

EXECUTIVE ORDER NO. 200

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

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

WHEREAS, as COVID-19 continued to spread across New Jersey and an increasing number of individuals required medical care or hospitalization, I issued a series of Executive Orders pursuant to my authority under the New Jersey Civilian Defense and Disaster Control Act and the Emergency Health Powers Act ("EHPA"), to protect the public health, safety, and welfare against the emergency created by COVID-19, including Executive Order Nos. 104-133, 135-138, 140-166, 168-173, 175, 177-181, 183, 187, and 189-198 (2020), the facts and circumstances of which are all adopted by reference herein; and

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

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

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

WHEREAS, on June 4, 2020, I issued Executive Order No. 151, which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, on July 2, 2020, I issued Executive Order No. 162, which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, on August 1, 2020, I issued Executive Order No. 171, which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, on August 27, 2020, I issued Executive Order No. 181, which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, on September 25, 2020, I issued Executive Order No. 186, which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, on October 24, 2020, I issued Executive Order No. 191, which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, through Executive Order Nos. 119, 138, 151, 162, 171, 181, 186, and 191 (2020), I declared that all Executive Orders and Administrative Orders adopted in whole or in part in response to the COVID-19 Public Health Emergency remained in full force and effect; and

WHEREAS, due to the significant emergency measures the State has taken in response to COVID-19, there was a decrease in the rate of reported new cases of COVID-19 in New Jersey, in the total number of individuals being admitted to hospitals for

COVID-19, and in the rate of reproduction for COVID-19 infections in New Jersey; and

WHEREAS, given the progress the State had made based on these emergency measures and after consultation with officials from the Department of Health ("DOH"), I announced a multi-stage New Jersey's Road Back Plan (the "Plan") for the methodical and strategic reopening of businesses and activities based on scientific data and metrics concerning the level of disease transmission risk and essential classification; and

WHEREAS, in line with the Plan, the State had been able to relax a number of restrictions, each time tailored to the relative risk the activity presents, and additional restrictions on outdoor and indoor recreational and entertainment businesses were lifted over the past several months; and

WHEREAS, the fact that the spread of COVID-19 had been limited by the State's emergency measures did not in any way suggest that the ongoing Public Health Emergency had dissipated, because absent social distancing measures, public health experts anticipated that the spread of COVID-19 would again significantly increase; and

WHEREAS, since the Public Health Emergency was renewed on October 24, 2020, at which time there were over 225,430 positive cases of COVID-19 in New Jersey, the COVID-19 outbreak has continued to present a public health hazard in New Jersey, in the region, and across the United States; and

WHEREAS, as of November 22, 2020, according to the World Health Organization, there were over 57,639,631 confirmed cases of COVID-19 worldwide, with over 1,373,294 of those cases having resulted in death; and

WHEREAS, as of November 21, 2020, according to the Centers for Disease Control and Prevention (CDC), there were over 11,843,490 confirmed cases of COVID-19 in the United States, with over 253,600 of those cases having resulted in death; and

WHEREAS, as of November 21, 2020, there were over 302,039 positive cases of COVID-19 in New Jersey, with at least 14,934 of those cases having resulted in death; and

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

WHEREAS, the State has experienced significant upticks in the rate of reported new cases across all counties, demonstrating the need for many of the State's current measures to remain in place, both to reduce additional new infections and to save lives; and

WHEREAS, the renewal of the declaration of the ongoing Public Health Emergency is necessary to allow the State to continue with the Plan to allow for the methodical and strategic reopening of the State, consistent with the State's authority under the EHPA; and

WHEREAS, the renewal of the declaration of the ongoing Public Health Emergency is also necessary to ensure that the State can swiftly respond to take all appropriate actions should the rate of reported new cases of COVID-19 in New Jersey, number of individuals being admitted to hospitals for COVID-19, or rate of reproduction for COVID-19 infections in New Jersey continue to increase, as we are now seeing in numerous states across the country; and

WHEREAS, the spread of COVID-19 has greatly strained the resources and capabilities of county and municipal governments, including public health agencies, that provide essential services

for containing and mitigating the spread of contagious diseases, and the situation is too large in scope to be handled entirely by the normal county and municipal operating services; and

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

WHEREAS, the facts as set forth above and in consultation with the Commissioner of DOH confirm that there exists a Public Health Emergency in the State; and

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. 26:13-1 et seq., N.J.S.A. App. A: 9-33 et seq., N.J.S.A. 38A:3-6.1, and N.J.S.A. 38A:2-4 and all amendments and supplements thereto, confer upon the Governor of the State of New Jersey certain emergency powers, which I have invoked;

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby DECLARE and PROCLAIM that the Public Health Emergency declared in Executive Order No. 103 (2020) pursuant to the EHPA, N.J.S.A. 26:13-1, et seq., continues to exist throughout the State of New Jersey, and I hereby ORDER and DIRECT:

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

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

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

4. This Order shall take effect immediately.

GIVEN, under my hand and seal this
22nd day of November,
Two Thousand and Twenty, and
of the Independence of the
United States, the Two
Hundred and Forty-Fifth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 201

WHEREAS, the State of New Jersey is committed to serving as a model for the nation on effective policing practices and criminal justice reform; and

WHEREAS, the Attorney General has sought, through the "Excellence in Policing" initiative, to promote the professionalism, accountability, and transparency that are hallmarks of New Jersey's best law enforcement agencies; and

WHEREAS, ensuring trust between the police and the communities they serve is a critical component of public safety; and

WHEREAS, the vast majority of New Jersey's 38,000 law enforcement officers serve the public in accordance with the highest standards of professionalism and integrity; and

WHEREAS, the deployment of body worn camera systems by law enforcement agencies can be a powerful tool for building community trust, both by creating a record of law enforcement professionalism in interactions with the public, and by providing evidence of officer misconduct when it does occur; and

WHEREAS, body worn camera footage can also be utilized to improve training for law enforcement officers, by enabling scenario-based review of past encounters with the public; and

WHEREAS, Attorney General Law Enforcement Directive No. 2015-1 establishes mandatory standards for the handling and storage of body worn camera footage; and

WHEREAS, as of September 23, 2020, 237 of the State's 537 law enforcement agencies now equip some or all of their officers with body-worn cameras; and

WHEREAS, many more law enforcement agencies recognize the benefits of body worn camera systems, but find the adoption of

such systems to be prohibitively expensive or logistically difficult; and

WHEREAS, a significant factor in the cost and utilization of body worn camera systems is the ongoing expense of storing and retrieving body worn camera footage, which currently requires that law enforcement agencies individually contract directly with private vendors; and

WHEREAS, New Jersey's municipal government structure provides municipalities with the authority to establish their own services, but which can have the effect of hindering cooperation on problems common across the State; and

WHEREAS, my Administration is dedicated to promoting and supporting shared services as a way to reduce costs borne by individual municipalities and take advantage of economies of scale; and

WHEREAS, a statewide, centralized solution for the storage and retrieval of body worn camera footage could leverage the State's purchasing power to significantly reduce the costs associated with doing so, which would lower the financial and logistical barriers to system adoption for law enforcement agencies, and

WHEREAS, reducing the costs associated with adopting a comprehensive body worn camera program will accelerate the implementation of body worn camera systems across the state; and

WHEREAS, the review of a statewide solution for the storage of body worn camera footage has not previously been conducted; and

WHEREAS, a statewide, centralized solution would facilitate the Office of Public Integrity and Accountability's review of use of force and death in custody incidents, thereby streamlining the

process to ensure timely release of video footage to the public pursuant to Attorney General Law Enforcement Directive 2019-4; and

WHEREAS, such a solution would benefit from the input of stakeholders across State government and law enforcement in 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. There is hereby created the Interagency Working Group on Body Worn Cameras ("Working Group"), which shall be responsible for providing advice and recommendations to the Governor's Office and to the Attorney General regarding technology solutions to facilitate the statewide implementation of body worn cameras in law enforcement agencies.

2. The objectives of the Working Group shall include the following:

- a. Consulting with law enforcement agencies to identify barriers to the adoption of body worn camera systems;
- b. Identifying and recommending potential technology solutions to facilitate the adoption of body worn camera systems by police departments, including the potential provision of centralized statewide or regional storage systems;
- c. Developing recommended strategies for implementation of a body worn camera solution for police departments, including any actions that must be taken by agencies of state government; and

- d. Recommending any necessary changes to existing policies, whether by executive action or legislation, related to the deployment of body worn camera systems or the storage and handling of body worn camera footage.

3. The Working Group shall consist of the following fourteen members:

- a. The Attorney General, or designee; who shall serve as Chair;
- b. The Superintendent of the State Police, or designee;
- c. The Director of the Division of Criminal Justice, or designee;
- d. The Chief Technology Officer of the Office of Information Technology, or designee;
- e. The Chief Innovation Officer, or designee;
- f. The New Jersey State Treasurer, or designee;
- g. Four members of the public, including at least one member of the faith-based community and one criminal justice advocate, who shall be appointed by the Governor;
- h. Two members of county or municipal law enforcement agencies, who shall be appointed by the Governor;
- i. A member of a police union, who shall be appointed by the Governor; and
- j. A County Prosecutor, who shall be appointed by the Governor. The appointed County Prosecutor may designate a representative for participation in the Working Group.

4. All members and designees shall serve at the pleasure of the appointing department or agency, or in the case of those appointed by the Governor, at the pleasure of the Governor, and all shall serve without compensation.

5. The Working Group shall be authorized to call upon any department, office, division, or agency of this State to supply it with information or other assistance as the Working Group determines to be necessary to discharge its duties under this Order.

6. Each Executive Branch department and agency is hereby required, to the extent not inconsistent with law and consistent with budgetary constraints, to cooperate fully with the Working Group within the limits of its statutory authority and to furnish the Working Group with such assistance on as timely a basis as is necessary to accomplish the purposes of this Order. To the extent necessary, the Department of Law and Public Safety shall provide professional and clerical staff to the Working Group.

7. The Working Group may consult with experts or other knowledgeable individuals in the public or private sector with respect to any aspect of its mission.

8. The Working Group shall organize and meet as soon as practicable to begin performing the charges set forth in this order.

9. The Working Group, which shall be purely advisory in nature, shall issue a report of its findings and recommendations to the Governor's Office and Attorney General no later than March 31, 2021. The Working Group shall expire upon the issuance of this report.

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

11. 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.

12. This Order shall take effect immediately.

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

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 202

WHEREAS, Mayor David Dinkins was born David Norman Dinkins on July 10, 1927 in Trenton, New Jersey, as the son of a barber and real estate broker; and

WHEREAS, Mayor Dinkins graduated from Trenton Central High School in 1945 and attempted to enlist in the U.S. Marine Corps but was denied because of the color of his skin; and

WHEREAS, Mayor Dinkins was later drafted and served with the U.S. Marine Corps in Korea; and

WHEREAS, Mayor Dinkins graduated from Howard University in Washington, D.C. with a Bachelor's degree in Mathematics and earned his Juris Doctor from Brooklyn Law School in New York; and

WHEREAS, Mayor Dinkins was elected to the New York State Assembly in 1965, and later served as President of the New York City Board of Elections, City Clerk, and Manhattan Borough President; and

WHEREAS, Mayor Dinkins was elected the 106th Mayor of New York City in 1989, becoming the first Black mayor in the City's history; and

WHEREAS, during his tenure, Mayor Dinkins began the transformation of Times Square, rehabilitated housing in the Bronx, Brooklyn, and Harlem, and expanded the National Tennis Center in Queens; and

WHEREAS, Mayor Dinkins brought other leaders into his administration who mirrored the City's diversity, and initiated many of the changes that renewed New York City's place on the world stage as a cultural epicenter, including the creation of *Fashion Week*, *Restaurant Week*, and *Broadway on Broadway*; and

WHEREAS, in 1994, Mayor Dinkins became a professor at Columbia University's School of International and Public Affairs, where he remained until his passing; and

WHEREAS, during that time, Mayor Dinkins remained active in New York City politics as the host of a weekly radio show; and

WHEREAS, Mayor Dinkins received numerous awards and acknowledgements throughout his long career, including, most notably, the renaming of the City's municipal building as the David N. Dinkins Municipal Building on October 15, 2015; and

WHEREAS, Mayor Dinkins married Joyce B. Dinkins in 1953, and the two had a son, David Dinkins, Jr., and a daughter, Donna Dinkins, and remained married until Joyce's death in October 2020; and

WHEREAS, Mayor Dinkins passed away on November 23, 2020, at the age of 93; and

WHEREAS, it is with immense sadness that we mourn the passing of Mayor Dinkins and extend our deepest sympathy to his family, friends, and colleagues; and

WHEREAS, it is appropriate to honor the exemplary character, selflessness, and cherished memory of Mayor Dinkins and to mark his passing;

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

1. The flag of the United States of America and the flag of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours on Monday, November 30, 2020, in recognition and mourning of a dedicated and tireless public servant, Mayor David Dinkins.

2. This Order shall take effect immediately.

GIVEN, under my hand and seal this
25th day of November,
Two Thousand and Twenty, and
of the Independence of the
United States, the Two
Hundred and Forty-Fifth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 203

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

WHEREAS, through Executive Order Nos. 119, 138, 151, 162, 171, 180, 186, 191, and 200 issued on April 7, 2020, May 6, 2020, June 4, 2020, July 2, 2020, August 1, 2020, August 27, 2020, September 25, 2020, October 24, 2020, and November 22, 2020, respectively, the facts and circumstances of which are adopted by reference herein, I declared that the COVID-19 Public Health Emergency continued to exist and declared that all Executive Orders and Administrative Orders adopted in whole or in part in response to the COVID-19 Public Health Emergency remained in full force and effect; and

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

WHEREAS, as COVID-19 continued to spread across New Jersey and an increasing number of individuals required medical care or hospitalization, I issued a series of Executive Orders pursuant to my authority under the New Jersey Civilian Defense and Disaster Control Act, N.J.S.A. App. A:9-33 et seq. and the Emergency Health Powers Act, N.J.S.A. 26:13-1 et seq., to protect the public health, safety, and welfare against the emergency created by COVID-19, including Executive Order Nos. 104-133, Nos. 135-138, Nos. 140-166, Nos. 168-173, No. 175, Nos. 177-181, No. 183,

Nos. 186-187, Nos. 189-198, and No. 200 (2020), the facts and circumstances of which are all adopted by reference herein; and

WHEREAS, as of November 25, 2020, according to the World Health Organization, there were over 59,204,000 confirmed cases of COVID-19 worldwide, with over 1,397,000 of those cases having resulted in death; and

WHEREAS, as of November 24, 2020, according to the Centers for Disease Control and Prevention ("CDC"), there were over 12,333,000 confirmed cases of COVID-19 in the United States, with over 257,000 of those cases having resulted in death; and

WHEREAS, as of November 24, 2020, there were over 313,000 positive cases of COVID-19 in New Jersey, with at least 15,007 of those cases having resulted in death; and

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

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

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

WHEREAS, on May 15, 2020, I issued Executive Order No. 144, which declared that the July Primary Election would be conducted primarily via vote-by-mail ballots with a minimum number of polling places open in each municipality; and

WHEREAS, Executive Order No. 144 (2020) extended the N.J.S.A. 19:23-55 deadline to certify the results of the Primary Election under by five (5) days to account for the revised timeframe that Boards of Elections had to receive vote-by-mail ballots, thereby extending the Primary Election certification deadline to July 24, 2020; and

WHEREAS, on July 13, 2020, I issued Executive Order No. 164, which postponed any election scheduled between July 7, 2020 and November 3, 2020, until November 3, 2020, and declared that no other elections may be held or proceed prior to November 3, 2020; and

WHEREAS, on August 14, 2020, I issued Executive Order No. 177, the facts and circumstances of which are adopted by reference herein, which established the voting procedures for the General Election on November 3, 2020 ("November General Election") and declared that the election would be conducted primarily by vote-by-mail; and

WHEREAS, on August 25, 2020, I issued Executive Order No. 179, making modifications to Executive Order No. 177 (2020) to ensure enough time to complete preparations for the November General Election and minimize voter confusion, the facts and circumstances of which are adopted by reference herein; and

WHEREAS, legislation subsequently codified the standards adopted by Executive Orders Nos. 177 and 179 (2020) and addressed other issues relating to upcoming elections; and

WHEREAS, on November 2, 2020, I issued Executive Order No. 193, postponing any run-off elections resulting from municipal elections held on the November General Election and required under N.J.S.A. 40:45-19 until December 15, 2020, in order to give county and municipal election officials enough time to send vote-by-mail ballots to all registered voters; and

WHEREAS, Executive Order No. 193 (2020) requires modification as set forth below to ensure enough time to complete preparations for the runoff elections required under N.J.S.A. 40:45-19; and

WHEREAS, the COVID-19 emergency continues to unfold alongside contemporaneous elections; and

WHEREAS, pursuant to N.J.S.A. 19:60-2(a), the board of education of a type II school district may call a special election of the legal voters of the district on the fourth Tuesday in January, the second Tuesday in March, the last Tuesday in September, or the second Tuesday in December when, in the board's judgement, the interests of the schools so requires; and

WHEREAS, Executive Order No. 105 (2020) postponed the special school elections scheduled for March 21, 2020 until May 12, 2020 and concurrent with other elections scheduled for that date; and

WHEREAS, Executive Order No. 177 (2020) postponed the special school elections scheduled for December 8, 2020 until the authorized January 2021 special school election date; and

WHEREAS, allowing upcoming elections to proceed during this unprecedented COVID-19 health crisis as they were originally planned will create hardships and health risks for voters, poll workers, and candidates alike; and

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

WHEREAS, the New Jersey Secretary of State is legally obligated to ensure that all qualified voters within the State are able to fully exercise their constitutionally protected right to vote; and

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

WHEREAS, failing to take proactive actions to mitigate the spread of the virus risks further infecting election officials; and

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

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. 26:13-1 et seq., N.J.S.A. App. A: 9-33 et seq., N.J.S.A. 38A:3-6.1, and N.J.S.A. 38A:2-4 and all amendments and supplements thereto, confer upon the Governor of the State of New Jersey certain emergency powers, which I have invoked;

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

1. Paragraph 4 of Executive Order No. 193 (2020) is modified such that the notice in lieu of a sample ballot authorized pursuant to this subsection shall be sent return service requested as required by N.J.S.A. 19:14-23.

2. Any special school elections scheduled for January 26, 2021, shall be postponed until the authorized March 2021 special school election date.

3. This Order shall take effect immediately.

GIVEN, under my hand and seal this
25th day of November,
Two Thousand and Twenty, and
of the Independence of the
United States, the Two
Hundred and Forty-Fifth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 204

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

WHEREAS, through Executive Order Nos. 119, 138, 151, 162, 171, 180, 186, 191, and 200, issued on April 7, 2020, May 6, 2020, June 4, 2020, July 2, 2020, August 1, 2020, August 27, 2020, September 25, 2020, October 24, 2020, and November 22, 2020, respectively, the facts and circumstances of which are adopted by reference herein, I declared that the COVID-19 Public Health Emergency continued to exist and declared that all Executive Orders and Administrative Orders adopted in whole or in part in response to the COVID-19 Public Health Emergency remained in full force and effect; and

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

WHEREAS, as COVID-19 continued to spread across New Jersey and an increasing number of individuals required medical care or hospitalization, I issued a series of Executive Orders pursuant to my authority under the New Jersey Civilian Defense and Disaster Control Act and the Emergency Health Powers Act, to protect the public health, safety, and welfare against the emergency created by COVID-19, including Executive Order Nos. 104-133, Nos. 135-138, Nos. 140-166, Nos. 168-173, No. 175, Nos. 177-181, No. 183, Nos. 186-187, Nos. 189-198, No. 200, and No. 203 (2020), the facts and circumstances of which are all adopted by reference herein; and

WHEREAS, after consultation with officials from the Department of Health ("DOH"), I announced a multi-stage New Jersey's Road Back Plan for the methodical and strategic reopening of businesses and activities based on scientific data and metrics concerning the level of disease transmission risk and essential classification; and

WHEREAS, on May 29, 2020, I signed Executive Order No. 149, which allowed organized sporting activities to resume on June 22, 2020, in outdoor settings, provided that they did not involve person-to-person contact or individuals routinely interacting in close proximity; and

WHEREAS, Executive Order No. 149 (2020) also directed the Commissioner of the DOH to issue health and safety standards regarding sporting activities before June 22, 2020; and

WHEREAS, on June 15, 2020, the Commissioner of DOH issued Guidance for Sports Activities ("Guidance") that stated that practices and competitions for Low Risk sports, as well as no-contact practices for Medium and High Risk sports, could resume on June 22, 2020 in outdoor settings, because pursuant to Executive Order No. 149 (2020), they do not involve person-to-person contact; and

WHEREAS, Medium and High Risk sports were subsequently permitted to resume in outdoor and indoor settings with strict limitations on contact activities indoors; and

WHEREAS, on October 12, 2020, I issued Executive Order No. 187, which permitted contact practices and competitions for both Medium Risk and High Risk sports to resume in indoor settings, so that all sports activities were permitted to operate in indoor and outdoor settings subject to DOH guidance; and

WHEREAS, in light of outbreaks associated with youth sports teams in New Jersey that had participated in interstate games, I issued Executive Order No. 194 (2020), which prohibited indoor interstate youth sports competitions; and

WHEREAS, the number of confirmed cases of COVID-19 continues to increase dramatically, demonstrating more significant community spread; and

WHEREAS, the Centers for Disease Control and Prevention ("CDC") and DOH have maintained that congregation of individuals, particularly in indoor environments, is a contributing factor in the spread of COVID-19; and

WHEREAS, the institution of mitigation protocols limiting certain high-risk activities is necessary to combat the spread of the virus and lessen the need for more comprehensive restrictions; and

WHEREAS, the progress we made earlier this year demonstrates the effectiveness of such protocols, particularly those that prevented individuals from congregating indoors and encouraged avoidance of close contact in indoor settings, where the virus is more readily transmitted; and

WHEREAS, in the past nine months, we have gained critical knowledge in our experience with COVID-19, including a better understanding of the risks associated with certain activities and the safeguards that can be implemented to mitigate those risks; and

WHEREAS, this information, together with expanded access to testing, personal protective equipment, and other materials necessary to protect individuals from spread of the virus, allows us to permit certain activities to continue while others are subject to restrictions; and

WHEREAS, the CDC has advised that there is risk associated with any indoor sports activity, including practices, and particularly with full competitions between teams, with the highest risk associated with competitions between teams from different states; and

WHEREAS, the risks associated with such activities extend beyond the practice or competition itself, as individuals participating in sports activities tend to congregate on benches, sidelines, in locker

rooms, and other similar settings that are not amenable to social distancing; and

WHEREAS, the restart of other similar indoor activities, such as exercise classes at gyms, have not been linked to any significant confirmed outbreaks; and

WHEREAS, since the reopening of indoor youth sports practices and competitions, there have been numerous confirmed outbreaks amongst teams in New Jersey that are believed to be associated with participation in sports activities, including non-contact sports activities such as swimming and gymnastics, with additional investigations pending; and

WHEREAS, the CDC has noted that the incubation period for the virus is approximately 14 days, so that a month-long pause will capture data over two incubation periods; and

WHEREAS, college and university athletic programs and professional athletic teams, leagues, and organizations, are readily able to establish comprehensive protocols for the athletes participating within their programs, including by placing limitations on outside activities, subjecting participants to regular testing, and requiring athletes to reside in a specified location; and

WHEREAS, though high school teams are also typically subject to strict health and safety protocols by schools and overseeing organizations, so that they have previously been treated similarly to collegiate and professional sports in outdoor settings, it is still appropriate to restrict activities indoors where the risk of spread is heightened; and

WHEREAS, Executive Order No. 196, issued November 16, 2020, lowered the outdoor gathering limit from 500 to 150 persons; and

WHEREAS, while there is generally less risk associated with outdoor gatherings, it is appropriate to reduce the outdoor gatherings limit in our State to no more than 25 people to prevent increased

transmission through super-spreading events and large community gatherings; and

WHEREAS, individuals organizing and participating in outdoor gatherings must continue to utilize protective measures, including use of masks and social distancing; and

WHEREAS, addiction group counseling services are a critical social and mental health service that necessitate robust group participation, particularly during the pandemic, which has heightened feelings of stress and social isolation, and thus can exceed the general indoor gathering limit while following health and safety protocols; and

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. 26:13-1 et seq., N.J.S.A. App. A: 9-33 et seq., N.J.S.A. 38A:3-6.1, and N.J.S.A. 38A:2-4 and all amendments and supplements thereto, confer upon the Governor of the State of New Jersey certain emergency powers, which I have invoked;

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

1. Practices and competitions for organized, group, and/or competitive sports defined as "Low Risk", "Medium Risk", and "High Risk" by DOH's "Guidance for Sports Activities" are prohibited in indoor settings. Executive Order Nos. 168 and 187 (2020) are hereby superseded to the extent inconsistent with this paragraph.

2. It is hereby restated that Executive Order No. 194 (2020) prohibits facilities within the State from hosting indoor youth sports competitions between two or more out-of-state teams, regardless of whether a New Jersey team is participating in the competition.

3. Paragraphs 1 and 2 of this Order shall not apply to collegiate and professional sports activities, which are permitted to continue operations subject to compliance with all applicable laws, regulations, and Executive Orders, including restrictions on recreational and entertainment businesses in Paragraph 7 of Executive Order No. 157 (2020) and restrictions on gatherings in place at the time the sporting activities occur.

4. Paragraphs 7 - 10 of Executive Order No. 196 (2020) are hereby rescinded and the number of individuals at outdoor gatherings shall be limited to 25 persons or fewer. All other requirements for outdoor gatherings contained in Paragraph 1 of Executive Order No. 161 (2020), including the requirements of Paragraph 2 of Executive Order No. 152 (2020) incorporated by reference therein, shall remain in effect. An outdoor gathering that is a religious service or celebration, political activity, wedding ceremony, funeral, or memorial service is not required to comply with the numerical limit on persons.

5. Professional and collegiate athletic competitions that are conducted outdoors are subject to the outdoor gathering limit of 25 persons. Athletes, coaches, referees, and trainers, and other individuals who are necessary for the competitive professional or collegiate sporting event are not included in the number of individuals present at a gathering for purposes of the limits on gatherings. The provisions of Paragraph 1 of Administrative Order No. 2020-22 regarding outdoor gatherings shall continue to apply.

6. All non-collegiate and non-professional athletic practices and competitions that are conducted outdoors are subject to the current outdoor gathering limit of 25 persons. However, if the number of individuals who are necessary for a practice or competition, such as players, coaches, and referees, is greater than 25 persons, such a practice or competition may proceed, as long as no individuals are present who are not necessary for the practice or competition, such

as spectators. Paragraph 10 of Executive Order No. 196 (2020) is hereby rescinded.

7. It is hereby clarified that the number of individuals at an indoor gathering that involves an Alcoholics Anonymous meeting, Narcotics Anonymous meeting, or similar meeting of an addiction support group shall be limited to 25 percent of the capacity of the room in which it takes place, but regardless of the capacity of the room, such limit shall never be larger than 150 persons or smaller than 10 persons.

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

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

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

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

12. Paragraph 1 of this Order shall take effect at 6:00 a.m. on Saturday, December 5, 2020, and shall terminate on January 2, 2021, unless otherwise revoked or modified by the Governor. Paragraphs 2 and 7 shall take effect immediately and shall remain in effect until revoked or modified by the Governor, who shall consult

with the Commissioner of DOH as appropriate. Paragraphs 4 - 6 shall take effect at 6:00 a.m. on Monday, December 7, 2020, and shall remain in effect until revoked or modified by the Governor, who shall consult with the Commissioner of DOH as appropriate.

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

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 205

WHEREAS, United States Air Force Captain Kelliann Leli, 30, of Parlin, New Jersey, died on November 27, 2020 in a non-combat related vehicle incident at Al Dhafra Air Base, United Arab Emirates; and

WHEREAS, Captain Leli was a graduate of the United States Air Force Academy and earned her commission in 2012 before completing her medical program; and

WHEREAS, Captain Leli was a physician assigned to the 60th Healthcare Operations Squadron at the Family Medicine Clinic at David Grant United States Air Force Medical Center on Travis Air Force Base in California; and

WHEREAS, Captain Leli was on her first deployment, stationed at Al Dhafra Air Base, United Arab Emirates in support of Operation Freedom's Sentinel as part of the 380th Air Expeditionary Wing; and

WHEREAS, Captain Leli was a beloved member of our New Jersey family whose presence will be greatly missed by her family, her friends, her fellow servicemembers, and by the people of New Jersey whom are grateful for her service; and

WHEREAS, it is with immense sadness that we mourn Captain Leli's sudden passing, and extend our deepest sympathy and gratitude to her family; and

WHEREAS, it is appropriate to honor the exemplary character, outstanding achievements, and cherished memory of Captain Leli 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, December 3, 2020, in recognition and mourning of Captain Kelliann Leli.

2. This Order shall take effect immediately.

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

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 206

WHEREAS, State Police Trooper Recruit Lucas C. Homeijer, age 27, was a resident of Boonton, New Jersey; and

WHEREAS, Recruit Homeijer was a member of the 161st State Police Academy Class, following in the footsteps of his father and uncle, both of whom are retired State Troopers; and

WHEREAS, Recruit Homeijer was a graduate of Morris Knolls High School in Rockaway, New Jersey where he was a member of the wrestling team; and

WHEREAS, before joining the 161st State Police Academy Class, Recruit Homeijer attended Trooper Youth Week at the age of 17 years old; and

WHEREAS, Recruit Homeijer was dedicated to service from a young age and was an Eagle Scout; and

WHEREAS, Recruit Homeijer was the beloved son of Don and Denise Homeijer, and his presence will be missed by his family, his friends, his fellow classmates and instructors, and by the people of New Jersey whom will always be grateful for his decision to serve; and

WHEREAS, it is with immense sadness that we mourn Recruit Homeijer's sudden passing, and extend our deepest sympathy to his family, friends, and fellow classmates and instructors; and

WHEREAS, it is appropriate to honor the exemplary character, outstanding achievements, and cherished memory of Recruit Homeijer, 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 from Friday, December 4, 2020, through Sunday, December 6, 2020, in recognition and mourning of State Police Trooper Recruit Lucas C. Homeijer.

2. This Order shall take effect immediately.

GIVEN, under my hand and seal this
3rd day of December,
Two Thousand and Twenty, and
of the Independence of the
United States, the Two
Hundred and Forty-Fifth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 207

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

WHEREAS, through Executive Order Nos. 119, 138, 151, 162, 171, 180, 186, 191, and 200, issued on April 7, 2020, May 6, 2020, June 4, 2020, July 2, 2020, August 1, 2020, August 27, 2020, September 25, 2020, October 24, 2020, and November 22, 2020, respectively, the facts and circumstances of which are adopted by reference herein, I declared that the COVID-19 Public Health Emergency continued to exist and declared that all Executive Orders and Administrative Orders adopted in whole or in part in response to the COVID-19 Public Health Emergency remained in full force and effect; and

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

WHEREAS, the Emergency Health Powers Act ("EHPA"), N.J.S.A. 26:13-1 et seq., outlines the authorities of the Commissioner of the Department of Health ("DOH") to oversee vaccine administration during a public health emergency; and

WHEREAS, as COVID-19 continued to spread across New Jersey and an increasing number of individuals required medical care or hospitalization, I issued a series of Executive Orders pursuant to my authority under the New Jersey Civilian Defense and Disaster Control Act and EHPA, to protect the public health, safety, and welfare against the emergency created by COVID-19, including Executive Order Nos. 104-133, Nos. 135-138, Nos. 140-166, Nos. 168-173, No. 175, Nos. 177-181, No. 183, Nos. 186-187,

Nos. 189-198, No. 200, and Nos. 203-204 (2020), the facts and circumstances of which are all adopted by reference herein; and

WHEREAS, after consultation with officials from the DOH, I announced a multi-stage New Jersey's Road Back Plan for the methodical and strategic reopening of businesses and activities based on scientific data and metrics concerning the level of disease transmission risk and essential classification; and

WHEREAS, despite these efforts, the number of confirmed cases of COVID-19 continues to increase dramatically due to high levels of community spread, something that cannot be fully mitigated without robust participation in a COVID-19 vaccine program; and

WHEREAS, New Jersey submitted to the Centers for Disease Control and Prevention a required Interim COVID-19 Vaccination Plan (the "Plan") in October 2020; and

WHEREAS, the Plan aims to provide equitable access to all who live, work, and/or are educated in New Jersey; achieve community protection, assuming vaccine effectiveness, availability, and uptake; and build sustainable trust in COVID-19 and other vaccines; and

WHEREAS, the first tranche of COVID-19 vaccines is expected to arrive in New Jersey before the end of the year; and

WHEREAS, the process of vaccinating the population to levels sufficient to establish community immunity is expected to take many months and will require comprehensive and aggressive State efforts to maximize the benefits of vaccination across all communities as quickly as feasible; and

WHEREAS, though many vaccines are currently under development, the first vaccines that are anticipated to arrive in the State would require two doses to be effective, necessitating a mechanism to track individuals who have received the first dose to ensure they also receive the required second dose of the same vaccine type; and

WHEREAS, it is critically important that a sufficient number of residents receive the full course of a COVID-19 vaccine as quickly as supply allows in order to optimize protection against COVID-19; and

WHEREAS, it is also critically important to track the rate of vaccination among the State's population, regardless if the vaccine received is a single dose or multiple dose, to support all virus mitigation efforts now and in the future; and

WHEREAS, the New Jersey Immunization Information System ("NJIIS"), the statewide electronic immunization registry, is an existing means to coordinate and promote disease prevention and control efforts in the State, to track vaccination uptake critical to the COVID-19 response, and ensure that individuals are not inadvertently receiving duplicative vaccines; and

WHEREAS, pursuant to N.J.S.A. 26:4-134, individuals born prior to January 1, 1998, must currently affirmatively opt-in to participate in the registry, whereas children born after January 1, 1998, are automatically enrolled in the registry immediately following birth unless a parent or guardian provides a written request to not participate; and

WHEREAS, pursuant to the same statutory provision, individuals born after January 1, 1998, are afforded the opportunity to opt-out of participation in the registry; and

WHEREAS, pursuant to N.J.A.C. 8:57-3.12(g), adults are permitted to voluntarily enroll in the NJIIS; and

WHEREAS, these opt-in provisions could limit the ability of the DOH to quickly and effectively track individuals who have received a dose of a COVID-19 vaccine; and

WHEREAS, automatic enrollment in the NJIIS for individuals receiving a COVID-19 vaccine will facilitate and track progress relative to New Jersey's vaccination targets; and

WHEREAS, the data collected pursuant to the NJIIS is only used for public health purposes and contains significant privacy protections, including a data firewall, that ensure it is a safe and appropriate mechanism for tracking sensitive information; and

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. 26:13-1 et seq., N.J.S.A. App. A: 9-33 et seq., N.J.S.A. 38A:3-6.1, and N.J.S.A. 38A:2-4 and all amendments and supplements thereto, confer upon the Governor of the State of New Jersey certain emergency powers, which I have invoked;

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

1. For no longer than 30 days after the expiration of the Public Health Emergency, all individuals, regardless of age, shall be enrolled in the NJIIS prior to or concurrent with receipt of a COVID-19 vaccination in New Jersey, if the individual is not already participating in NJIIS at the time of the vaccine administration. This enrollment will enable the tracking of COVID-19 vaccines and all other vaccines administered while registered in the NJIIS. After an individual has received a complete course of a COVID-19 vaccination, the individual or the individual's legal guardian may provide a written request to withdraw from the registry. Beginning 30 days after the Public Health Emergency ceases, the DOH shall honor all valid, written requests to withdraw from the registry. The Commissioner of DOH is hereby authorized to issue guidance to effectuate the requirements of this Paragraph.

2. Individuals that have received approval to opt-out of the NJIIS prior to the effective date of this Order shall also be automatically enrolled in the registry upon receipt of a dose of a

COVID-19 vaccine, and may subsequently re-submit any request to withdraw from the system after the full course of the COVID-19 vaccination has been administered.

3. To the degree that they are inconsistent with this Order, the provisions of N.J.S.A. 26:4-134 establishing an opt-in system for individuals born prior to January 1, 1998 and permitting individuals born after January 1, 1998 to opt-out of the NJIIS, are suspended for the duration of this Emergency. The provisions of N.J.A.C. 8:57-3.12(g) are modified to allow for automatic enrollment of adults that receive a COVID-19 vaccine. Any provisions of these statutes and regulations that are not inconsistent with this Order, or subsequently entered administrative orders or executive directives, shall remain in full force and effect.

4. For purposes of this Order, the "Public Health Emergency" means the Public Health Emergency declared in Executive Order No. 103 (2020), as extended by Executive Order No. 119 (2020), Executive Order No. 138 (2020), Executive Order No. 151 (2020), Executive Order No. 162 (2020), Executive Order No. 171 (2020), Executive Order No. 180 (2020), Executive Order No. 186 (2020), Executive Order No. 190 (2020), and Executive Order No. 200 (2020), and any subsequent Executive Order which may further extend such Public Health Emergency.

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

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

nature whatsoever, to cooperate fully in all matters concerning this Order.

7. 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.

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

9. This Order shall take effect immediately and shall remain in effect unless otherwise revoked or modified by the Governor, who shall consult with the Commissioner of DOH as appropriate.

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

[seal]

/s/ Philip D. Murphy
Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 208

WHEREAS, beginning in the late morning of Wednesday, December 16, 2020, the State of New Jersey is expected to experience a significant winter storm causing hazardous weather conditions including heavy mixed precipitation, high winds, moderate tidal flooding, and total snow and ice accumulations of 12 to 18 inches in a substantial portion of the State; and

WHEREAS, the National Weather Service has issued a Winter Storm Warning for central, northern, and northwest New Jersey, and a High Wind Watch for coastal New Jersey; and

WHEREAS, this significant winter storm is expected to produce hazardous travel conditions due to accumulated snow and ice, especially during the evening commuting periods on Wednesday, December 16, 2020, and the morning and evening commuting periods on Thursday, December 17, 2020; and

WHEREAS, this significant winter storm is expected to produce hazardous travel conditions even for areas that receive little or no snowfall, and to make clearing snow and ice very difficult; and

WHEREAS, as part of the State's response to the significant 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, winds in excess of 40 mph are expected which may cause downed power lines and trees, resulting in power outages, and will impede the normal operation of public and private entities; and

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

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

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

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

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, in order to protect the health, safety, and welfare of the people of the State of New Jersey DO DECLARE and PROCLAIM that a State of Emergency exists throughout the State of New Jersey, effective at 2:00 p.m. on Wednesday, December 16, 2020; 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, 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. Individuals housed or sheltered pursuant to this Order are exempt from transient guest and seasonal tenant restrictions permitted by Administrative Order Nos. 2020 8-9 issued on April 4, 2020 and April 24, 2020, respectively, in response to the COVID-19 pandemic.

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 2:00 p.m., Eastern Standard Time, on Wednesday, December 16, 2020, 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
 16th day of December,
 Two Thousand and Twenty, and of
 the Independence of the United
 States, the Two Hundred and
 Forty-Fifth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 209

WHEREAS, Executive Order No. 208, declaring a State of Emergency, was issued on December 16, 2020 because of a significant winter storm that arrived on that date with severe weather conditions impacting the State through the morning of December 17, 2020; and

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

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

1. The State of Emergency declared in Executive Order No. 208 (2020) is terminated effective at 1:00 p.m., Eastern Standard Time, on December 18, 2020.

GIVEN, under my hand and seal this
18th day of December,
Two Thousand and Twenty, and
of the Independence of the
United States, the Two
Hundred and Forty-Fifth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 210

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

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

WHEREAS, as COVID-19 continued to spread across New Jersey and an increasing number of individuals required medical care or hospitalization, I issued a series of Executive Orders pursuant to my authority under the New Jersey Civilian Defense and Disaster Control Act and the Emergency Health Powers Act ("EHPA"), to protect the public health, safety, and welfare against the emergency created by COVID-19, including Executive Order Nos. 104- 133, 135-138, 140-166, 168-173, 175, 177-181, 183, 187, 189-198, 200, 203-204, and 207 (2020), the facts and circumstances of which are all adopted by reference herein; and

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

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

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

WHEREAS, on June 4, 2020, I issued Executive Order No. 151, which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, on July 2, 2020, I issued Executive Order No. 162, which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, on August 1, 2020, I issued Executive Order No. 171, which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, on August 27, 2020, I issued Executive Order No. 181, which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, on September 25, 2020, I issued Executive Order No. 186, which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, on October 24, 2020, I issued Executive Order No. 191, which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, on November 22, 2020, I issued Executive Order No. 200, which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, through Executive Order Nos. 119, 138, 151, 162, 171, 181, 186, 191, and 200 (2020), I declared that all Executive Orders and Administrative Orders adopted in whole or in part in response to the COVID-19 Public Health Emergency remained in full force and effect; and

WHEREAS, due to the significant emergency measures the State has taken in response to COVID-19, there was a decrease in the rate of reported new cases of COVID-19 in New Jersey, in the total number of individuals being admitted to hospitals for COVID-19, and in the rate of reproduction for COVID-19 infections in New Jersey; and

WHEREAS, given the progress the State had made based on these emergency measures and after consultation with officials from the Department of Health ("DOH"), I announced a multi-stage New Jersey's Road Back Plan (the "Plan") for the methodical and strategic reopening of businesses and activities based on scientific data and metrics concerning the level of disease transmission risk and essential classification; and

WHEREAS, in line with the Plan, the State had been able to relax a number of restrictions, each time tailored to the relative risk the activity presents, and additional restrictions on outdoor and indoor recreational and entertainment businesses were lifted over the past several months; and

WHEREAS, the fact that the spread of COVID-19 had been limited by the State's emergency measures did not in any way suggest that the ongoing Public Health Emergency had dissipated, because absent social distancing measures, public health experts anticipated that the spread of COVID-19 would again significantly increase; and

WHEREAS, since the Public Health Emergency was renewed on November 22, 2020, at which time there were over 302,039 positive cases of COVID-19 in New Jersey, the COVID-19 outbreak has continued to present a public health hazard in New Jersey, in the region, and across the United States; and

WHEREAS, as of December 21, 2020, according to the World Health Organization, there were over 75,479,471 confirmed cases of COVID-19 worldwide, with over 1,686,267 of those cases having resulted in death; and

WHEREAS, as of December 20, 2020, according to the Centers for Disease Control and Prevention (CDC), there were over 17,592,760 confirmed cases of COVID-19 in the United States, with over 315,260 of those cases having resulted in death; and

WHEREAS, as of December 20, 2020, there were over 432,592 positive cases of COVID-19 in New Jersey, with at least 16,286 of those cases having resulted in death; and

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

WHEREAS, the State has experienced significant upticks in the rate of reported new cases across all counties, demonstrating the need for many of the State's current measures to remain in place, both to reduce additional new infections and to save lives; and

WHEREAS, the renewal of the declaration of the ongoing Public Health Emergency is necessary to allow the State to continue with the Plan to allow for the methodical and strategic reopening of the State, consistent with the State's authority under the EHPA; and

WHEREAS, the renewal of the declaration of the ongoing Public Health Emergency is also necessary to ensure that the State can swiftly respond to take all appropriate actions should the rate of reported new cases of COVID-19 in New Jersey, number of individuals being admitted to hospitals for COVID-19, or rate of reproduction for COVID-19 infections in New Jersey continue to increase, as we are now seeing in numerous states across the country; and

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

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

WHEREAS, the facts as set forth above and in consultation with the Commissioner of DOH confirm that there exists a Public Health Emergency in the State; and

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. 26:13-1 et seq., N.J.S.A. App. A: 9-33 et seq., N.J.S.A. 38A:3-6.1, and N.J.S.A. 38A:2-4 and all amendments and supplements thereto, confer upon the Governor of the State of New Jersey certain emergency powers, which I have invoked;

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby DECLARE and PROCLAIM that the Public Health Emergency declared in Executive Order No. 103 (2020) pursuant to the EHPA, N.J.S.A. 26:13-1, et seq., continues to exist throughout the State of New Jersey, and I hereby ORDER and DIRECT:

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

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

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

4. This Order shall take effect immediately.

GIVEN, under my hand and seal this
21st day of December,
Two Thousand and Twenty, and of
the Independence of the United
States, the Two Hundred and
Forty-Fifth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 211

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

WHEREAS, through Executive Order Nos. 119, 138, 151, 162, 171, 180, 186, 191, 200, and 210 issued on April 7, 2020, May 6, 2020, June 4, 2020, July 2, 2020, August 1, 2020, August 27, 2020, September 25, 2020, October 24, 2020, November 22, 2020, and December 21, 2020, respectively, the facts and circumstances of which are adopted by reference herein, I declared that the COVID-19 Public Health Emergency continued to exist and declared that all Executive Orders and Administrative Orders adopted in whole or in part in response to the COVID-19 Public Health Emergency remained in full force and effect; and

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

WHEREAS, as COVID-19 continued to spread across New Jersey and an increasing number of individuals required medical care or hospitalization, I issued a series of Executive Orders pursuant to my authority under the New Jersey Civilian Defense and Disaster Control Act, N.J.S.A. App. A:9-33 et seq. and the Emergency Health Powers Act, N.J.S.A. 26:13-1 et seq., to protect the public health, safety, and welfare against the emergency created by COVID-19, including Executive Order Nos. 104-133, Nos. 135-138, Nos. 140 166, Nos. 168-173, No. 175, Nos. 177-181, No. 183, Nos. 186-187, Nos. 189-198, No. 200, Nos. 203-204, No. 207, and No. 210 (2020), the facts and circumstances of which are all adopted by reference herein; and

WHEREAS, as of December 21, 2020, according to the World Health Organization, there were over 75,479,000 confirmed cases of COVID-19 worldwide, with over 1,686,000 of those cases having resulted in death; and

WHEREAS, as of December 20, 2020, according to the Centers for Disease Control and Prevention (CDC), there were over 17,592,000 confirmed cases of COVID-19 in the United States, with over 315,000 of those cases having resulted in death; and

WHEREAS, as of December 20, 2020, there were over 432,000 positive cases of COVID-19 in New Jersey, with at least 16,286 of those cases having resulted in death; and

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

WHEREAS, on March 19, 2020, I issued Executive Order No. 105, which declared that certain elections, including special school elections, set to take place in March and April were postponed until May 12, 2020, to be held concurrent with other elections scheduled for May 12, 2020, because allowing those elections to proceed as they were originally planned during this unprecedented COVID-19 health crisis would create hardships and health risks for voters, election officials, poll workers, and candidates alike; and

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

WHEREAS, on May 15, 2020, I issued Executive Order No. 144, which declared that the July Primary Election would be conducted primarily via vote-by-mail ballots with a minimum number of polling places open in each municipality; and

WHEREAS, Executive Order No. 144 (2020) extended the N.J.S.A. 19:23-55 deadline to certify the results of the Primary Election under by five (5) days to account for the revised timeframe that Boards of Elections had to receive vote-by-mail ballots, thereby extending the Primary Election certification deadline to July 24, 2020; and

WHEREAS, on July 13, 2020, I issued Executive Order No. 164, which postponed any election scheduled between July 7, 2020 and November 3, 2020, until November 3, 2020, and declared that no other elections may be held or proceed prior to November 3, 2020; and

WHEREAS, on August 14, 2020, I issued Executive Order No. 177, the facts and circumstances of which are adopted by reference herein, which established the voting procedures for the General Election on November 3, 2020 ("November General Election") and declared that the election would be conducted primarily by vote by mail; and

WHEREAS, Executive Order No. 177 (2020) also postponed the special school elections scheduled for December 8, 2020 until January 26, 2021, the authorized January 2021 special school election date; and

WHEREAS, on August 25, 2020, I issued Executive Order No. 179, making modifications to Executive Order No. 177 (2020) to ensure enough time to complete preparations for the November General Election and minimize voter confusion, the facts and circumstances of which are adopted by reference herein; and

WHEREAS, legislation subsequently codified the standards adopted by Executive Orders Nos. 177 and 179 (2020) and addressed other issues relating to upcoming elections; and

WHEREAS, on November 2, 2020, I issued Executive Order No. 193, postponing any run-off elections resulting from municipal elections held on the November General Election and required under N.J.S.A. 40:45-19 until December 15, 2020, in order to give county and municipal election officials enough time to send vote-by-mail ballots to all registered voters; and

WHEREAS, on November 25, 2020, I issued Executive Order No. 203 making modifications to Executive Order No. 193 (2020) to ensure enough time to complete preparations for the runoff elections required under N.J.S.A. 40:45-19 and postponing any special school elections scheduled for January 26, 2021 until the authorized March 2021 special school election date; and

WHEREAS, pursuant to N.J.S.A. 40A:14-72(a), fire district elections are held annually on either the third Saturday in February or at the time of the general election in November; and

WHEREAS, voters at fire district elections taking place on the third Saturday in February elect members to the board of fire commissioners and determine the amount of money to be raised for the ensuing year and such other matters as may be required; and

WHEREAS, a fire district holding its annual election at the time of the November General Election that seeks to exceed the property tax levy cap must submit a public question to the voters at an election to be held on the third Saturday in February pursuant to N.J.S.A. 40A:14-72(f); and

WHEREAS, according to N.J.S.A. 40A:14-70, the terms of office of fire commissioners serving in districts with February elections expire at noon on the first Tuesday in March; and

WHEREAS, State laws regarding vacancies in county and municipal offices generally require special elections within forty-five to sixty days of the occurrence of the vacancy (see, e.g., N.J.S.A.

40A:16-4, N.J.S.A. 40A:16-5, N.J.S.A. 40:16-14; and N.J.S.A. 40A:16-17); and

WHEREAS, special elections to fill vacancies in the office of mayor in Wrightstown in the County of Burlington and the office of councilperson in the Borough of Highland Park in the County of Middlesex are scheduled to occur on January 12, 2021 and January 19, 2021, respectively; and

WHEREAS, the Board of Education of the City of Clifton is proposing to schedule a special election for consideration of a bond proposal; and

WHEREAS, other boards of education may be required to schedule a special election to address matters that arise; and

WHEREAS, additional special elections may be required as several November General Election results are subject to ongoing recounts and election contests; and

WHEREAS, the COVID-19 Emergency continues to unfold alongside contemporaneous elections; and

WHEREAS, allowing upcoming elections to proceed during this unprecedented COVID-19 health crisis as they were originally planned will create hardships and health risks for voters, election officials, poll workers, and candidates alike; and

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

WHEREAS, the New Jersey Secretary of State is legally obligated to ensure that all qualified voters within the State are able to fully exercise their constitutionally protected right to vote; and

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

WHEREAS, failing to take proactive actions to mitigate the spread of the virus risks further infecting election officials; and

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

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. 26:13-1 et seq., N.J.S.A. App. A: 9-33 et seq., N.J.S.A. 38A:3 6.1, and N.J.S.A. 38A:2-4 and all amendments and supplements thereto, confer upon the Governor of the State of New Jersey certain emergency powers, which I have invoked;

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

1. Any special school elections scheduled between January 12, 2021 and April 19, 2021 shall be postponed until April 20, 2021, to be held concurrently with the elections currently scheduled for that date.

2. Any fire district elections scheduled between January 12, 2021 and April 19, 2021 shall be postponed until April 20, 2021, to be held concurrently with the elections currently scheduled for that date.

3. The requirements of N.J.S.A. 40A:14-70 shall be suspended and the terms of office of board of fire commissioners shall extend until their successors are duly sworn in.

4. N.J.S.A. 40A:14-78.17 is revised to increase to thirty percent the maximum appropriations to be made under a temporary budget to cover the period between the beginning of the fiscal year and the adoption of the fire district budget.

5. The special election scheduled for January 12, 2021, in Wrightstown, in the County of Burlington, and the special election scheduled for January 19, 2021, in the Borough of Highland Park in

the County of Middlesex shall be postponed until April 20, 2021, to be held concurrently with the elections currently scheduled for that date.

6. Any election scheduled for a date between January 12, 2021 and April 20, 2021, not specifically referenced herein shall be postponed until April 20, 2021. Further, no other elections may be held or proceed prior to April 20, 2021.

7. The closing dates for the filing of candidate petitions with the clerk of the board and the county clerk, the deadline to notify the county or municipal clerk of the need to conduct a referendum, and any other deadline not specifically referenced herein shall be set and determined with reference to the date of the election established by this Order.

8. This order shall take effect immediately.

GIVEN, under my hand and seal this
21st day of December,
Two Thousand and Twenty, and of
the Independence of the United
States, the Two Hundred and
Forty-Fifth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 212

WHEREAS, United States Capitol Police Officer and former New Jersey National Guard Citizen-Airman Staff Sergeant Brian D. Sicknick was born in 1978 and spent his formative years in South River, New Jersey; and

WHEREAS, Officer Sicknick was a graduate of the Middlesex County Vocational Technical High School in East Brunswick; and

WHEREAS, Officer Sicknick enlisted in the New Jersey Air National Guard in 1997 as a traditional drilling Guard member and eventually became a Staff Sergeant; and

WHEREAS, Officer Sicknick previously served as a Fire Team Member and Leader at the 108th Security Force Squadron, 108th Wing, located at Joint Base McGuire-Dix-Lakehurst; and

WHEREAS, during his time in the Air National Guard, Officer Sicknick was deployed to Saudi Arabia in 1999 in support of Operation Southern Watch and Kyrgyzstan in 2003 in support of Operation Enduring Freedom; and

WHEREAS, Officer Sicknick was honorably discharged from the Air National Guard in 2003 after six years of service; and

WHEREAS, in July 2008, Officer Sicknick became a police officer with the United States Capitol Police and most recently served in the department's First Responder's Unit; and

WHEREAS, Officer Sicknick was on duty guarding the U.S. Capitol on January 6, 2021, in Washington, D.C., while a violent mob stormed the Capitol and the surrounding area; and

WHEREAS, Officer Sicknick was killed in the line of duty after being physically attacked by the rioters, passing away at the age of 42; and

WHEREAS, four other individuals died during the assault on the Capitol; and

WHEREAS, Officer Sicknick gave his life defending the Capitol building, our elected representatives, and our democracy from a violent insurrection that sought to disrupt the peaceful transfer of power; and

WHEREAS, Officer Sicknick was a beloved member of the New Jersey community whose presence will be immensely missed by his family, his friends, his fellow servicemembers, and by the people of New Jersey whom are grateful for his service; and

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

WHEREAS, it is appropriate to honor the character, achievements, and cherished memory of Officer Sicknick and to mark his passing;

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

1. The flag of the United States of America and the flag of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours on Monday, January 11, 2021, in recognition and mourning of United States Capitol Police Officer Brian D. Sicknick.

2. This Order shall take effect immediately.

GIVEN, under my hand and seal this
9th day of January,
Two Thousand and Twenty-one, and
of the Independence of the
United States, the Two Hundred
and Forty-Fifth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 213

WHEREAS, on Saturday, January 9, 2021, I ordered the flag of the United States of America and the flag of New Jersey to be flown at half-staff on Monday, January 11, 2021, in recognition and mourning of United States Capitol Police Officer and former New Jersey National Guard Citizen-Airman Staff Sergeant Brian D. Sicknick, who was a New Jersey native; and

WHEREAS, since that time, media reports have indicated that funeral services will be held at the U.S. Capitol; and

WHEREAS, public funerals at the U.S. Capitol are held to mark a period of national mourning, and in such circumstances, it is proper protocol for flags to be lowered through the day of interment;

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

1. The flag of the United States of America and the flag of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours on Monday, January 11, 2021, and shall remain at half-staff through the day of Officer Sicknick's interment, in recognition and mourning of United States Capitol Police Officer Brian D. Sicknick.

2. This Order shall take effect immediately.

GIVEN, under my hand and seal this
10th day of January,
Two Thousand and Twenty-one,
and of the Independence of the
United States, the Two Hundred
and Forty-Fifth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 214

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

WHEREAS, through Executive Order Nos. 119, 138, 151, 162, 171, 180, 186, 191, 200, and 210 issued on April 7, 2020, May 6, 2020, June 4, 2020, July 2, 2020, August 1, 2020, August 27, 2020, September 25, 2020, October 24, 2020, November 22, 2020, and December 21, 2020, respectively, the facts and circumstances of which are adopted by reference herein, I declared that the COVID-19 Public Health Emergency continued to exist and declared that all Executive Orders and Administrative Orders adopted in whole or in part in response to the COVID-19 Public Health Emergency remained in full force and effect; and

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

WHEREAS, as COVID-19 continued to spread across New Jersey and an increasing number of individuals required medical care or hospitalization, I issued a series of Executive Orders pursuant to my authority under the New Jersey Civilian Defense and Disaster Control Act, N.J.S.A. App. A:9-33 et seq., and the Emergency Health Powers Act, N.J.S.A. 26:13-1 et seq., to protect the public health, safety, and welfare against the emergency created by COVID-19, including Executive Order Nos. 104-133, Nos. 135-138, Nos. 140 166, Nos. 168-173, No. 175, Nos. 177-181, No. 183, Nos. 186-187, Nos. 189- 198, No. 200, Nos. 203-204, No. 207, and Nos. 210-211 (2020),

the facts and circumstances of which are all adopted by reference herein; and

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

WHEREAS, to further protect the health, safety, and welfare of New Jersey residents by, among other things, reducing the rate of community spread of COVID-19, I issued Executive Order No. 104 on March 16, 2020, which established statewide social mitigation strategies for combatting COVID-19, including the closure of all public, private, and parochial preschool program premises, and elementary and secondary schools, including charter and renaissance schools (collectively "school districts"); and

WHEREAS, on March 21, 2020, I issued Executive Order No. 107, affirming the closure of all school district buildings to students for as long as that Order remained in effect; and

WHEREAS, on April 7, 2020, I issued Executive Order No. 117, which waived the graduation proficiency test requirement for any twelfth-grade student who was expected to graduate in the class of 2020 but had not satisfied said requirement; and

WHEREAS, Executive Order No. 117 also waived the statutory requirement mandating that student growth data be used as a measure of educator effectiveness in the evaluation of any educator for the 2019-2020 school year; and

WHEREAS, on August 13, 2020, I issued Executive Order No. 175, which permitted all school districts to reopen school buildings for in-person instruction subject to health and safety requirements specified therein; and

WHEREAS, Executive Order No. 175 (2020) also waived the requirement that student growth data based on standardized assessments and student growth percentiles be used as measures of educator effectiveness in the overall evaluation of any educator; and

WHEREAS, since the onset of the 2020-2021 school year, school districts have delivered education by way of all-remote instruction, in-person instruction, or a combination of the two forms ("hybrid"); and

WHEREAS, as of January 11, 2021, 337 districts are providing all-remote instruction, 351 districts are providing hybrid instruction, 79 districts are providing full in-person instruction, and 44 districts are providing a combination of instructional modalities across school buildings; and

WHEREAS, pursuant to N.J.S.A. 18A:7C-6, all students must demonstrate proficiency on a State test as a condition of graduation from high school; and

WHEREAS, pursuant to N.J.S.A. 18A:7C-3, any twelfth-grade student who has not met the graduation proficiency test requirement but who has met all of the credit, curriculum, and attendance requirements for graduation shall be eligible for graduation by way of a portfolio appeal submitted by the school district to the New Jersey Department of Education ("NJDOE"); and

WHEREAS, the modifications to school schedules, operations, and instructional modalities implemented pursuant to Executive Order No. 175 (2020) have resulted in a challenging school year

that has been unlike any prior year for students, families, educators, and school district staff; and

WHEREAS, students expected to graduate in the class of 2021 have faced more challenges in accessing the State tests required for high school graduation pursuant to N.J.S.A. 18A:7C-6 than those students in previous graduating classes; and

WHEREAS, the NJDOE projects that a substantial number of students in the class of 2021 will utilize the portfolio appeal process to satisfy the statutory graduation proficiency test requirement in light of the disruption to the 2019-2020 and 2020-2021 school years caused by the COVID-19 Public Health Emergency; and

WHEREAS, the modifications to school schedules, operations, and instructional modalities implemented pursuant to Executive Order No. 175 (2020) may present substantive and procedural difficulties for districts in the compilation of complete portfolio appeals; and

WHEREAS, pursuant to N.J.S.A. 18A:6-123(b)(3), student growth towards locally-determined academic goals ("student growth objectives"), must serve as a measure of educator effectiveness in overall educator evaluations; and

WHEREAS, pursuant to N.J.S.A. 18A:6-123(b)(6), educator performance must be linked to student achievement, which involves student growth objectives; and

WHEREAS, N.J.A.C. 6A:10-4.2(e) details the procedures necessary for developing and measuring student growth objectives; and

WHEREAS, the variety and variability of instructional modalities necessary for the delivery of education during the 2020-2021 school year make it challenging for school and district administrators to effectively utilize student growth objectives as a measure of educator effectiveness; and

WHEREAS, the challenges in attempting to use locally-determined academic goals, particularly in remote learning situations, to extract valid evidence of educator performance render it inappropriate to utilize student growth objectives as a required measure of educator effectiveness; and

WHEREAS, N.J.S.A. 18A:16-1.1c dictates that a vacant teaching position shall not be filled in any school year by one or more individuals holding a certificate of eligibility or a certificate of eligibility with advanced standing issued by the State Board of Examiners and working in an area not authorized by their credentials for a total amount of time exceeding 20 school days; and

WHEREAS, N.J.S.A. 18A:16-1.1d dictates that a vacant teaching position shall not be filled in any school year by one or more individuals holding a standard instructional certificate issued by the State Board of Examiners and working in an area not authorized by their credentials for a total amount of time exceeding 40 school days; and

WHEREAS, the COVID-19 Public Health Emergency has led to an increase in teaching vacancies throughout the State that have interfered with the continuity of instruction; and

WHEREAS, it is necessary to relax the limitation imposed on the service of substitute teachers to allow for staffing flexibility; and

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. 26:13-1 et seq., N.J.S.A. App. A: 9-33 et seq., N.J.S.A. 38A:3-6.1, and N.J.S.A. 38A:2-4 and all amendments and supplements thereto, confer upon the Governor of the State of New Jersey certain emergency powers, which I have invoked;

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

1. The statutory graduation proficiency test requirement mandated by N.J.S.A. 18A:7C-1 et seq. is waived for any twelfth-grade student who has not yet met said graduation proficiency test requirement but who has met all of the credit, curriculum, and attendance requirements for graduation.

2. For the 2020-2021 school year, the requirements of N.J.S.A. 18A:6-123(b) (3) and (6) are waived and student growth data shall not be used as a measure of educator effectiveness in the overall summative evaluation of any educator. All other requirements concerning the development and measurement of student growth objectives enumerated in N.J.A.C. 6A:10-4.2(e) shall remain in effect.

3. For the duration of the COVID-19 Public Health Emergency, individuals holding either a certificate of eligibility or a certificate of eligibility with advanced standing working in an area not authorized by their credentials may fill vacant teaching positions for up to 40 school days and shall not be subject to the time limitation in N.J.S.A. 18A:16-1.1c. Such individuals, as well as those employed as substitutes pursuant to N.J.S.A. 18A:16-1.1d, may serve for an additional 20 school days upon a school district's

written application to the Commissioner of Education or her designee demonstrating the following:

- a) The district's efforts and inability to hire an appropriately certified teacher for the position within the 40-day period; and
- b) The individual(s) serving as substitute(s) are subject to periodic monitoring by a supervisor.

The Commissioner of Education shall issue guidance clarifying the requirements enumerated in Paragraph 3, Sections (a) and (b).

4. This Order shall take effect immediately.

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

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 215

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

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

WHEREAS, as COVID-19 continued to spread across New Jersey and an increasing number of individuals required medical care or hospitalization, I issued a series of Executive Orders pursuant to my authority under the New Jersey Civilian Defense and Disaster Control Act and the Emergency Health Powers Act ("EHPA"), to protect the public health, safety, and welfare against the emergency created by COVID-19, including Executive Order Nos. 104-133, 135-138, 140-166, 168-173, 175, 177-181, 183, 187, 189-198, 200, 203-204, 207, 210-211 and 214 (2020), the facts and circumstances of which are all adopted by reference herein; and

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

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

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

WHEREAS, on June 4, 2020, I issued Executive Order No. 151, which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, on July 2, 2020, I issued Executive Order No. 162, which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, on August 1, 2020, I issued Executive Order No. 171, which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, on August 27, 2020, I issued Executive Order No. 181, which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, on September 25, 2020, I issued Executive Order No. 186, which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, on October 24, 2020, I issued Executive Order No. 191, which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, on November 22, 2020, I issued Executive Order No. 200, which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, on December 21, 2020, I issued Executive Order No. 210, which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, through Executive Order Nos. 119, 138, 151, 162, 171, 181, 186, 191, 200, and 210 (2020), I declared that all Executive Orders and Administrative Orders adopted in whole or in

part in response to the COVID-19 Public Health Emergency remained in full force and effect; and

WHEREAS, due to the significant emergency measures the State had taken in response to COVID-19, there was previously a decrease in the rate of reported new cases of COVID-19 in New Jersey, in the total number of individuals being admitted to hospitals for COVID-19, and in the rate of reproduction for COVID-19 infections in New Jersey; and

WHEREAS, given the progress the State had made based on these emergency measures and after consultation with officials from the Department of Health ("DOH"), I announced a multi-stage New Jersey's Road Back Plan (the "Plan") for the methodical and strategic reopening of businesses and activities based on scientific data and metrics concerning the level of disease transmission risk and essential classification; and

WHEREAS, in line with the Plan, the State had been able to relax a number of restrictions, each time tailored to the relative risk the activity presents, and additional restrictions on outdoor and indoor recreational and entertainment businesses were lifted over the past several months; and

WHEREAS, as part of the State's response to COVID-19, DOH has created a comprehensive COVID-19 Vaccination Plan to manage the receipt, administration, and tracking of the vaccines developed to inoculate the State's residents and workforce against COVID-19; and

WHEREAS, certain individuals within the State started receiving the vaccine on December 15, 2020; and

WHEREAS, although the State has made every effort to prioritize the distribution of vaccines, current supply is not enough to meet demand and the administration rate is not sufficient

to establish widespread resistance against the spread or effects of COVID-19; and

WHEREAS, the fact that the spread of COVID-19 had been limited by the State's emergency measures did not in any way suggest that the ongoing Public Health Emergency had dissipated, because absent social distancing measures, public health experts anticipated that the spread of COVID-19 would again significantly increase; and

WHEREAS, since the Public Health Emergency was renewed on December 21, 2020, at which time there were over 432,592 positive cases of COVID-19 in New Jersey, the COVID-19 outbreak has continued to present a public health hazard in New Jersey, in the region, and across the United States; and

WHEREAS, as of January 19, 2021, according to the World Health Organization, there were over 93,956,883 confirmed cases of COVID-19 worldwide, with over 2,029,084 of those cases having resulted in death; and

WHEREAS, as of January 18, 2021, according to the Centers for Disease Control and Prevention (CDC), there were over 23,653,919 confirmed cases of COVID-19 in the United States, with over 315,260 of those cases having resulted in death; and

WHEREAS, as of January 18, 2021, there were over 568,573 positive cases of COVID-19 in New Jersey, with at least 18,367 of those cases having resulted in death; and

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

WHEREAS, the State is again experiencing significant upticks in the rate of reported new cases across all counties, demonstrating the need for many of the State's current measures to

remain in place, both to reduce additional new infections and to save lives; and

WHEREAS, the renewal of the declaration of the ongoing Public Health Emergency is necessary to allow the State to continue with the Plan to allow for the methodical and strategic reopening of the State, consistent with the State's authority under the EHPA; and

WHEREAS, the renewal of the declaration of the ongoing Public Health Emergency is also necessary to ensure that the State can swiftly respond to take all appropriate actions should the rate of reported new cases of COVID-19 in New Jersey, number of individuals being admitted to hospitals for COVID-19, or rate of reproduction for COVID-19 infections in New Jersey continue to increase, as we are now seeing in numerous states across the country; and

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

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

WHEREAS, the facts as set forth above and in consultation with the Commissioner of DOH confirm that there exists a Public Health Emergency in the State; and

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. 26:13-1 et seq., N.J.S.A. App. A: 9-33 et seq., N.J.S.A. 38A:3-6.1, and N.J.S.A. 38A:2-4 and all amendments and supplements thereto, confer upon the Governor of the State of New Jersey certain emergency powers, which I have invoked;

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby DECLARE and PROCLAIM that the Public Health Emergency declared in Executive Order No. 103 (2020) pursuant to the EHPA, N.J.S.A. 26:13-1, et seq., continues to exist throughout the State of New Jersey, and I hereby ORDER and DIRECT:

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

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

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

4. This Order shall take effect immediately.

GIVEN, under my hand and seal this
19th day of January,
Two Thousand and Twenty-one,
and of the Independence of
the United States, the Two
Hundred and Forty-Fifth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 216

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

WHEREAS, through Executive Order Nos. 119, 138, 151, 162, 171, 180, 186, 191, 200, 210, and 215 issued on April 7, 2020, May 6, 2020, June 4, 2020, July 2, 2020, August 1, 2020, August 27, 2020, September 25, 2020, October 24, 2020, November 22, 2020, December 21, 2020, and January 19, 2021, respectively, the facts and circumstances of which are adopted by reference herein, I declared that the COVID-19 Public Health Emergency continued to exist and declared that all Executive Orders and Administrative Orders adopted in whole or in part in response to the COVID-19 Public Health Emergency remained in full force and effect; and

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

WHEREAS, as COVID-19 continued to spread across New Jersey and an increasing number of individuals required medical care or hospitalization, I issued a series of Executive Orders pursuant to my authority under the New Jersey Civilian Defense and Disaster Control Act, N.J.S.A. App. A:9-33 et seq. and the Emergency Health Powers Act, N.J.S.A. 26:13-1 et seq., to protect the public health, safety, and welfare against the emergency created by COVID-19, including Executive Order Nos. 104-133, Nos. 135-138, Nos. 140-166, Nos. 168-173, No. 175, Nos. 177-181, No. 183,

Nos. 186-187, Nos. 189-198, No. 200, Nos. 203-204, No. 207, Nos. 210-211, and Nos. 214-215 (2020), the facts and circumstances of which are all adopted by reference herein; and

WHEREAS, on March 19, 2020, I issued Executive Order No. 105, which required the electronic collection and submission of political party candidate and delegate petitions through an online form created by the Secretary of State; and

WHEREAS, On April 8, 2020, I issued Executive Order No. 120, which extended the required electronic collection and submission of petitions through an online form to Independent candidates seeking direct nomination for the general election; and

WHEREAS, on April 29, 2020, I issued Executive Order No. 132, which allowed for the submission of initiative and referendum petitions electronically in addition to submission by hand delivery and which required the collection of signatures via an online form created by the Secretary of State; and

WHEREAS, P.L.2020, c.55 subsequently codified the standards adopted by Executive Order Nos. 105, 120, and 132 (2020) for the collection of signatures and submission of petitions; and

WHEREAS, full participation in the electoral process, both as a voter and as a candidate, is essential to a strong democracy; and

WHEREAS, our knowledge about COVID-19 and its transmission is more advanced than it was in March of 2020, and we now know that contact with contaminated surfaces is not the primary method by which COVID-19 is spread; and

WHEREAS, social distancing and other measures critical to limiting the spread of COVID-19 can sometimes require greater time and resources to meet certain obligations under elections law than would otherwise be required; and

WHEREAS, given the fast approach of an election cycle in which hundreds of elected offices are to be filled, including all 80 seats in the New Jersey General Assembly and all 40 seats in the New Jersey Senate, it remains vital that every appropriate option, consistent with social distancing and other precautions, be available for the collection and submission of petitions and signatures; and

WHEREAS, permitting the collection of signatures and the submission of petitions both electronically and, consistent with proper health guidance, in person will facilitate the greatest involvement in the electoral process and will better allow qualified candidates to meet the nomination requirements under the law; and

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

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. 26:13-1 et seq., N.J.S.A. App. A: 9-33 et seq., N.J.S.A. 38A:3-6.1, and N.J.S.A. 38A:2-4 and all amendments and supplements thereto, confer upon the Governor of the State of New Jersey certain emergency powers, which I have invoked;

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

1. The Secretary of State, county clerks, municipal clerks, board of education secretaries, and fire district board secretaries shall allow for any candidate, delegate, recall, initiative, referendum, or other petition required to be filed

prior to an election to be submitted by hand delivery and electronically.

2. The Secretary of State, county clerks, municipal clerks, board of education secretaries, and fire district board secretaries shall accept petitions with hand-written signatures and signatures collected via an online form created by the Secretary of State.

3. The respective filing officer for the petition shall develop the procedures for the electronic submission and signing of petitions, and of any required oaths, certifications and affidavits, which documents shall be submitted to such filing officers as are designated under law, notwithstanding any provision of P.L.2020, c.55 to the contrary.

4. The requirements of N.J.S.A. 19:23-7, N.J.S.A. 19:23-15, and N.J.S.A. 19:13-8 that a candidate provide a notarized oath of allegiance shall be in effect regardless of whether a petition is submitted by hand delivery or electronically.

5. Any required notarial acts may be conducted consistent with P.L.2020, c.26.

6. Any provision of P.L.2020, c.55 that is inconsistent with this Order is suspended for the duration of the Public Health Emergency first declared in Executive Order No. 103 (2020).

7. Paragraph 3 of Executive Order No. 132 (2020), to the extent inconsistent with this Order, is superseded.

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 that will or might in any way conflict with any of the provisions of this Order, or that will or might in any way interfere with or impede its achievement.

9. This order shall take effect immediately and shall apply to any petition that is due or may be submitted during the Public Health Emergency, first declared in Executive Order No. 103 (2020).

GIVEN, under my hand and seal this
25th day of January,
Two Thousand and Twenty-one,
and of the Independence of
the United States, the Two
Hundred and Forty-Fifth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 217

WHEREAS, access to quality health care is critical to the physical, mental, and economic well-being of the residents, families, communities, and businesses in the State; and

WHEREAS, New Jersey has taken important steps to improve access to quality and affordable health insurance for our residents under the Affordable Care Act, including by establishing a State-based marketplace, a reinsurance program, and a shared responsibility requirement, implementing out-of-network reforms, and providing eligible residents with additional financial subsidies in addition to federal subsidies when purchasing coverage on the State-based marketplace; and

WHEREAS, health care and prescription drug cost growth continue to be a challenge for New Jersey residents, families, and employers, including the State, and threaten to outpace the growth of the State's economy and wages; and

WHEREAS, the steadily increasing costs of health care and prescription drugs have limited access to quality health care for lower- and middle-income citizens and elderly citizens alike; and

WHEREAS, the novel Coronavirus disease 2019 (COVID-19) pandemic and the economic fallout it has caused have underscored the importance of equitable and affordable access to quality health care services, treatments, and prescription drugs, while also highlighting inequalities in health outcomes and critical disparities in health care and coverage access, particularly with respect to minority communities and the underserved; and

WHEREAS, at a time when many of our residents have been impacted by job loss and housing and food insecurity, access to more affordable health care has never been more critical; and

WHEREAS, planning for improved consumer affordability, health care quality, integration of health care delivery, reform of payment systems to reward value, cost transparency, and taxpayer savings, achieved through coordination among State agencies, is essential to effectively manage costs and improve health care delivery; and

WHEREAS, in 2020, the Office of Health Care Affordability and Transparency was formed to help guide my Administration's work on health care affordability and price transparency; and

WHEREAS, the Office of Health Care Affordability and Transparency works with the Departments of Banking and Insurance, Health, Human Services, and the Treasury to advance affordability, accessibility, and transparency in the health care system; and

WHEREAS, there is a growing recognition that efforts to advance affordability, accessibility, and transparency in the health care system are aided and informed by incorporation of whole-person systems change, and that alignment of alternative payment models can improve quality and reduce the cost of care; and

WHEREAS, in recognition of the fact that this is a transformative moment for health care in our State, a comprehensive review of health care access, affordability, and transparency is necessary to identify and align health care affordability goals and policies that will be shared by the public and private sectors to improve the health care system for all residents; and

WHEREAS, such a review should be conducted by State officials and stakeholders who represent a variety of perspectives and who have the expertise to develop innovative solutions; and

WHEREAS, the establishment, monitoring, and implementation of an annual health care cost growth benchmark and health insurance affordability standards are appropriate means to achieve the goal of improved health care quality at reduced cost; and

WHEREAS, through the development of a plan to collect and use health care cost, quality, and outcome data, the State can implement strategies to contain growth in health care costs and promote better health quality and health outcomes;

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 created an Interagency Health Care Affordability Working Group ("Working Group") that will report directly to the Office of the Governor.

2. The Working Group, which shall be advisory in nature, shall be chaired by the Director of the Office of Health Care Affordability and Transparency in the Office of the Governor.

3. In addition to the Director of the Office of Health Care Affordability and Transparency, the Working Group shall consist of the Commissioner or other agency head of the following Executive Branch departments and agencies, or a named designee:

- a. The Department of Banking and Insurance;
- b. The Department of Human Services;
- c. The Department of Health;
- d. The Division of Consumer Affairs; and
- e. The Department of the Treasury.

4. The Working Group shall organize as soon as practicable and shall convene as often as practicable and as requested by the Governor or chairperson.

5. Within one month of the date on which the Working Group organizes, the Working Group shall make recommendations to the Governor regarding State officials and other public members to serve on a Health Care Advisory Group ("Advisory Group"). The objective of the Advisory Group is to advise the Working Group on the development and implementation of an annual health care cost growth benchmark. The Advisory Group shall be advisory in nature and shall provide recommendations to the Working Group as deemed appropriate by the Working Group. The Advisory Group shall be primarily responsible for providing advisory and consultative guidance on the development and implementation of the health care cost growth benchmarks and related Workgroup recommendations and actions. All members of the Working Group and Advisory Group will serve without compensation and at the pleasure of the Governor.

6. The Working Group 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 Working Group deems necessary to discharge 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 Working Group 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 purposes of this Order. The Working Group may consult with experts or other knowledgeable individuals in the public or private sector on any aspect of its mission.

7. The Department of Banking and Insurance shall provide staffing for the Working Group to the extent permitted by law and within existing appropriations.

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

- a. Developing and recommending policies to improve health care affordability, accessibility, and transparency for all New Jersey residents;
- b. Recommending the development and coordination of programs and policies of the participating departments as needed to support health equity for all New Jersey residents, including leveraging the learnings from the Department of Human Services' initiatives in innovating payment and delivery in the Medicaid program;
- c. Leveraging the State's existing data resources and identifying strategies for enhancing and integrating State data resources, as permitted by applicable law, to develop cost-growth benchmarks to foster accountability and contain health care costs and to utilize the data to identify cost drivers to inform strategic and collaborative action by members of the Working Group and Advisory Board and other relevant stakeholders throughout the State that will support cost growth benchmark attainment; and
- d. Supporting the policy initiatives of departments encouraging and implementing delivery reform, integrated whole-person care, and cost-effective payment initiatives.

9. The Department of Banking and Insurance shall prepare and deliver to the Working Group a final report containing proposals for the development and implementation of cost growth

benchmarks and health insurance affordability standards that will be applicable to both insurers and providers operating in the State's health care market within nine months following the organization of the Working Group, as provided in this Order. The report shall be made available to the public at the same time. The report shall include a plan under which the State can implement cost growth benchmarks and health insurance affordability standards by January 1, 2022, and shall identify all policy and legislative changes needed to effectuate cost growth benchmarks and health insurance affordability standards.

10. The Division of Consumer Affairs and the Departments of Banking and Insurance, Health, Human Services, and the Treasury may consult with experts or other knowledgeable individuals in the public or private sector on any aspect of its mission outlined in this Order.

11. This Order shall take effect immediately.

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

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 218

WHEREAS, beginning Sunday, January 31, 2021, and continuing through Tuesday, February 2, 2021, the State of New Jersey is expected to experience a major, prolonged nor'easter winter storm causing hazardous weather conditions including heavy mixed precipitation, high winds, blizzard-like conditions, coastal flooding, and total snow and ice accumulations of 12 to 18 inches in a substantial portion of the State; and

WHEREAS, the National Weather Service has issued a Winter Storm Warning for central and northern New Jersey, and a coastal flood watch for coastal areas of New Jersey over the three tide cycles from Monday morning to Tuesday midday; and

WHEREAS, snow accumulation has begun on Sunday afternoon, with the heaviest snow expected to fall during the day on Monday, exceeding one inch per hour at points, and dangerous road conditions making travel difficult to impossible beginning late Sunday night through much of Monday; and

WHEREAS, strong winds, especially near the coast and over water, with gusts reaching 40 to 50 mph are expected on Monday, with inland winds reaching 35 to 45 mph, reducing visibility and hindering travel because of blowing and drifting snow; and

WHEREAS, widespread roadway flooding is possible in coastal and bayside communities and along inland tidal waterways, making roadways impassable; and

WHEREAS, this major, prolonged nor'easter winter storm is expected to produce hazardous travel conditions due to accumulated snow and ice, especially during the morning and evening commuting periods on Monday, February 1, 2021, and the morning commuting period on Tuesday, February 2, 2021; and

WHEREAS, this major, prolonged nor'easter winter storm is expected to produce hazardous travel conditions even for areas that receive lesser snowfall totals, and to make clearing snow and ice very difficult; and

WHEREAS, as part of the State's response to this major, prolonged nor'easter winter storm, the Commissioner of the New Jersey Department of Transportation ("DOT") 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, strong winds are expected which may cause downed power lines and trees, resulting in power outages, and will impede the normal operation of public and private entities; and

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

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

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

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

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, in order to protect the health, safety, and welfare of the people of the State of New Jersey DO DECLARE and PROCLAIM that a State of Emergency exists throughout the State of New Jersey, effective at 7:00 p.m. on January 31, 2021; 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(s) issued by the Commissioner of the DOT, 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(s) issued by the Commissioner of the DOT, 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. Individuals housed or sheltered pursuant to this Order are exempted from transient guest and seasonal tenant restrictions permitted by Administrative Order Nos. 2020 8-9 issued on April 4, 2020 and April 24, 2020, respectively, in response to the COVID-19 pandemic.

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 7:00 p.m. on January 31, 2021, 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
31st day of January,
Two Thousand and Twenty-one,
and of the Independence of
the United States, the Two
Hundred and Forty-Fifth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 219

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

WHEREAS, through Executive Order Nos. 119, 138, 151, 162, 171, 180, 186, 191, 200, 210, and 215, issued on April 7, 2020, May 6, 2020, June 4, 2020, July 2, 2020, August 1, 2020, August 27, 2020, September 25, 2020, October 24, 2020, November 22, 2020, December 21, 2020, and January 19, 2021, respectively, the facts and circumstances of which are adopted by reference herein, I declared that the COVID-19 Public Health Emergency continued to exist and declared that all Executive Orders and Administrative Orders adopted in whole or in part in response to the COVID-19 Public Health Emergency remained in full force and effect; and

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

WHEREAS, as COVID-19 has continued to spread across New Jersey, I have issued a series of Executive Orders pursuant to my authority under the New Jersey Civilian Defense and Disaster Control Act and the Emergency Health Powers Act, to protect the public health, safety, and welfare against the emergency created by COVID-19, including Executive Order Nos. 104-133, Nos. 135-138, Nos. 140-166, Nos. 168-173, No. 175, Nos. 177-181, No. 183, Nos. 186-187 and Nos. 189-198, No. 200, Nos. 203-204, No. 207,

Nos. 214-216 (2020), the facts and circumstances of which are all adopted by reference herein; and

WHEREAS, to limit community spread from person-to-person contact through use of social mitigation measures, Executive Order No. 107 (2020) closed all recreational and entertainment businesses, and limited all restaurants, dining establishments, and food courts, with or without a liquor license, all bars, and all other holders of a liquor license with retail consumption privileges, to offering food delivery and/or take-out services only; and

WHEREAS, after consultation with officials from the Department of Health ("DOH"), I announced a multi-stage New Jersey's Road Back Plan for the methodical and strategic reopening of businesses and activities based on scientific data and metrics concerning the level of disease transmission risk and essential classification; and

WHEREAS, because of the progress we had made in our fight against the COVID-19 pandemic in New Jersey, on Monday, June 22, 2020, I announced that indoor dining would be able to resume under strict limits as of Thursday, July 2, 2020, and that decision was formalized in Executive Order No. 157; and

WHEREAS, while Executive Order No. 157 (2020) announced the limited resumption of indoor dining, this step was put on hold in Executive Order No. 158 (2020), in light of COVID-19 spikes in states around the nation which state officials and other experts had attributed, at least in part, to activities in indoor food and beverage establishments; and

WHEREAS, indoor dining was permitted to resume on September 4, 2020, pursuant to Executive Order No. 183, with strict health and safety protocols in place, including limiting the number

of patrons to 25 percent of the establishment's stated maximum capacity; and

WHEREAS, Executive Order No. 157 (2020) permitted certain recreation and entertainment businesses, to open their indoor premises subject to their compliance with specified health and safety protocols, including the same 25 percent capacity limitation; and

WHEREAS, Executive Order No. 157 (2020) permitted casinos and racetracks to resume operations conditioned on their compliance with requirements imposed by the Division of Gaming Enforcement and New Jersey Racing Commission; and

WHEREAS, Executive Order No. 181, issued August 27, 2020, permitted gyms, fitness centers, and health clubs to open their indoor spaces to the public at 25 percent of the facility's stated maximum capacity; and

WHEREAS, personal care service facilities were permitted to reopen their premises to the public pursuant to Paragraph 2 of Executive Order No. 157 (2020); and

WHEREAS, Executive Order No. 194 (2020) clarified that premises of indoor facilities providing personal care services are limited to 25 percent of the stated maximum capacity; and

WHEREAS, Executive Order No. 196 (2020), issued November 16, 2020, declared that athletic practices and competitions, including professional and collegiate events, conducted indoors were subject to the indoor gathering limit of 10 persons, but permitted those events to exceed the gathering limits so long as no individuals were present who were not necessary for the event, though still at levels no greater than 25 percent of the room's capacity of 150 persons, whichever is lower; and

WHEREAS, Executive Order No. 204 (2020) clarified that indoor meetings of addiction support groups are limited to 25 percent of the capacity of the room in which they take place, up to a maximum of 150 individuals; and

WHEREAS, in the past eleven months, we have gained critical knowledge regarding COVID-19, including a better understanding of the risks associated with certain activities, the activities that are most conducive to spread of the virus, and the safeguards that can be implemented to mitigate those risks; and

WHEREAS, this information, together with expanded access to testing, personal protective equipment, and other materials necessary to protect individuals from spread of the virus, as well as the ongoing COVID-19 Vaccination Plan ("Plan") discussed below, allows for certain activities to continue subject to more limited restrictions; and

WHEREAS, the statewide rate of transmission and the number of new hospital admissions, current hospitalized patients, ventilators in use, and patients in intensive care have all either decreased or remained stable over the past few weeks; and

WHEREAS, given the decrease in these key statistics, the State can take cautious, incremental steps to lift certain restrictions that were designed to limit person-to-person contact; and

WHEREAS, the current 25 percent capacity limit on the indoor premises of the above referenced establishments and on the indoor gathering limit for certain activities can safely be raised to 35 percent, a limit that will continue to minimize congregation of large numbers of individuals in indoor settings; and

WHEREAS, in light of these improvements, it is also reasonable to permit food and beverage establishments to offer in-person service at indoor areas between the hours of 10:00 p.m. and

5:00 a.m. each day while other mitigation protocols, including the prohibition on indoor bar seating and standing, remain in place; and

WHEREAS, even with the loosening of this restriction, certain municipalities and counties may continue to have legitimate concerns about congregation in and around businesses at particular hours, which may cause public health concerns as we aim to avoid unnecessary increases in density of individuals; and

WHEREAS, as part of the State's response to COVID-19, DOH has created a comprehensive Plan to manage the receipt, administration, and tracking of the vaccines developed to inoculate the State's residents and workforce against COVID-19; and

WHEREAS, the State has thus far administered over 700,000 doses of COVID-19 vaccines to individuals that live, work, and are educated in New Jersey and fit into specified high-risk categories, including healthcare workers and residents and staff of congregate care facilities that are at greater risk of exposure to COVID-19, frontline first responders including sworn law enforcement officers, individuals over the age of 65, and individuals aged 16 to 64 years who are more inclined to severe illness as the result of exposure to COVID-19; and

WHEREAS, though additional vaccines are currently under development, the first vaccines that arrived in the State require two doses to be effective; and

WHEREAS, the process of vaccinating the population to levels sufficient to establish community immunity is expected to take many months; and

WHEREAS, while New Jersey is rapidly expanding its capacity to vaccinate large numbers of individuals each day, it is still appropriate to maintain strict mitigation protocols, including overall limits on capacity in establishments open to the public, to ensure spread is limited while dissemination of the vaccine continues; and

WHEREAS, it is critical that individuals continue to follow social distancing, masking, and other infection control protocols while vaccine administration is ongoing in the State; and

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. 26:13-1 et seq., N.J.S.A. App. A: 9-33 et seq., N.J.S.A. 38A:3-6.1, and N.J.S.A. 38A:2-4 and all amendments and supplements thereto, confer upon the Governor of the State of New Jersey certain emergency powers, which I have invoked;

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

1. Restaurants, cafeterias, dining establishments, including private, non-profit clubs, and food courts, with or without a liquor license, bars, and all other holders of a liquor license with retail consumption privileges, collectively referred to as "food or beverage establishments," that are open to the public:

- a. Shall limit the number of patrons in indoor areas to 35 percent of the food and beverage establishment's indoor capacity, excluding the food or beverage establishment's employees. Paragraph 1 of Executive Order No. 183 (2020) is hereby

rescinded to the extent that it conflicts with the provisions of this Order; and

- b. Are permitted to offer in-person service at indoor areas between the hours of 10:00 p.m. and 5:00 a.m. each day, unless otherwise restricted by municipal or county ordinance. Casinos and any other retail, recreational, or entertainment businesses that are authorized to open their indoor premises to the public are permitted to resume indoor food and beverage service at those hours each day. Paragraph 1 of Executive Order No. 194 (2020) requiring such establishments to close their indoor operations to the public during those times is hereby rescinded. Executive Order No. 195 (2020), which gives municipalities and counties the ability to impose certain restrictions on the hours of operation of certain businesses, shall remain in effect.

2. Entertainment centers where performances are viewed or given, including movie theaters, performing arts centers, and other concert venues, that have opened their indoor spaces to the public must limit the number of patrons in any indoor room where a performance is viewed or given to 35 percent of the stated maximum capacity, if applicable, at one time, excluding the entertainment business's employees, but regardless of the capacity of the room, such limit shall never be larger than 150 persons. Such indoor entertainment centers may host a performance in an adjacent outdoor area with a maximum capacity equivalent to the facility's indoor capacity permitted under this Paragraph. Paragraph 2 of Executive Order No. 183 (2020) and Administrative

Order No. 2020-24 are hereby rescinded to the extent that they conflict with the provisions of this Order.

3. The number of individuals at indoor gatherings that are religious services or celebrations, political activities, wedding ceremonies, funerals, or memorial services shall be limited to 35 percent of the capacity of the room in which it takes place, but regardless of the capacity of the room, such limit shall never be larger than 150 persons or smaller than 10 persons. For purposes of this Paragraph, any private residence or residential unit shall be treated as a single "room." Paragraph 1 of Executive Order No. 196 (2020) is hereby rescinded to the extent that it conflicts with the provisions of this Order.

4. Personal care services authorized to reopen their indoor facilities to the public pursuant to Paragraph 2 of Executive Order No. 157 (2020) shall limit occupancy of any indoor premises to 35 percent of the stated maximum capacity, if applicable, at one time, excluding the facility's employees. Paragraph 8 of Executive Order No. 194 (2020) is hereby rescinded to the extent that it conflicts with the provisions of this Order.

5. "Health clubs," as defined by N.J.S.A. 56:8-39, which include gyms and fitness centers, as well as amusement and water parks, authorized to reopen their indoor facilities to the public pursuant to Paragraph 1 of Executive Order No. 181 (2020) shall limit occupancy of any indoor premises to 35 percent of the stated maximum capacity, if applicable, at one time, excluding the facility's employees. Paragraph 1 of Executive Order No. 181 (2020) is hereby rescinded to the extent that it conflicts with the provisions of this Order.

6. Recreational and entertainment businesses that were permitted to reopen their indoor facilities to the public pursuant to Paragraph 7 of Executive Order No. 157 (2020) shall limit occupancy of any indoor premises to 35 percent of the stated maximum capacity, if applicable, at one time, excluding the recreational or entertainment business's employees. Paragraph 7 of Executive Order No. 157 (2020) is hereby rescinded to the extent that it conflicts with the provisions of this Order.

7. Casinos, including casino gaming floors and retail sports wagering lounges, that have opened their indoor premises to the public shall limit occupancy of any indoor premises to 35 percent of the stated maximum capacity, if applicable, at one time, excluding the facility's employees.

8. Athletic practices and competitions that were permitted to resume on January 2, 2021 under Executive Order No. 204 (2020) are subject to the current indoor gathering limit, which was most recently set at 10 persons. However, if the number of individuals who are necessary for a no-contact practice, contact practice, or competition, such as players, coaches, and referees, is greater than 10 persons, such a practice or competition may proceed, as long as no individuals are present who are not necessary for the practice or competition, such as spectators. If this exception applies, the number of individuals at such an indoor gathering still may not exceed 35 percent of the capacity of the room in which it takes place, and such limit may not exceed 150 persons. Administrative Order No. 2020-25 is hereby rescinded to the extent that it conflicts with the provisions of this Order.

9. Professional and collegiate athletic competitions that are conducted indoors are subject to the current indoor gathering limit of 10 persons. Athletes, coaches, referees, and trainers,

and other individuals who are necessary for the competitive professional or collegiate sporting event are not included in the number of individuals present at a gathering for purposes of the limits on gatherings. The number of individuals present inside facilities where indoor professional or collegiate athletic competitions are taking place may not exceed 35 percent of the capacity of the room in which it takes place, and such limit may not exceed 150 persons. The provisions of Paragraph 1 of Administrative Order No. 2020-22 regarding indoor gatherings shall continue to apply. Paragraph 2 of Executive Order No. 196 (2020) is hereby rescinded to the extent that it conflicts with the provisions of this Order.

10. Indoor gatherings that involve an Alcoholics Anonymous meeting, Narcotics Anonymous meeting, or similar meeting of an addiction support group shall be limited to 35 percent of the capacity of the room in which it takes place, but regardless of the capacity of the room, such limit shall never be larger than 150 persons or smaller than 10 persons. Paragraph 7 of Executive Order No. 204 (2020) is hereby rescinded to the extent that it conflicts with the provisions of this Order.

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

12. 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.

13. 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, except as otherwise provided in Executive Order No. 195 (2020).

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

15. This Order shall take effect at 8:00 a.m. on Friday, February 5, 2021, and shall remain in effect until revoked or modified by the Governor, who shall consult with the Commissioner of DOH as appropriate.

GIVEN, under my hand and seal this
3rd day of February,
Two Thousand and Twenty-one,
and of the Independence of
the United States, the Two
Hundred and Forty-Fifth.

[seal]

/s/ Philip D. Murphy
Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 220

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

WHEREAS, through Executive Order Nos. 119, 138, 151, 162, 171, 180, 186, 191, 200, 210, and 215, issued on April 7, 2020, May 6, 2020, June 4, 2020, July 2, 2020, August 1, 2020, August 27, 2020, September 25, 2020, October 24, 2020, November 22, 2020, December 21, 2020, and January 19, 2021, respectively, the facts and circumstances of which are adopted by reference herein, I declared that the COVID-19 Public Health Emergency continued to exist and declared that all Executive Orders and Administrative Orders adopted in whole or in part in response to the COVID-19 Public Health Emergency remained in full force and effect; and

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

WHEREAS, as COVID-19 has continued to spread across New Jersey, I have issued a series of Executive Orders pursuant to my authority under the New Jersey Civilian Defense and Disaster Control Act and the Emergency Health Powers Act, to protect the public health, safety, and welfare against the emergency created by COVID-19, including Executive Order Nos. 104-133, Nos. 135-138, Nos. 140-166, Nos. 168-173, No. 175, Nos. 177-181, No. 183, Nos. 186-187, Nos. 189-198, No. 200, Nos. 203-204, No. 207, Nos. 214-216, and No. 219 (2020), the facts and circumstances of which are all adopted by reference herein; and

WHEREAS, to limit community spread from person-to-person contact through use of social mitigation measures, Executive Order No. 107 (2020) closed all recreational and entertainment businesses, and limited all restaurants, dining establishments, and food courts, with or without a liquor license, all bars, and all other holders of a liquor license with retail consumption privileges, to offering food delivery and/or take-out services only; and

WHEREAS, after consultation with officials from the Department of Health ("DOH"), I announced a multi-stage New Jersey's Road Back Plan for the methodical and strategic reopening of businesses and activities based on scientific data and metrics concerning the level of disease transmission risk and essential classification; and

WHEREAS, Executive Order No. 196, issued November 16, 2020, declared that athletic practices and competitions conducted indoors were subject to the indoor gathering limit of 10 persons, but permitted those events to exceed the gathering limits so long as no individuals were present who were not necessary for the event, though still at levels no greater than 25 percent of the room's capacity or 150 persons, whichever is lower; and

WHEREAS, Executive Order No. 219, issued February 3, 2021, increased that indoor limit to no greater than 35 percent of the room's capacity, but maintained the overall cap of 150 persons; and

WHEREAS, Executive Order No. 204 (2020) stated that outdoor athletic practices and competitions were subject to the outdoor gathering limit of 25 persons, but permitted those events to exceed the gathering limits so long as no individuals were present who were not necessary for the event; and

WHEREAS, in the past eleven months, we have gained critical knowledge regarding COVID-19, including a better understanding of the risks associated with certain activities, the activities that are most conducive to spread of the virus, and the safeguards that can be implemented to mitigate those risks; and

WHEREAS, this information, together with expanded access to testing, personal protective equipment, and other materials necessary to protect individuals from spread of the virus, as well as the ongoing implementation of DOH's COVID-19 Vaccination Plan, allows for certain activities to continue subject to more limited restrictions; and

WHEREAS, the statewide rate of transmission and the number of new hospital admissions, current hospitalized patients, ventilators in use, and patients in intensive care have all either decreased or remained stable over the past few weeks; and

WHEREAS, given the decrease in these key statistics, the State can take cautious, incremental steps to lift certain restrictions that were designed to reduce person-to-person contact; and

WHEREAS, parents and guardians may serve multiple important roles at sports practices and competitions, including supervising younger athletes and ensuring athletes follow COVID-19 mitigation requirements; and

WHEREAS, it is reasonable to permit a limited number of parents and guardians to attend indoor and outdoor sports practices and competitions where such individuals abide by stringent health and safety protocols set forth by the DOH in its "Guidance for Sports Activities"; and

WHEREAS, spectators are not currently prohibited from attending collegiate and professional sporting events; and

WHEREAS, while New Jersey is rapidly expanding its capacity to vaccinate large numbers of individuals each day, it is still appropriate to maintain strict mitigation protocols, including overall limits on gatherings, to ensure spread is limited while dissemination of the vaccine continues; and

WHEREAS, it is critical that individuals continue to follow social distancing, masking, and other infection control protocols while vaccine administration is ongoing in the State; and

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. 26:13-1 et seq., N.J.S.A. App. A: 9-33 et seq., N.J.S.A. 38A:3-6.1, and N.J.S.A. 38A:2-4 and all amendments and supplements thereto, confer upon the Governor of the State of New Jersey certain emergency powers, which I have invoked;

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

1. All non-collegiate and non-professional athletic practices and competitions that are conducted indoors are subject to the current indoor gathering limit, which was most recently set at 10 persons. However, if the number of individuals who are necessary for the practice or competition, such as athletes, coaches, and referees, is greater than 10 persons, such a practice or competition may proceed, as long as no individuals are present who are not necessary for the practice or competition. Operators of such sports activities may permit up to two parents or guardians per athlete under the age of twenty-one participating in the practice or competition to attend the event provided all attendees abide by the applicable requirements in the DOH's "Guidance for

Sports Activities.” Such parents and guardians shall be considered necessary for the practice or competition. The number of individuals present inside facilities where indoor practices or competitions are taking place, inclusive of all necessary individuals, may not exceed 35 percent of the capacity of the room in which it takes place, and such limit may not exceed 150 persons. Paragraph 8 of Executive Order No. 219 (2020) is hereby rescinded to the extent that it conflicts with the provisions of this Order.

2. All non-collegiate and non-professional athletic practices and competitions that are conducted outdoors are subject to the current outdoor gathering limit of 25 persons. However, if the number of individuals who are necessary for the practice or competition, such as athletes, coaches, and referees, is greater than 25 persons, such a practice or competition may proceed, as long as no individuals are present who are not necessary for the practice or competition. Operators of such sports activities may permit up to two parents or guardians per athlete under the age of twenty-one participating in the practice or competition to attend provided all attendees abide by the applicable requirements in the DOH’s “Guidance for Sports Activities.” Such parents and guardians shall be considered necessary for the practice or competition. Paragraph 6 of Executive Order No. 204 (2020) is hereby rescinded to the extent that it conflicts with the provisions of this Order.

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

4. 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.

5. 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, except as otherwise provided in Executive Order No. 195 (2020).

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

7. This Order shall take effect immediately and shall remain in effect until revoked or modified by the Governor, who shall consult with the Commissioner of DOH as appropriate.

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

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 221

WHEREAS, climate change, driven largely by human activities that emit greenhouse gases and other climate pollutants causing global atmospheric warming, presents an existential threat to the residents of New Jersey, their health, communities, businesses, environment, economy, and way of life; and

WHEREAS, the State of New Jersey, while uniquely vulnerable to climate risks, is uniquely positioned to develop and deploy innovative solutions that transform the climate crisis into a tremendous opportunity for our residents, communities, businesses, and economy; and

WHEREAS, through Executive Order Nos. 7, 8, 23, and 28 (2018), Nos. 89 and 92 (2019), and No. 100 (2020), the facts and circumstances of which are adopted by reference herein, I established that it is the policy of this State to take aggressive climate action by reducing the emissions of climate pollutants on an economy-wide basis, charting a just and equitable transition away from our reliance on fossil fuels while building a stronger and fairer economy fueled by clean and renewable energy, protecting and promoting the resilience of New Jersey's communities from the current and anticipated impacts of climate change through planning and regulation, investing in climate solutions that create new economic opportunity and broadly shared prosperity, and furthering the promise of environmental justice and ensuring equity in the course of fulfilling each of these objectives; and

WHEREAS, New Jersey's commitment to climate action has also positioned the State as a national leader in green job growth by expanding solar energy installations, facilitating the development of offshore wind farms, expanding and developing new port capacity

and clean energy infrastructure, and hastening modern green manufacturing while bolstering apprenticeship programs; and

WHEREAS, green jobs, which include jobs focused on the production of goods or provision of services that directly benefit the environment or conserve natural resources, as well as those focused on facilitating environmentally-friendly production processes, such as process improvements that reduce consumption of energy and natural resources, are critical to further expanding the reach of New Jersey's innovation economy; and

WHEREAS, the number of people employed in New Jersey's green economy has been rapidly growing in recent years, with over 52,000 workers in 2019 employed in a variety of roles including construction, manufacturing, trade, and professional services; and

WHEREAS, notwithstanding overall green job growth, an October 2020 study by the BW Research Partnership found that the Coronavirus disease 2019 (COVID-19) Pandemic has caused a recent decline in green job growth nationwide, and specifically in New Jersey, necessitating the need for greater economic support for green jobs as part of the State's economic recovery; and

WHEREAS, New Jersey expects an increased demand for a well-trained green workforce as the State continues its just and equitable transition to a green economy, as well as an increased demand for services to assist workers potentially displaced as the green economy transition evolves; and

WHEREAS, the green workforce has historically lacked diversity, with disproportionate race and gender gaps across sectors of the green economy, including gaps in, but not limited to, clean energy production, energy efficiency, and water infrastructure and system operations; and

WHEREAS, the adoption of diversity and inclusion policies and programs can increase representation of historically underrepresented groups, helping to overcome racial and gender gaps and ensuring that the rich diversity of New Jersey is represented in the green economy as it continues to grow; and

WHEREAS, the transition to a green economy provides New Jersey with a unique opportunity to establish a holistic and coordinated job creation strategy that drives sustainable economic growth and development, avoids and adjusts for potential worker displacement while providing for appropriate workforce support and resources should it occur, and prioritizes equity, diversity, inclusion, and environmental and economic justice; and

WHEREAS, the development and implementation of a long-term green economy strategy that accelerates the growth of green jobs, facilitates green workforce development, and equitably expands economic opportunity demands a concerted approach across government, industry, and labor that is coordinated with and complimentary to the State's climate action policies as established by Executive Order Nos. 7, 8, 23, and 28 (2018), Nos. 89 and 92 (2019), and No. 100 (2020), and the products thereof;

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

1. There is hereby established the Governor's Office of Climate Action and the Green Economy ("Climate Office"), which shall coordinate the policymaking processes of Executive Branch departments and agencies with respect to all climate change and green economy issues, coordinate climate policy and green economy advice to the Governor, ensure that climate and green economy

policy decisions and programs are consistent with the Governor's stated goals and that those goals are being effectively pursued, and monitor implementation of the Governor's climate policy and green economic agenda.

2. The Climate Office shall be headed by an Executive Director appointed by the Governor. The Executive Director shall be an employee of the State, and shall have a staff and other assistance as may be necessary to carry out the provisions of this Order, subject to the availability of appropriations, and may conduct the work of the Climate Office via established interagency councils or groups or such other ad hoc committees as the Executive Director may establish.

3. The Executive Director is hereby authorized to call upon any Executive Branch department or agency to supply the Climate Office with information or other assistance as the Executive Director determines necessary to discharge the Director's 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 Executive Director within the limits of each department's or agency's statutory authority, and to furnish such assistance on as timely a basis as is necessary to accomplish the purpose of this Order.

4. The Executive Director shall, among other responsibilities, ensure the coordination and execution of climate action policies as established by Executive Order Nos. 7, 8, 23, and 28 (2018), Nos. 89 and 92 (2019), and No. 100 (2020), and the products thereof, including, but not limited to, the implementation of recommendations contained in reports issued pursuant to the Global Warming Response Act, N.J.S.A. 26:2C-41,

and the State's most current Energy Master Plan and Statewide Climate Change Resilience Strategy.

5. There is hereby established within the Climate Office, and under the auspices of the Governor's Jobs and Economic Opportunity Council established pursuant to Executive Order No. 12 (2018), the New Jersey Council on the Green Economy ("Council").

6. The Council shall consist of the Executive Director of the Climate Office, the Chief Policy Advisor and the Deputy Chief of Staff for Economic Growth to the Governor, the Commissioners of the Departments of Education, Environmental Protection, Labor, and Treasury, the President of the Board of Public Utilities, the Chief Executive Officer of the Economic Development Authority, the Secretary of Higher Education, the Director of the Division of Consumer Affairs, and the Director of the Division of Rate Counsel, or their respective designees.

7. The Governor shall also appoint to serve on the Council two members from organized labor, one representative from the manufacturing industry, one environmental justice advocate, one environmental advocate, one green economy business representative, one representative from a Chamber of Commerce of a historically underrepresented group, one member from academia, two representatives from the utilities, and one small business and workforce training representative.

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

9. The Executive Director of the Climate Office shall serve as the Executive Director of the Council and shall establish such rules of operation as the Council may require. The Executive

Director of the Council shall also serve as a member of the Governor's Jobs and Economic Opportunity Council.

10. The Commissioner of the Department of Environmental Protection, the Commissioner of the Department of Labor and Workforce Development, and the President of the Board of Public Utilities shall jointly serve as Chairpersons of the Council. The Governor will also appoint an Honorary Chairperson, who shall serve at the pleasure of the Governor.

11. No member of the Council, including the Executive Director and the Chairpersons, shall be compensated in addition to the compensation received, if any, as an employee or officer of the State.

12. The Council shall meet as often as practicable and as requested by the Governor or Executive Director.

13. The objectives of the Council shall include, but shall not be limited to, the following:

- a. Develop a more expansive and inclusive definition of a "green job" that includes the full variety of green infrastructure jobs, including, but not limited to, those related to development of renewable energy generation, production, manufacturing, infrastructure, storage, and access for technologies such as wind and solar; transportation electrification infrastructure, services, and sales; research and development of green technologies, grid modernization and grid-edge technologies, and geothermal generation technologies; water infrastructure and systems operations; lead remediation and abatement; climate change resilience and adaptation; contaminated site

remediation; food waste reduction and recycling; environmental education; and building electrification and energy efficiency related jobs, including but not limited to, weatherization, building energy management systems, mold removal and abatement, and heating, ventilation and air conditioning.

- b. Conduct an analysis of existing green job opportunities, as well as how green job opportunities and needs will adjust as various sectors of the green economy evolve over time, that:
 - i. Specifies the skills, industry-recognized credential, and training requirements needed for each job;
 - ii. Lists available current training programs, including work-based learning opportunities, as well as new programs needed, across providers, labor, and academia;
 - iii. Identifies funding needs and existing public and private funding sources for training and certification programs;
 - iv. Provides public and private sector salary and benefit data by geographic areas within New Jersey and the surrounding region;
 - v. Explores reskilling and training opportunities available to displaced workers, the incarcerated or formerly incarcerated, and youth involved in the juvenile justice system;

- vi. Identifies gaps in the needs and resources of New Jersey's secondary and postsecondary career and technical education programs to develop the State's future green workforce, and measures needed to address those gaps; and
 - vii. Considers how to expand educational and workforce opportunities to underrepresented groups.
- c. Evaluate economic and workforce impacts of a just transition to a green economy, including any increased demand for resources to address the needs of workers potentially displaced from historic lines of work as the green economy evolves, and identify which at risk jobs and sectors lend themselves to a transition to sectors with similar skill sets in the green economy.
 - d. Assess how to balance providing opportunities to the existing workforce with the need to diversify the workforce and increase access and participation by historically underrepresented groups.
 - e. Consult with any department, office, division, agency or other instrumentality of this State to ensure they consider green options where appropriate and necessary as they develop regulatory programs and initiatives.
 - f. Through a coordinated effort across relevant governmental programs and private industry, consider various green job initiatives that include but are not limited to:

- i. Incorporation of equitable workforce development strategies into all environmental, infrastructure, and clean energy initiatives, including a framework to support high quality employment and collective bargaining;
 - ii. Strategic investments in workforce development, education, apprenticeship/internship, training and certification, and retraining programs;
 - iii. Formation of career services, green job pathways, experiential learning opportunities, and outreach to underrepresented and underserved groups, including women, the incarcerated or formerly incarcerated, and workers displaced by emerging clean energy technology;
 - iv. Dedicated supports for displaced workers including employment counseling, reskilling, transitional income, and relocation support; and
 - v. Public information campaigns to inform and educate the public on the importance of green jobs and the opportunities available in a green economy.
- g. Examine measures implemented by other jurisdictions to transition to a clean energy economy and develop robust green jobs initiatives within the United States and Europe.

14. The Council shall engage and seek input from stakeholders, by (a) seeking information to advise the Council on a variety of relevant issues; (b) holding open-ended listening sessions that identify labor, industry, and community needs; and (c) participating in roundtables with experts in various fields to solicit information, engage in robust discussion, and ask necessary questions on specific topics and initiatives identified by the Council.

15. The Council, which shall be purely advisory in nature, shall issue a final report to the Governor with its recommendations no later than one year after the effective date of this Order. The Council shall also present the final report to the Jobs and Economic Opportunity Council.

16. The Council shall be authorized to call upon any department, office, division, agency or other instrumentality of this State to supply it with information or other assistance as the Council determines to be necessary to discharge its duties under this Order. Each Executive Branch department, office, division, agency or other instrumentality of this State is hereby required, to the extent not inconsistent with law, to cooperate fully with the Council 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.

17. 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.

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

19. This Order shall take effect immediately.

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

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 222

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

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

WHEREAS, as COVID-19 continued to spread across New Jersey and an increasing number of individuals required medical care or hospitalization, I issued a series of Executive Orders pursuant to my authority under the New Jersey Civilian Defense and Disaster Control Act and the Emergency Health Powers Act ("EHPA"), to protect the public health, safety, and welfare against the emergency created by COVID-19, including Executive Order Nos. 104-133, 135-138, 140-166, 168-173, 175, 177-181, 183, 187, 189-198, 200, 203-204, 207, and 210-211 (2020) and Nos. 214-216, and 219-220 (2021), the facts and circumstances of which are all adopted by reference herein; and

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

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

WHEREAS, on June 4, 2020, I issued Executive Order No. 151, which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, on July 2, 2020, I issued Executive Order No. 162, which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, on August 1, 2020, I issued Executive Order No. 171, which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, on August 27, 2020, I issued Executive Order No. 181, which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, on September 25, 2020, I issued Executive Order No. 186, which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, on October 24, 2020, I issued Executive Order No. 191, which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, on November 22, 2020, I issued Executive Order No. 200, which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, on December 21, 2020, I issued Executive Order No. 210, which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

WHEREAS, on January 19, 2021, I issued Executive Order No. 215, which declared that the Public Health Emergency declared in Executive Order No. 103 (2020) continues to exist; and

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

WHEREAS, through Executive Order Nos. 119, 138, 151, 162, 171, 181, 186, 191, 200, and 210 (2020), and No. 215 (2021) I declared that all Executive Orders and Administrative Orders adopted in whole or in part in response to the COVID-19 Public Health Emergency remained in full force and effect; and

WHEREAS, due to the significant emergency measures the State has taken in response to COVID-19, in the summer and fall of 2020 there was a decrease in the rate of reported new cases of COVID-19 in New Jersey, in the total number of individuals being admitted to hospitals for COVID-19, and in the rate of reproduction for COVID-19 infections in New Jersey; and

WHEREAS, given the progress the State had made based on these emergency measures and after consultation with officials from the Department of Health ("DOH"), I announced a multi-stage New Jersey's Road Back Plan (the "Plan") for the methodical and strategic reopening of businesses and activities based on scientific data and metrics concerning the level of disease transmission risk and essential classification; and

WHEREAS, in line with the Plan, the State had been able to relax a number of restrictions, each time tailored to the relative risk the activity presents, and additional restrictions on outdoor and indoor recreational and entertainment businesses were lifted over the past several months; and

WHEREAS, the fact that the spread of COVID-19 had been limited by the State's emergency measures did not in any way suggest that the ongoing Public Health Emergency had dissipated, because absent social distancing

measures, public health experts anticipated that the spread of COVID-19 would again significantly increase; and

WHEREAS, since the Public Health Emergency was renewed on January 19, 2021, at which time there were over 432,592 positive cases of COVID-19 in New Jersey, the COVID-19 outbreak has continued to present a public health hazard in New Jersey, in the region, and across the United States; and

WHEREAS, as of January 19, 2021, according to the World Health Organization, there were over 109,068,745 confirmed cases of COVID-19 worldwide, with over 2,409,011 of those cases having resulted in death; and

WHEREAS, as of February 16, 2021, according to the Centers for Disease Control and Prevention (CDC), there were over 27,542,421 confirmed cases of COVID-19 in the United States, with over 485,070 of those cases having resulted in death; and

WHEREAS, as of February 16, 2021, there were over 669,481 positive cases of COVID-19 in New Jersey, with at least 20,251 of those cases having resulted in death; and

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

WHEREAS, the rate of reported new cases across all counties has remained high, demonstrating the need for many of the State's current measures to remain in place, both to reduce additional new infections and to save lives; and

WHEREAS, in the past eleven months, we have gained critical knowledge regarding COVID-19, including a better understanding of the risks associated with certain activities, the activities that are most conducive to spread of the virus, and the safeguards that can be implemented to mitigate those risks; and

WHEREAS, this information, together with expanded access to testing, personal protective equipment, and other materials necessary to protect individuals from spread of the virus, as well as the ongoing COVID-19 Vaccination Plan, allows for certain activities to continue subject to more limited restrictions; and

WHEREAS, the statewide rate of transmission and the number of new hospital admissions, current hospitalized patients, ventilators in use, and patients in intensive care have all decreased over the past few weeks; and

WHEREAS, given the decrease in these key statistics, the State can take cautious, incremental steps to lift certain restrictions that were designed to limit person-to-person contact; and

WHEREAS, even with these improvements and the rapid expansion of the State's capacity to vaccinate large numbers of individuals each day, it is still necessary to maintain strict mitigation protocols to ensure spread is limited while dissemination of the vaccine continues; and

WHEREAS, the renewal of the declaration of the ongoing Public Health Emergency is necessary to allow the State to continue with the Plan to allow for the methodical and strategic reopening of the State, consistent with the State's authority under the EHPA; and

WHEREAS, the renewal of the declaration of the ongoing Public Health Emergency is also necessary to ensure that the State can swiftly respond to take all appropriate actions should the rate of reported new cases of COVID-19 in New Jersey, number of individuals being admitted to hospitals for COVID-19, or rate of reproduction for COVID-19 infections in New Jersey again increase, as we have seen in numerous states across the country; and

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

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

WHEREAS, the facts as set forth above and in consultation with the Commissioner of DOH confirm that there exists a Public Health Emergency in the State; and

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. 26:13-1 et seq., N.J.S.A. App. A: 9-33 et seq., N.J.S.A. 38A:3-6.1, and N.J.S.A. 38A:2-4 and all amendments and supplements thereto, confer upon the Governor of the State of New Jersey certain emergency powers, which I have invoked;

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby DECLARE and PROCLAIM that the Public Health Emergency declared in Executive Order No. 103 (2020) pursuant to the EHPA, N.J.S.A. 26:13-1, et seq., continues to exist throughout the State of New Jersey,

and I hereby ORDER and DIRECT:

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

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

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

4. This Order shall take effect immediately.

GIVEN, under my hand and seal this
17th day of February,
Two Thousand and Twenty-one,
and of the Independence of
the United States, the Two
Hundred and Forty-Fifth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 223

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

WHEREAS, through Executive Order Nos. 119, 138, 151, 162, 171, 180, 186, 191, 200, 210, 215, and 222 issued on April 7, 2020, May 6, 2020, June 4, 2020, July 2, 2020, August 1, 2020, August 27, 2020, September 25, 2020, October 24, 2020, November 22, 2020, December 21, 2020, January 19, 2021, and February 17, 2021, respectively, the facts and circumstances of which are adopted by reference herein, I declared that the COVID-19 Public Health Emergency continued to exist and declared that all Executive Orders and Administrative Orders adopted in whole or in part in response to the COVID-19 Public Health Emergency remained in full force and effect; and

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

WHEREAS, as COVID-19 continued to spread across New Jersey and an increasing number of individuals required medical care or hospitalization, I issued a series of Executive Orders pursuant to my authority under the New Jersey Civilian Defense and Disaster Control Act, N.J.S.A. App. A:9-33 et seq., and the Emergency Health Powers Act, N.J.S.A. 26:13-1 et seq., to protect the public health, safety, and welfare against the emergency created by COVID-19, including Executive Order Nos. 104-133, Nos. 135-138, Nos. 140-166, Nos. 168-173, No. 175, Nos. 177-181, No. 183,

Nos. 186-187, Nos. 189-198, No. 200, Nos. 203-204, No. 207, Nos. 210-211, Nos. 214-216, Nos. 219-220, and No. 222 (2020), the facts and circumstances of which are all adopted by reference herein; and

WHEREAS, On August 14, 2020, I issued Executive Order No. 177 which postponed the special school elections scheduled for December 8, 2020 until January 26, 2021, the authorized January 2021 special school election date; and

WHEREAS, on November 2, 2020, I issued Executive Order No. 193, postponing any run-off elections resulting from municipal elections held on the November General Election and required under N.J.S.A. 40:45-19 until December 15, 2020, in order to give county and municipal election officials enough time to send vote-by-mail ballots to all registered voters; and

WHEREAS, on November 25, 2020, I issued Executive Order No. 203 making modifications to Executive Order No. 193 (2020) to ensure enough time to complete preparations for the runoff elections required under N.J.S.A. 40:45-19 and postponing any special school elections scheduled for January 26, 2021 until the authorized March 2021 special school election date; and

WHEREAS, to avoid hardships and health risks to voters, election officials, pollworkers, and candidates alike that would have resulted from allowing certain elections to proceed as originally planned prior to the pandemic, on December 21, 2020, I issued Executive Order No. 211, which postponed until April 20, 2021 special school elections and fire district elections scheduled to take place between January 12, 2021 and April 19, 2021, as well as any other election scheduled to occur during that time, including the special election scheduled for

January 12, 2021 in Wrightstown and the special election scheduled for January 19, 2021 in the Borough of Highland Park; and

WHEREAS, in order to ensure the proper effectuation of those Orders, it is necessary to clarify certain aspects of and address circumstances arising from those Orders; and

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. 26:13-1 et seq., N.J.S.A. App. A: 9-33 et seq., N.J.S.A. 38A:3-6.1, and N.J.S.A. 38A:2-4 and all amendments and supplements thereto, confer upon the Governor of the State of New Jersey certain emergency powers, which I have invoked;

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

1. Elections held on April 20, 2021 shall be conducted as required by law and all applicable Executive Orders, except as otherwise provided in this Order.

2. In any municipality in which a school election and special municipal election will occur simultaneously on April 20, 2021, the rules and provisions applicable to the municipal election governing hours and polling places shall control and apply to the school election.

3. In any county in which a school election and fire district election will occur simultaneously on April 20, 2021 for a school district and fire district with overlapping boundaries:

- a. where the school district encompasses only one fire district, the county clerk shall prepare one ballot including all candidates and questions for both the school election and the fire district election;

- b. where the school district encompasses more than one fire district, the board of elections shall designate the polling places pursuant to the fire district boundary lines, and the county clerk shall prepare the ballots based upon the fire district boundary lines, which ballots shall reflect the candidates and questions for the school election and the fire district election with respect to each fire district;
- c. the conduct of the fire district election on April 20, 2021 shall be in accordance with all applicable provisions of chapter 14 of Title 40A of the New Jersey Statutes, except that where such provisions conflict with the provisions of law governing the conduct of school elections, the provisions governing the conduct of school elections shall control; and
- d. the polling places for such elections shall be open between the hours of 1:00 p.m. and 8:00 p.m., except that the polling places may be opened as early as 6:00 a.m. on the day of those elections, as determined by the board of education.

4. Any provision of law or Executive Order that is inconsistent with this Order is hereby suspended.

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

6. This Order shall take effect immediately.

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

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

EXECUTIVE ORDER NO. 224

WHEREAS, Senator Gerald Cardinale was a dedicated public servant who tirelessly served the people of New Jersey for many years; and

WHEREAS, Senator Cardinale was a long-time resident of Demarest, New Jersey; and

WHEREAS, Senator Cardinale received a Bachelor of Science degree from St. John's University and a Doctor of Dental Surgery degree from the New York University College of Dentistry; and

WHEREAS, Senator Cardinale's career in public service began in 1967, when he served as a Member of the Demarest Board of Education until 1973 and as the President of the Board from 1969 to 1971, and then as the Mayor of Demarest from 1975 to 1979; and

WHEREAS, Senator Cardinale served the 39th Legislative District in the New Jersey General Assembly from 1980 to 1982; and

WHEREAS, Senator Cardinale was elected to represent the 39th Legislative District in the New Jersey State Senate in 1981, where he would serve for over 39 years; and

WHEREAS, during his time in the Senate, Senator Cardinale served as Minority Whip from 1985 to 1987, Assistant Minority Leader from 1987 to 1989, Majority Whip from 1992 to 1994, and Deputy Majority Leader from 1994 to 2002; and

WHEREAS, during his time in the Legislature, Senator Cardinale served on the Commerce Committee, Judiciary Committee, and State House Commission; and

WHEREAS, Senator Cardinale was a prime sponsor of many important laws during his career in the Senate, including Megan's Law, Joan's Law, and a number of casino reform bills in the aftermath of the ABSCAM scandal; and

WHEREAS, Senator Cardinale is the second longest-serving State legislator, and the longest-serving Republican legislator, in New Jersey history; and

WHEREAS, Senator Cardinale contributed to a number of important causes throughout his career, including as co-founder of the Bergen County Task Force on Sexual Abuse of Children and as a former trustee of the Regional Mental Health Center in Dumont, where he established a program to support elderly individuals; and

WHEREAS, Senator Cardinale worked tirelessly throughout his 54-year career in public service to advocate for reforms impacting women and children; and

WHEREAS, Senator Cardinale also served the community of Fort Lee as a dentist for over 60 years; and

WHEREAS, Senator Cardinale's presence will be sorely missed by his family, his friends, his colleagues, and by the people of New Jersey whom he served so well; and

WHEREAS, it is with immense sadness that we mourn the passing of Senator Cardinale and extend our deepest sympathy to his wife, former Demarest Councilwoman Carole Cardinale, his five children, his grandchildren, and his friends and colleagues; and

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

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

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

on Monday, February 22, 2021, in recognition and mourning of a dedicated and tireless public servant, Senator Gerald Cardinale.

2. This Order shall take effect immediately.

GIVEN, under my hand and seal this
21st day of February,
Two Thousand and Twenty-one,
and of the Independence of
the United States, the Two
Hundred and Forty-Fifth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor