough Council and by the community she tirelessly served; and

WHEREAS, it is with immense sadness that we mourn Councilwoman Dwumfour's passing, and extend our deepest sympathy to all who knew her; and

WHEREAS, it is appropriate to celebrate the outstanding achievements and cherished memory of Councilwoman Dwumfour 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 Wednesday, February 8, 2023 in recognition and mourning of Councilwoman Eunice Dwumfour.

2. This Order shall take effect immediately.

GIVEN, under my hand and seal this  
6<sup>th</sup> day of February,  
Two Thousand and Twenty-  
three, and of the  
Independence of the United  
States, the Two Hundred and  
Forty-Seventh.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

**EXECUTIVE ORDER NO. 315**

WHEREAS, global atmospheric warming, driven largely by human activities that emit greenhouse gases and other climate pollutants, is leading to significant changes in climate patterns here in New Jersey and around the world, presenting an existential threat to residents of New Jersey and their health, communities, businesses, environment, and way of life; and

WHEREAS, traditional methods of energy production that rely on the burning of fossil fuels release harmful emissions of greenhouse gases, which contribute to global climate change; and

WHEREAS, New Jersey's overburdened communities disproportionately bear the burdens of climate change; and

WHEREAS, it is the policy of this State that, as a key part of its efforts to curtail the serious impacts of global climate change caused by greenhouse gas emissions, New Jersey must pursue an equitable and smooth transition to clean and renewable energy sources while building a stronger and fairer economy; and

WHEREAS, on July 6, 2007, the State enacted the Global Warming Response Act, P.L.2007, c.112 ("GWRA"), which established a statewide goal of reducing greenhouse gas emissions to 80 percent below 2006 levels by 2050; and

WHEREAS, on July 23, 2019, I signed into law P.L.2019, c.197, which reinforced the GWRA by requiring action in the short-term to better enable the State to meet its goal of reducing greenhouse gas emissions to 80 percent below 2006 levels by 2050; and

WHEREAS, in one of my earliest actions as Governor, I signed Executive Order No. 7 (2018) authorizing the State to rejoin the Regional Greenhouse Gas Initiative, a cooperative program to cap and reduce carbon dioxide emissions from power plants in participating states, and to begin limiting carbon dioxide

emissions from New Jersey's power sector, while simultaneously allowing New Jersey to make transformational investments in clean energy to further reduce greenhouse gas emissions; and

WHEREAS, Executive Order No. 8 (2018), No. 92 (2019), and No. 307 (2022) emphasized the vital importance of offshore wind energy to aid in the State's equitable and smooth transition to a clean energy economy, setting a goal of procuring 11,000 megawatts of the State's energy from offshore wind by 2040, which will further reduce greenhouse gas emissions; and

WHEREAS, in Executive Order No. 23 (2018), in recognition of the disproportionate exposure of New Jersey's overburdened communities to unacceptably high levels of environmental pollution, I directed all Executive Branch departments and agencies to consider environmental justice in implementing their responsibilities; and

WHEREAS, pursuant to Executive Order No. 28 (2018), on January 27, 2020, the New Jersey Board of Public Utilities ("BPU") released New Jersey's 2019 Energy Master Plan ("EMP"), which provided a comprehensive, forward-thinking blueprint for an equitable and smooth transition from reliance on fossil fuels that contribute to climate change to 100 percent clean energy sources on or before January 1, 2050; and

WHEREAS, New Jersey's first Scientific Report on Climate Change, issued by the Department of Environmental Protection ("DEP") on June 30, 2020 pursuant to Executive Order No. 89 (2019), described impacts of climate change that are presently occurring in New Jersey as a result of increased atmospheric levels of greenhouse gases; including increasingly mild winters and related ecosystem harms, more intense rainfall, more severe flooding, sea level rise, damage to aquatic habitats, increased air pollution,

more severe droughts, and damage to agricultural and marine resources; all of which threaten public health, safety, and the State's infrastructure and economy, and will likely be more severe in years to come; and

WHEREAS, the DEP's October 15, 2020 GWRA 80x50 Report found that, without steep and permanent reductions in greenhouse gas emissions, New Jersey will increasingly experience significant adverse effects of climate change; and

WHEREAS, in Executive Order No. 221 (2021), I established the Governor's Office of Climate Action and the Green Economy to coordinate policymaking across the Executive Branch with respect to climate change, and created the New Jersey Council on the Green Economy to support the transition to an equitable clean energy economy and the creation of innovative and sustainable job opportunities; and

WHEREAS, the August 6, 2021 Sixth Assessment Report of the United Nations Intergovernmental Panel on Climate Change, which the United Nations Secretary General called "a code red for humanity" and which describes the present effects of climate change on every inhabited region of the world, emphasizes the need for deep reductions in greenhouse gas emissions in the coming decades; and

WHEREAS, on November 10, 2021, I signed Executive Order No. 274, setting a policy for the State of reducing greenhouse gas emissions to 50 percent below 2006 levels by 2030, to complement the GWRA's goal of an 80 percent reduction in emissions by 2050; and

WHEREAS, my Administration has consistently invested in the development of New Jersey's clean energy economy, including procuring 3,758 megawatts of offshore wind energy production to

date, increasing the amount of solar energy in New Jersey to over 4,000 megawatts; including through the Community Solar Energy Program, which brings the benefits of solar energy to those who might otherwise be excluded; and working with my partners in the Legislature to enact P.L.2021, c.169, which directs the BPU to create New Jersey's first competitively-procured grid-scale solar incentive program, which is currently accepting applications; and

WHEREAS, my Administration has similarly invested in ensuring that the transition to a clean energy economy delivers on the promise of high-quality, accessible jobs for New Jersey residents; including by releasing the Council on the Green Economy's report, *Green Jobs for a Sustainable Future*, on September 21, 2022, and by announcing over \$10 million in new investments in initiatives to build an inclusive green workforce and increase access to green jobs for residents of communities on the frontlines of the climate crisis; and

WHEREAS, the Clean Energy Act, P.L.2018, c.17 established one of the most ambitious renewable portfolio standards in the nation, which provides for 35 percent of the electricity sold in New Jersey to be supplied from renewable resources by 2025, and 50 percent by 2030, through a market-based system of matching electricity consumption with renewable energy certificates; and

WHEREAS, policies and programs requiring that a percentage of the State's electricity come from clean sources, send an important signal of the State's commitment to climate action, reduce greenhouse gas emissions that are worsening the adverse impacts of climate change in the State, serve to spur investment and innovation in clean energy technologies, and support improved job growth in the green economy; and

WHEREAS, my Administration has invested in the continued viability of New Jersey's nuclear power plants as a reliable, zero-emission power source in the State; and these power plants currently supply approximately 40 percent of the State's electricity; and

WHEREAS, the federal Inflation Reduction Act provides an unprecedented level of federal financial support for clean energy, which is supercharging innovation in clean energy technology and driving down the cost of the clean energy transition; and

WHEREAS, BPU's EMP Ratepayer Impact Study, released August 17, 2022, found that, for an average residential ratepayer in 2030, the pathway to achieving a 100 percent clean energy standard by 2035 would cost only approximately two percent more than the pathway to achieve 100 percent clean energy by 2050 set forth in the EMP; even before taking into account the impact of the federal support in the Inflation Reduction Act, and would reduce greenhouse gas emissions by an additional 5.5 million metric tons annually by 2030, providing a benefit of \$355 million per year; and

WHEREAS, on January 20, 2023, I announced that the State would begin planning for the development of a new EMP for release in 2024 that will update and expand on the pathway to achieving a 100 percent clean energy economy by 2050 set forth in the 2019 EMP; and

WHEREAS, accelerating New Jersey's transition to 100 percent clean electricity through the mechanism of a clean electricity standard that matches electricity sales with clean energy attribute certificates representing carbon-free electricity generation is critical to reducing the worsening impacts of climate change, technically and financially sound, and consistent with the long-term reliability of New Jersey's electric grid;

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. It is the policy of the State to advance clean energy market mechanisms and other programs in order to provide for 100 percent of the electricity sold in the State to be derived from clean sources of electricity by January 1, 2035.

2. In the 2024 EMP, the BPU shall make updates to the State's roadmap to 100 percent clean energy that are consistent with the policy set forth in Paragraph 1, and shall provide specific proposals to be implemented both in the short-term and longer-term to achieve this goal.

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

4. Nothing in this Order shall be construed to limit the operation of any lawfully existing electric generating unit, or the construction or operation of any proposed electric generating unit, consistent with applicable laws and regulations. Nothing in this Order shall be construed to create any additional limitations on entities whose activities are regulated by State entities.

5. This Order shall take effect immediately.

GIVEN, under my hand and seal this  
15<sup>th</sup> day of February,  
Two Thousand and Twenty-  
three, and of the  
Independence of the United  
States, the Two Hundred and  
Forty-Seventh.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Lisa M. Almeida

Deputy Chief Counsel to the Governor

**EXECUTIVE ORDER NO. 316**

WHEREAS, global atmospheric warming, driven largely by human activities that emit greenhouse gases and other climate pollutants, is leading to significant changes in climate patterns here in New Jersey and around the world, presenting an existential threat to residents of New Jersey and their health, communities, businesses, environment, and way of life; and

WHEREAS, New Jersey's overburdened communities disproportionately bear the burdens of climate change; and

WHEREAS, it is the policy of this State that, as a key part of its efforts to curtail the serious impacts of global climate change caused by greenhouse gas emissions, New Jersey must pursue an equitable and smooth transition to clean and renewable energy sources while building a stronger and fairer economy; and

WHEREAS, New Jersey's first Scientific Report on Climate Change, issued by the Department of Environmental Protection ("DEP") on June 30, 2020 pursuant to Executive Order No. 89 (2019), described impacts of climate change that are presently occurring in New Jersey as a result of increased atmospheric levels of greenhouse gases; including increasingly mild winters and related ecosystem harms, more intense rainfall, more severe flooding, sea level rise, damage to aquatic habitats, increased air pollution, more severe droughts, and damage to agricultural and marine resources; all of which threaten public health, safety, and the State's infrastructure and economy, and will likely be more severe in years to come; and

WHEREAS, the DEP's October 15, 2020 Global Warming Response Act ("GWRA") 80x50 Report found that, without steep and permanent reductions in greenhouse gas emissions, New Jersey will increasingly experience significant adverse effects of climate change; and

WHEREAS, on July 6, 2007, the State enacted the GWRA, P.L.2007, c.112, which established a statewide goal of reducing greenhouse gas emissions to 80 percent below 2006 levels by 2050; and

WHEREAS, on July 23, 2019, I signed into law P.L.2019, c.197, which reinforced the GWRA by requiring action in the short-term to better enable the State to meet its goal of reducing greenhouse gas emissions to 80 percent below 2006 levels by 2050; and

WHEREAS, on November 10, 2021, I signed Executive Order No. 274, setting a policy for the State of reducing greenhouse gas emissions to 50 percent below 2006 levels by 2030, to complement the GWRA's goal of an 80 percent reduction in emissions by 2050; and

WHEREAS, today, in Executive Order No. 315 (2023), in furtherance of these emission reduction goals, I set a goal that 100 percent of the electricity sold in the State be derived from clean sources of electricity by January 1, 2035, including through clean energy market mechanisms; and

WHEREAS, pursuant to Executive Order No. 28 (2018), on January 27, 2020, the New Jersey Board of Public Utilities ("BPU") released New Jersey's 2019 Energy Master Plan ("EMP"), which provided a comprehensive, forward-thinking blueprint for an equitable and smooth transition from reliance on fossil fuels that contribute to climate change to 100 percent clean energy sources on or before January 1, 2050; and

WHEREAS, the EMP found that building space and water heating, appliances, and industrial uses are responsible for 28 percent of state emissions and 62 percent of the State's total end-use energy consumption; identified electrification as a significantly more cost-effective means of meeting emissions targets than switching

to carbon-neutral fuels; and called for electrification of 90 percent of building space and water heating by 2050; and

WHEREAS, the BPU's August 2022 New Jersey EMP Ratepayer Impact Study, which incorporated the findings of the EMP into a comprehensive model of customer rate and energy cost impacts; found that if the State continues to follow the approach laid out in the EMP; retail natural gas sales will fall by 25 percent by 2030 and an average residential customer will pay 25 to 30 percent more for natural gas heat, and have higher overall non-vehicle energy costs, in 2030 than in 2020; while a customer adopting electric heating and energy efficiency will have lower overall non-vehicle energy costs; and

WHEREAS, today, in Executive Order No. 317 (2023), I directed the BPU to initiate a proceeding to engage with stakeholders and develop recommendations concerning decarbonization of the natural gas industry; and

WHEREAS, on February 6, 2021, the BPU entered into a memorandum of understanding with the Rutgers Center for Green Building and the Northeast Energy Efficiency Partnerships to convene the New Jersey Energy Code Collaborative; to engage stakeholders, including building design and construction industry, energy efficiency contractors, representatives from labor and environmental organizations, university-based organizations, municipal staff, the Division of Codes and Standards within the Department of Community Affairs ("DCA"), and the DEP; to develop a Zero Energy Buildings Roadmap; and

WHEREAS, on October 3, 2022, I announced the launch of the Clean Buildings Working Group, led by my Office of Climate Action and the Green Economy ("OCAGE") and the BPU, in collaboration with the DEP, the DCA, the Economic Development Authority ("EDA"), the Housing and Mortgage Finance Agency ("HMFA"), the Department of

Labor and Workforce Development, the Department of the Treasury, and external stakeholders; which I charged with informing New Jersey's pathways to reducing building sector emissions through building decarbonization, defined to include energy planning, installation of building energy efficiency and energy consumption reduction measures, installation of behind-the-meter renewable energy generation and demand response technology, and beneficial electrification of building space and water heating and cooling systems;

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. It is the policy of the State to advance the electrification of commercial and residential buildings with the goal that, by December 31, 2030, 400,000 additional dwelling units and 20,000 additional commercial spaces and/or public facilities statewide will be electrified, and an additional 10 percent of residential units serving households earning less than 80 percent of area median income will be made ready for electrification through the completion of necessary electrical system repairs and upgrades. For purposes of this Order, "electrification" shall be defined as the retrofitting or construction of a building with electric space heating and cooling and electric water heating systems. For purposes of this Order, a "dwelling unit" shall include a single-family home, an individual dwelling unit in a two-family dwelling, or an individual dwelling unit in a multiple-unit dwelling.

2. The OCAGE, informed by the Clean Buildings Working Group, shall develop and release by March 2024, a strategic roadmap to building decarbonization, which shall include recommendations

for policy, legislative, regulatory, workforce development, and funding strategies to achieve the goal for building electrification described in Paragraph 1; and create cleaner, greener buildings that support and benefit New Jersey families and workers.

3. To the extent permitted by law, the BPU, the DCA, the EDA, and the HMFA shall endeavor to ensure that the following existing programs and any similar new programs are implemented and coordinated to provide maximum support for building electrification, with a primary focus on the needs of low- and moderate-income customers:

- a. Comfort Partners Energy Efficiency Program;
- b. Residential, Commercial, and Industrial Energy Efficiency Programs;
- c. Energy Benchmarking Program;
- d. New Jersey Whole House Program;
- e. Weatherization Assistance Program (WAP);
- f. Low-Income Home Energy Assistance Program (LIHEAP);
- g. Federal Home Energy Performance-Based, Whole-House Rebates (HOMES) Program;
- h. Federal High-Efficiency Electric Home Rebate (HEEHR) Program;
- i. Commercial, industrial, and mixed-use new construction and building rehabilitation loans through implementation of the New Jersey Green Fund at the EDA; and
- j. HMFA programs to finance new construction and residential building rehabilitation.

4. The DCA, in consultation with the New Jersey Energy Code Collaborative, the OCAGE, and the BPU, shall develop guidance for builders to facilitate achievement of the objectives described in

Paragraph 1 of this Order, which shall include voluntary enhanced building standards consistent with applicable law that builders may choose to utilize.

5. As permitted by law, and subject to the availability of funds, the BPU, the EDA, the HMFA, and other State agencies as applicable, shall develop and continue to offer incentives for utilization of the voluntary enhanced building standards developed pursuant to Paragraph 4.

6. The BPU shall track and publicly report annual progress of the State toward the targets set in Paragraph 1 of this Order. To facilitate such tracking:

- a. The EDA, the HMFA, and any other State agencies which disburse federal or State incentives for building electrification shall track such dispersals and provide the information to the BPU with a frequency and in a form agreed to by the agency and the BPU; and
- b. The DCA shall develop systems to track building rehabilitation and new construction projects that incorporate electric building space heating and cooling and water heating systems and provide the information to the BPU with a frequency and in a form agreed to by the DCA and the BPU; and
- c. Other State agencies that receive information relevant to tracking building electrification shall provide such information to the BPU upon request, either on a one-time or recurring basis as requested.

7. Nothing in this Order shall be construed to confer any legal rights upon entities whose activities are regulated by State entities; nothing shall be construed to create a private right of

action on behalf of any such regulated entities or other persons; and nothing shall be used as a basis for legal challenges to rules, approvals, permits, licenses, or other action or inaction by a State entity. Nothing in this Order shall be construed to supersede any federal, State, or local law.

8. This Order shall take effect immediately.

GIVEN, under my hand and seal this  
15<sup>th</sup> day of February,  
Two Thousand and Twenty-  
three, and of the  
Independence of the United  
States, the Two Hundred and  
Forty-Seventh.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Lisa M. Almeida

Deputy Chief Counsel to the Governor

**(CORRECTED COPY)**  
**EXECUTIVE ORDER NO. 317**

WHEREAS, global atmospheric warming, driven largely by human activities that emit greenhouse gases and other climate pollutants, is leading to significant changes in climate patterns here in New Jersey and around the world, presenting an existential threat to residents of New Jersey and their health, communities, businesses, environment, and way of life; and

WHEREAS, New Jersey's overburdened communities disproportionately bear the burdens of climate change; and

WHEREAS, it is the policy of this State that, as a key part of its efforts to curtail the serious impacts of global climate change caused by greenhouse gas emissions, New Jersey must pursue an equitable and smooth transition to clean and renewable energy sources while building a stronger and fairer economy; and

WHEREAS, New Jersey's first Scientific Report on Climate Change, issued by the Department of Environmental Protection ("DEP") on June 30, 2020 pursuant to Executive Order No. 89 (2019), described impacts of climate change that are presently occurring in New Jersey as a result of increased atmospheric levels of greenhouse gases; including increasingly mild winters and related ecosystem harms, more intense rainfall, more severe flooding, sea level rise, damage to aquatic habitats, increased air pollution, more severe droughts, and damage to agricultural and marine resources; all of which threaten public health, safety, and the State's infrastructure and economy, and will likely be more severe in years to come; and

WHEREAS, the DEP's October 15, 2020 Global Warming Response Act ("GWRA") 80x50 Report found that, without steep and permanent reductions in greenhouse gas emissions, New Jersey will increasingly experience significant adverse effects of climate change; and

WHEREAS, on July 6, 2007, the State enacted the GWRA, P.L.2007, c.112, establishing a statewide goal of reducing greenhouse gas emissions to 80 percent below 2006 levels by 2050; and

WHEREAS, on July 23, 2019, I signed into law P.L.2019, c.197, which reinforced the GWRA by requiring action in the short-term to better enable the State to meet its goal of reducing greenhouse gas emissions to 80 percent below 2006 levels by 2050; and

WHEREAS, on November 10, 2021, I signed Executive Order No. 274, setting a policy for the State of reducing greenhouse gas emissions to 50 percent below 2006 levels by 2030, to complement the GWRA's goal of an 80 percent reduction in emissions by 2050; and

WHEREAS, today, in Executive Order No. 315 (2023), in furtherance of these emission reduction goals, I set a goal that 100 percent of the electricity sold in the State be derived from clean sources of electricity by January 1, 2035, including through clean energy market mechanisms; and

WHEREAS, pursuant to Executive Order No. 28 (2018), on January 27, 2020, the New Jersey Board of Public Utilities ("BPU") released New Jersey's 2019 Energy Master Plan ("EMP"), which provided a comprehensive, forward-thinking blueprint for an equitable and smooth transition from reliance on fossil fuels that contribute to climate change to 100 percent clean energy sources on or before January 1, 2050; and

WHEREAS, the EMP found that building space and water heating, appliances, and industrial uses are responsible for 28 percent of state emissions and 62 percent of the State's total end-use energy consumption; identified electrification as a significantly more cost-effective means of meeting emissions targets than switching to carbon-neutral fuels; and called for electrification of 90 percent of building space and water heating by 2050; and

WHEREAS, today, in Executive Order No. 316 (2023), I set a target of electrifying 400,000 residential and 20,000 commercial buildings by 2030, directed my Office of Climate Action and the Green Economy, in consultation with the Clean Buildings Working Group; to release a New Jersey strategic roadmap to clean buildings; and directed the

Department of Community Affairs ("DCA") to develop guidance for builders, including voluntary enhanced standards, to support achieving these goals; and

WHEREAS, the Clean Energy Act of 2018 required natural gas public utilities to achieve annual reductions in the use of natural gas of at least 0.75 percent of the average annual usage in the prior three years within five years of implementation of their energy efficiency programs and allowed the BPU to set further usage reduction targets and timeframes; and

WHEREAS, in an Order dated June 10, 2020, in In the Matter of the Implementation of P.L.2018, c.17 (BPU Docket No. Q019010040), the BPU directed natural gas public utilities to propose energy efficiency and peak demand reduction programs in compliance with the Clean Energy Act of 2018 for implementation beginning July 1, 2021; and

WHEREAS, the BPU's August 2022 New Jersey EMP Ratepayer Impact Study, which incorporated the findings of the EMP into a comprehensive model of customer rate and energy cost impacts; found that if the State continues to follow the approach laid out in the EMP; retail natural gas sales will fall by 25 percent by 2030 and an average residential customer will pay 25 to 30 percent more for natural gas heat, and have higher overall non-vehicle energy costs, in 2030 than in 2020, while a customer adopting electric heating and energy efficiency will have lower overall non-vehicle energy costs; and

WHEREAS, the Ratepayer Impact Study found similar trends when modeling a pathway to 100 percent clean energy in 2035 instead of 2050; and when looking at impacts on low-income residential customers as well as commercial and industrial customers; and

WHEREAS, the BPU's June 29, 2022 Order on the Exploration of Gas Capacity and Related Issues found that, through 2030, New Jersey has sufficient natural gas pipeline infrastructure to meet the State's firm demand for design-day conditions and could meet demand for extreme cold weather occurring once every 90 years if the State meets

half of its building electrification goals coupled with effective voluntary demand reduction or higher energy efficiency program targets; and

WHEREAS, the need to reduce greenhouse gas emissions and the economic realities of the transition to a clean energy economy necessarily require significant reductions in the consumption of natural gas; and

WHEREAS, New Jersey's natural gas public utilities continue to provide a critical service to residents and businesses, and provide numerous well-paying jobs; and

WHEREAS, it is appropriate to conduct a thoughtful and thorough assessment and planning process that takes into account the implications of New Jersey's decarbonization goals and future changes to energy needs on the State's natural gas industry, operations, infrastructure, and customers; and

WHEREAS, New Jersey's natural gas public utilities, consumer and environmental advocates, commercial and industrial gas users, electric utilities, delivered fuel companies, clean energy developers, labor unions, academics, Division of Rate Counsel, and other stakeholders all have key insights that should be considered in this planning process;

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 BPU shall immediately initiate a proceeding to formally engage with stakeholders concerning development of natural gas utility plans that reduce emissions from the natural gas sector to levels that are consistent with achieving the State's 50 percent reduction in greenhouse gas emissions below 2006 levels by 2030, as directed in Executive Order No. 274 (2021); and within 18 months, develop recommendations for how the natural gas industry can best

meet these goals, considering cost and support for well-paying jobs, including union jobs, necessary to deliver on these goals.

2. In conducting the proceeding, the BPU shall give consideration to:

- a. Competitive market mechanisms to drive the lowest cost methods for reducing total greenhouse gas emissions associated with the natural gas sector, including but not limited to, adoption of a "clean heat" standard that would allow natural gas public utilities to select from a suite of measures to meet emission reduction standards, which may include accelerated energy efficiency and peak demand reduction targets, enhanced building electrification targets, leak minimization, or other similar measures;
- b. The need to ensure reliable operation and long-term financial viability of natural gas public utilities and the business model needed to keep the gas system intact while accounting for a shrinking customer base; including ensuring that gas distribution company growth assumptions and peak usage calculations take into account State decarbonization policies and minimize investment in new infrastructure so as to reduce risk of stranded asset costs;
- c. Alternative programs and investments that could provide natural gas utilities with new revenue streams and promote good-paying jobs, including union jobs, such as the potential to convert existing pipeline infrastructure to provide decarbonized heating and cooling to New Jersey's residents and businesses;

- d. Elimination of subsidies that encourage unnecessary investment in natural gas infrastructure that is likely to result in stranded costs to customers;
- e. Long-term impacts on residential and industrial customers who fail to or are unable to switch away from natural gas; with particular attention to the needs of and barriers faced by low-income customers; and ways to reduce barriers to transition, including rate design, incentive structuring, and pilot programs to accelerate infrastructure conversion;
- f. Electric grid readiness to handle electrification of building heating and cooling, as well as transportation, including recommendations for shifting investment funding from natural gas to electric system infrastructure upgrades; and
- g. Any other issues the BPU deems relevant to the central purpose of the proceeding.

3. In developing the scope of the proceeding and the recommendations arising from it, the BPU shall consult with the Governor's Office of Climate Action and the Green Economy, the Clean Buildings Working Group, the DEP, the DCA, the Economic Development Authority, and any other implicated State agencies.

4. Following the conclusion of the stakeholder process, and no later than eighteen months from the date of this Order, the BPU shall prepare a report summarizing the findings from the proceeding, as well as recommendations to address issues surfaced in the proceeding and advance the goal of reducing greenhouse gas emissions while keeping costs to ratepayers in check.

5. Nothing in this Order shall be construed to confer any legal rights upon entities whose activities are regulated by State entities; nothing shall be construed to create a private right of action on behalf of any such regulated entities or other persons; and

nothing shall be used as a basis for legal challenges to rules, approvals, permits, licenses, or other action or inaction by a State entity. Nothing in this Order shall be construed to supersede any federal, State, or local law.

6. This Order shall take effect immediately.

GIVEN, under my hand and seal this  
15<sup>th</sup> day of February,  
Two Thousand and Twenty-three,  
and of the Independence of the  
United States, the Two Hundred  
and Forty-Seventh.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Lisa M. Almeida

Deputy Chief Counsel to the Governor

**EXECUTIVE ORDER NO. 318**

WHEREAS, former Assemblyman Francis "Fran" L. Bodine was born on January 10, 1936, in Moorestown, New Jersey, and led a distinguished life of public service; and

WHEREAS, Assemblyman Bodine served as an altar boy at Our Lady of Good Counsel in Moorestown, attended Moorestown High School, and graduated from La Salle University; and

WHEREAS, Assemblyman Bodine served in the United States Army from 1954 to 1956; and

WHEREAS, Assemblyman Bodine married the late Elva Anna "Elvanna" Riddell in 1962, with whom he had two children; and

WHEREAS, Assemblyman Bodine was elected to the Moorestown Town Council in 1976, where he served from 1977 to 1988, including as Mayor of Moorestown for seven years; and

WHEREAS, Assemblyman Bodine was a member of the Burlington County Freeholder Board from 1985 to 1994, and a Commissioner on the Delaware River Port Authority from 1983 to 1990; and

WHEREAS, Assemblyman Bodine was sworn into the General Assembly in February 1994, and represented the 8th Legislative District there until January 2008; and

WHEREAS, Assemblyman Bodine served in multiple leadership roles in the Assembly, including Assistant Majority Whip, Assistant Minority Leader, and Deputy Minority Leader; and

WHEREAS, during his time in the General Assembly, Assemblyman Bodine sponsored critical transportation funding legislation and worked on bills related to expanded senior health care and farmland preservation; and

WHEREAS, Assemblyman Bodine passed away on January 11, 2023, one day after his 87<sup>th</sup> birthday; and

WHEREAS, Assemblyman Bodine was a loving and devoted husband, father, and grandfather, who also enjoyed golf and spending time on Long Beach Island; and

WHEREAS, Assemblyman Bodine will be remembered not only for his lifetime of public service, but also for his love, generosity, and guidance; and

WHEREAS, as we mourn the passing of Assemblyman Bodine, it is appropriate to recognize and honor his legacy as an elected official and his commitment to Burlington County and the State of New Jersey;

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 Thursday, February 16, 2023, in recognition and mourning of Assemblyman Francis L. Bodine, a longtime, dedicated legislator.

2. This Order shall take effect immediately.

GIVEN, under my hand and seal this  
15<sup>th</sup> day of February,  
Two Thousand and Twenty-  
Three, and of the  
Independence of the United  
States, the Two Hundred and  
Forty-Seventh.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

**EXECUTIVE ORDER NO. 319**

WHEREAS, establishing a more diverse, equitable, and inclusive environment within our State government is a critical priority of my Administration; and

WHEREAS, creating such an environment requires bridging opportunity gaps and attracting diverse talent through greater efforts at recruitment, retention, mentorship, and career development; and

WHEREAS, in furtherance of these goals, I issued Executive Order No. 265 (2021), which established an Office of Diversity, Equity, Inclusion, and Belonging in the Office of the Governor to coordinate these efforts across each State agency; and

WHEREAS, Executive Order No. 265 (2021) provided that the Office of Diversity, Equity, Inclusion, and Belonging would develop and oversee a Statewide equity capacity-building infrastructure for all State agencies; provide direction and guidance to diversity officers and offices within the Executive Branch of State government; develop recommendations for the formation of policies that support diversity, equity, inclusion, and belonging in non-governmental entities; and issue guidelines to effectuate these duties, among other responsibilities; and

WHEREAS, the important work of the Office of Diversity, Equity, Inclusion, and Belonging is bolstered through the combined efforts of our State's workforce to share, create, and implement ideas and initiatives that broaden our Statewide equity infrastructure; and

WHEREAS, chief diversity officers and officials with similar roles in many State agencies have been instrumental in guiding the agencies to develop more diverse, equitable, and inclusive work environments;

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, within the Office of Diversity, Equity, Inclusion, and Belonging, an Equity and Sustainability Advisory Council ("Advisory Council") to develop and recommend to the Governor's Office a Statewide Equity Infrastructure Policy that will provide State agencies with strategic direction for achieving greater equity. The work of the Advisory Council shall be informed by the ongoing efforts of the Civil Service Commission's Diversity Council to support diversity and inclusion initiatives across the State.

2. The Chairperson of the Advisory Council shall be the Director of the Office of Diversity, Equity, Inclusion, and Belonging.

3. In addition to the Director of the Office of Diversity, Equity, Inclusion, and Belonging, the Advisory Council shall consist of the Chair of the Civil Service Commission, the Attorney General, and the Treasurer, or their designees. The Governor may, as determined to be appropriate, appoint other employees of the State to the Advisory Council. All members of the Advisory Council shall serve without compensation and at the pleasure of the Governor.

4. The Advisory Council may establish working groups consisting of one or more Advisory Council members and the heads of one or more State agencies or their designees.

5. The head of each principal department in the Executive Branch of State government shall designate a senior-level employee to perform the functions of Chief Diversity Officer or equivalent

role to administer the department's diversity, equity, inclusion, and belonging initiatives and programs (as distinct from the responsibilities of Equal Employment Opportunity and/or Affirmative Action officers), and to serve as a liaison with and inform the work of the Advisory Council and the Civil Service Commission's Diversity Council as appropriate.

6. The Advisory Council may call upon any State agency to provide information or other assistance as the Advisory Council deems necessary to discharge its duties under this Order, including but not limited to data regarding the measures, activities, and benchmarks relied upon to effectuate the goals of the Statewide Equity Infrastructure Policy. Each State agency shall, to the extent not inconsistent with law, cooperate fully with any such request and with the Advisory Council generally, within the limits of each agency's statutory authority, and shall furnish 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. For purposes of this Order, "State agency" means any of the principal departments in the Executive Branch of State Government, and any division, board, bureau, office, commission, or other instrumentality within or created by such department, and any independent State authority, commission, instrumentality, or agency over which the Governor exercises executive authority, as determined by the Attorney General.

9. Nothing in this Order shall be construed to confer any legal rights upon entities whose activities are regulated by State agencies; construed to create a private right of action on behalf

of any such regulated entities; or used as a basis for legal challenge to rules, approvals, permits, licenses, or other action or inaction by a State agency. Nothing in this Order shall be construed to supersede any federal, State, or local law.

10. This Order shall take effect immediately.

GIVEN, under my hand and seal this  
21<sup>st</sup> day of February,  
Two Thousand and Twenty-  
three, and of the  
Independence of the United  
States, the Two Hundred and  
Forty-Seventh.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

**EXECUTIVE ORDER NO. 320**

WHEREAS, beginning on Monday, March 13, 2023, and continuing through the evening on Tuesday, March 14, 2023 the northwestern portion of the State of New Jersey is forecasted to experience potentially significant winter weather and a drop in temperatures causing hazardous weather conditions including heavy snow, high wind gusts, and freezing temperatures; and

WHEREAS, the National Weather Service has issued Winter Storm Warnings for Morris, Passaic, Sussex, and Warren Counties; and

WHEREAS, the National Weather Service has issued a Winter Storm Advisory for the western portion of Bergen County; and

WHEREAS, precipitation is expected with snow accumulations ranging as high as 12 inches in portions of Bergen, Morris, Passaic, Sussex, and Warren Counties, creating dangerous outdoor conditions that may make travel very difficult to impossible and may impact the morning and/or evening commutes; and

WHEREAS, wind gusts of up to 45 miles per hour are expected in portions of the State, which may cause downed power lines and trees, resulting in power outages that could impede the normal operation of public and private entities; and

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

WHEREAS, this impending winter storm and subsequent drop in temperature constitutes an imminent hazard that threatens and presently endangers the health, safety, and resources of the residents of Bergen, Morris, Passaic, Sussex, and Warren Counties; and

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

may spread to other parts of the State; and

WHEREAS, as part of the State's response to this winter storm, the Commissioner of the New Jersey Department of Transportation (the "Commissioner") has issued an Administrative Order(s) regarding vehicle travel restrictions pursuant to N.J.S.A. 27:1A-5, N.J.S.A. 27:3A-3, and N.J.S.A. 39:4-8.3; and

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

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, in order to protect the health, safety, and welfare of the people of the State of New Jersey DO DECLARE and PROCLAIM that a State of Emergency exists in Bergen, Morris, Passaic, Sussex, and Warren Counties, effective at 8:00 p.m. on March 13, 2023; and I hereby ORDER and DIRECT the following:

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

2. I authorize and empower, in accordance with N.J.S.A. App. A:9-33, et seq., as supplemented and amended, the State Director of Emergency Management, who is the Superintendent of State Police, through the police agencies under his control, and with consideration of any Administrative Order issued by the Commissioner, to determine and control the direction of the flow of vehicular traffic on any State or interstate highway, municipal

or county road, and any access road, including the right to detour, reroute, or divert any or all traffic and to prevent ingress or egress from any area that, in the State Director's discretion, is deemed necessary for the protection of the health, safety, and welfare of the public, and to remove parked or abandoned vehicles from such roadways as conditions warrant.

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

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

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

6. I authorize and empower the executive head of any agency or instrumentality of the State government with authority to

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

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

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

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

10. It shall be the duty of every person or entity in this

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

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

12. This Order shall take effect at 8:00 p.m. on Monday, March 13, 2023, and shall remain in effect until such time as it is determined by me that an Emergency no longer exists.

GIVEN, under my hand and seal this  
 13<sup>th</sup> day of March,  
 Two Thousand and Twenty-  
 three, and of the  
 Independence of the United  
 States, the Two Hundred and  
 Forty-Seventh.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

**EXECUTIVE ORDER NO. 321**

WHEREAS, Senator Ronald Rice was a dedicated public servant who was the longest-serving Black legislator in New Jersey history; and

WHEREAS, Senator Rice was born in Richmond, Virginia during the Jim Crow-era South, and first moved to Newark when he was nine years old; and

WHEREAS, after graduating from Newark's South Side High School in 1964, Senator Rice attended Howard University before enlisting to serve in the United States Marine Corps in 1966; and

WHEREAS, Senator Rice was stationed at the United States military base at Guantanamo Bay, Cuba before serving as a soldier in Vietnam, where he rose to the rank of Sergeant; and

WHEREAS, after returning home at the age of 24, Senator Rice successfully fought to change the vision requirements so that he could become a police officer for the Newark Police Department; and

WHEREAS, while working for the Police Department, Senator Rice earned an Associate's degree in police science from Essex County College, a Bachelor's degree from John Jay College of Criminal Justice, and a Master's degree in criminal justice from Rutgers-Newark; and

WHEREAS, Senator Rice was elected as a councilmember on the Newark City Council in 1982 and was first elected to serve as the Senator from New Jersey's 28<sup>th</sup> Legislative District in 1986; and

WHEREAS, Senator Rice was re-elected 11 times, and went on to serve in the New Jersey Senate for nearly 36 years before retiring in August 2022; and

WHEREAS, Senator Rice served as Chair of the Legislative Black Caucus for 18 years; and

WHEREAS, Senator Rice was a courageous and fierce advocate, not just for his constituents, but also for underrepresented and underserved communities throughout the State; and

WHEREAS, throughout his time in the legislature, Senator Rice shined a light on racial inequities and refused to shy away from tough issues; and

WHEREAS, Senator Rice was a man of principle who led with integrity, compassion, and a commitment to the greater good; and

WHEREAS, Senator Rice passed away on March 15, 2023 after succumbing to a long illness; and

WHEREAS, Senator Rice was a beloved husband and father, who leaves behind his children, Ronald and Yuki; and

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

WHEREAS, it is appropriate to honor the cherished memory and exemplary career and achievements of Senator Rice;

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 from Thursday, March 16, 2023 through Thursday, March 23, 2023 in recognition and mourning of Senator Ronald Rice.

2. This Order shall take effect immediately.

GIVEN, under my hand and seal this  
16<sup>th</sup> day of March,  
Two Thousand and Twenty-Three,  
and of the Independence of the  
United States, the Two Hundred  
and Forty-Seventh.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

**EXECUTIVE ORDER NO. 322**

WHEREAS, Executive Order No. 320, declaring a State of Emergency, was issued on March 13, 2023, because of a major winter storm that arrived on that date and continued through March 14, 2023; and

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

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

1. The State of Emergency declared pursuant to Executive Order No. 320 (2023) is terminated effective 5:00 p.m., Eastern Daylight Time, on March 16, 2023.

GIVEN, under my hand and seal this  
16<sup>th</sup> day of March,  
Two Thousand and Twenty-  
three, and of the  
Independence of the United  
States, the Two Hundred and  
Forty-Seventh.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

**EXECUTIVE ORDER NO. 323**

WHEREAS, the opioid epidemic has caused profound harm to countless New Jersey residents; and

WHEREAS, the number of suspected overdose-related deaths in New Jersey has nearly doubled from 1,587 in 2015 to 3,006 in 2018, and stayed around 3,000 for several years since that time, until decreasing to 2,892 in 2022; and

WHEREAS, New Jersey is dedicated to ending the opioid epidemic through a collaborative, inter-departmental, and data-driven strategy; with goals including increasing access to evidence-based prevention and treatment programs at the community level, supporting individuals on their path to and maintenance of recovery, reducing harm to people who use drugs and their loved ones, supporting data-driven work and strengthening system-wide infrastructure, and utilizing law enforcement to stem the supply of illicit drugs and oversee innovative programs that aim to divert individuals from the criminal justice system to public health services; and

WHEREAS, the State's approach to battling the opioid crisis must be informed by individuals and communities who have experienced it firsthand, including those who have struggled with substance use disorder and opioid use disorder, or seen their family members be impacted, and those who work in the fields of addiction treatment, prevention, and recovery; and

WHEREAS, in July 2021, I signed six bills dedicated to ending the opioid epidemic in New Jersey, including bills that expanded harm reduction efforts and established local drug overdose fatality review teams; and

WHEREAS, Johnson & Johnson and McKesson, Cardinal, and AmerisourceBergen have entered into nationwide settlement agreements relating to their role in the opioid crisis and, as part of the settlement agreements, will pay the State of New Jersey and eligible counties and municipalities a combined \$641 million over the next 18

years, which will be divided among the State and its eligible counties and municipalities; and

WHEREAS, the State has reached and may in the future reach additional national opioid litigation resolutions with other companies and individuals relating to their role in the opioid crisis; and

WHEREAS, on June 30, 2022, the Office of the Attorney General announced that the State and its counties and municipalities are expected to receive approximately \$30 million over time as a result of the bankruptcy of Mallinckrodt PLC, in connection with their opioid-related claims against the company; and

WHEREAS, on August 22, 2022, the Office of the Attorney General announced an additional nationwide settlement with Endo International PLC and its lenders, which is expected to provide some portion of a \$450 million national opioid litigation resolution to New Jersey and its counties and municipalities; and

WHEREAS, on January 11, 2023, the Attorney General announced that the State had joined national opioid litigation resolutions with pharmacy chains CVS, Walgreens, and Walmart, and drug makers Teva Pharmaceuticals and Allergan; and if those agreements become effective, subject to sufficient subdivision sign-on, New Jersey and eligible county and municipal governments stand to receive up to a combined total of approximately \$508.1 million; and

WHEREAS, funds obtained by the State in opioid settlement agreements have been and will be used to further the goals of preventing opioid misuse and overdose deaths; providing assistance, treatment, and recovery support to individuals and communities affected by the opioid crisis; developing wraparound supports and connections to care for individuals with substance and opioid use disorders; and expanding harm reduction efforts; and

WHEREAS, certain national opioid litigation resolutions require the State to designate a lead agency for purposes relating to implementation of these resolutions, such as coordination, reporting, and public disclosure of expenditures and communication with the settlement administrator; and

WHEREAS, the State launched an online portal to enable members of the public to provide recommendations on the expenditure of opioid litigation settlement funds for a 60-day comment period and may reopen the portal for public comment from time to time going forward; and

WHEREAS, on August 31, 2022, I issued Executive Order No. 305, designating the Department of Human Services ("DHS") as the lead agency for the State for purposes of directing the disbursement and allocation of the State's proceeds from national opioid litigation resolutions; monitoring the use of moneys disbursed to counties or municipalities under national opioid litigation resolutions; and performing the various reporting, compliance, and administrative functions and other obligations imposed upon the State pursuant to the terms and conditions of national opioid litigation resolutions; and

WHEREAS, Executive Order No. 305 (2022) also established in DHS the Opioid Recovery and Remediation Advisory Council (the "Advisory Council"), a wholly advisory body chaired by the Commissioner of DHS, or the Commissioner's Designee, and including the Attorney General, the Commissioner of the Department of Health, and the Commissioner of the Department of Children and Families, as well as at least ten public members; and

WHEREAS, pursuant to Executive Order No. 305 (2022), the purpose of the Advisory Council is to review proposals, data, and analysis and engage with stakeholders and community members to develop and provide recommendations on the allocation and distribution of the State's share of proceeds from national opioid litigation resolutions; and

WHEREAS, Executive Order No. 305 (2022) directed the Advisory Council to take various steps to effectuate its purpose; and

WHEREAS, on December 22, 2022, I announced the appointments of 10 public members of the Advisory Council, which has begun convening; and

WHEREAS, today, March 17, 2023, I signed Senate Bill No. 783 (Second Reprint) into law as P.L.2023, c.25, which was passed by both houses of the Legislature on February 27, 2023; and

WHEREAS, Senate Bill No. 783 (Second Reprint) creates the Opioid Recovery and Remediation Fund, into which the State Treasurer shall deposit the State's share of moneys received as a result of national opioid litigation resolutions and appropriates such funds for use; and

WHEREAS, Senate Bill No. 783 (Second Reprint) designates DHS as the lead agency for the State for purposes of directing the disbursement and allocation of the State's share of moneys allocated to or otherwise received by the State as a result of national opioid litigation resolutions; and for monitoring the use of the money disbursed to counties or municipalities under a national opioid litigation resolution or under an agreement authorized by section 3 of Senate Bill No. 783 (Second Reprint); and, in coordination with the State Comptroller and the Attorney General, ensuring that the use of such moneys complies with the purposes set forth in Senate Bill No. 783 (Second Reprint) and is consistent with the terms of the applicable national opioid litigation resolution and other applicable agreements; and

WHEREAS, Senate Bill No. 783 (Second Reprint) provides DHS with primary responsibility for ensuring that the various reporting, compliance, and administrative functions imposed upon the State are performed, and designates DHS as the single point of contact for the State for settlement fund administrators and trustees to submit requests for disbursement of settlement funds; and

WHEREAS, Senate Bill No. 783 (Second Reprint) authorizes DHS to make determinations regarding disbursement and allocation of the State's share of such proceeds in accordance with the requirements or terms of applicable agreements; and

WHEREAS, Senate Bill No. 783 (Second Reprint) also establishes in DHS an Opioid Recovery and Remediation Advisory Council, an advisory body with substantially similar functions, purposes, duties, and composition as the Opioid Recovery and Remediation Advisory Council established by Executive Order No. 305 (2022); and

WHEREAS, Senate Bill No. 783 (Second Reprint) also requires counties that are directly receiving moneys as a result of national opioid litigation resolutions to establish local advisory councils to provide input, advice, and recommendations on the disbursement of such moneys, recognizing that New Jersey has entered into a separate Memorandum of Agreement with participating counties and municipalities that requires each county to establish a county advisory council to provide input, advice, and recommendations on the disbursement of the county's share of the recovery and of the shares of its participating municipalities; and

WHEREAS, Senate Bill No. 783 (Second Reprint) imposes annual reporting requirements on DHS in connection with the expenditure of proceeds from national opioid litigation resolutions, and provides that the Advisory Council created by Senate Bill No. 783 (Second Reprint) shall disband following the issuance of a final report by DHS after all proceeds from national opioid litigation resolutions have been expended; and

WHEREAS, Senate Bill No. 783 (Second Reprint), enacted as P.L.2023, c.25, effectively codifies Executive Order No. 305 (2022) by providing statutory authority for all measures taken by Executive Order No. 305 (2022), including the designation of DHS as the lead agency for matters related to the disbursement and allocations of the State's proceeds from national opioid litigation resolutions and the

establishment of a substantively identical Opioid Recovery and Remediation Advisory Council; and

WHEREAS, the State continues to find stakeholder collaboration through an advisory council to be critical to effective distribution of proceeds from national opioid litigation resolutions at the State level, as well as at the county and municipal levels; and

WHEREAS, the State remains steadfast in its commitment to ending the opioid epidemic, supporting those affected by it and fighting it, and accomplishing these goals by distributing opioid litigation settlement funds efficiently and equitably; and

WHEREAS, Senate Bill No. 783 (Second Reprint) has rendered Executive Order No. 305 (2022) redundant;

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 Opioid Recovery and Remediation Advisory Council created by Executive Order No. 305 (2022) shall be replaced by and reconstituted as, and shall continue in operation as, the Opioid Recovery and Remediation Advisory Council created by Senate Bill No. 783 (Second Reprint), enacted into law as P.L.2023, c.25.

2. All public members of, and any work undertaken by, the Opioid Recovery and Remediation Advisory Council created by Executive Order No. 305 (2022), shall carry over to the Opioid Recovery and Remediation Advisory Council created by Senate Bill No. 783 (Second Reprint).

3. Executive Order No. 305 (2022) is hereby rescinded.

4. For purposes of this Order, "national opioid litigation resolution" means: (1) a settlement agreement, entered into by the Attorney General of New Jersey on behalf of the State and by other state attorneys general on behalf of their respective states, which provides for the participation of states, counties, and

municipalities to resolve claims by the state attorneys general and counties and municipalities against opioid manufacturers, opioid distributors, or pharmacies, or persons or entities affiliated with an opioid manufacturer, opioid distributor, or pharmacy, related to the manufacture, marketing, distribution, or dispensing of opioids; or (2) a bankruptcy plan which is governed by an agreement entered into pursuant to section 3 of P.L.2023, c.25, which has received final approval, and that channels, releases, or otherwise finally disposes of such claims, including those of the State and its counties and municipalities.

5. This Order shall take effect immediately.

GIVEN, under my hand and seal this  
17<sup>th</sup> day of March,  
Two Thousand and Twenty-three,  
and of the Independence of the  
United States, the Two Hundred  
and Forty-Seventh.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

**EXECUTIVE ORDER NO. 324**

WHEREAS, United States Army Sergeant David Solinas, Jr., grew up in Oradell, New Jersey; and

WHEREAS, Sergeant Solinas attended River Dell High School, where he both wrestled and played rugby; and

WHEREAS, Sergeant Solinas attended Norwich University, a private senior military college, in Northfield, Vermont, where he also played rugby; and

WHEREAS, Sergeant Solinas enlisted in the military in 2018 and attended basic training in Fort Sill, Oklahoma, and Advanced Individual Training at Fort Sam Houston, Texas; and

WHEREAS, Sergeant Solinas was assigned as a Combat Medic with the 2nd Brigade, 82nd Airborne Division, in Fort Bragg, North Carolina; and

WHEREAS, Sergeant Solinas served as a Flight Paramedic for the Combat Aviation Brigade, 101st Airborne Division, since October 2022; and

WHEREAS, Sergeant Solinas was recognized for his service to our country with awards and ribbons, including the Army Commendation medal and the National Defense Service medal; and

WHEREAS, in a tragic accident, Sergeant Solinas and eight other U.S. soldiers were killed last week in a Black Hawk helicopter crash during a training exercise in Fort Campbell, Kentucky; and

WHEREAS, Sergeant Solinas was a beloved son, brother, friend, teammate, and fellow servicemember whose presence will be sorely missed by everyone who knew him, and by the people of New Jersey; and

WHEREAS, it is with tremendous sadness that we mourn the passing of Sergeant Solinas and his eight fellow soldiers, and we extend our deepest sympathy to Sergeant Solinas' family, friends, teammates, and fellow servicemembers; and

WHEREAS, it is appropriate to honor and cherish the memory of Sergeant Solinas, a New Jersey native, and to mark his passing;

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

1. The flag of the United States of America and the flag of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours until sunset on Tuesday, April 4, 2023, in recognition and mourning of the passing of United States Army Sergeant David Solinas, Jr.

2. This Order shall take effect immediately.

GIVEN, under my hand and seal this  
3<sup>rd</sup> day of April,  
Two Thousand and Twenty-  
three, and of the  
Independence of the United  
States, the Two Hundred and  
Forty-Seventh.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor