EXECUTIVE ORDER NO. 131

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1. There is hereby established the Governor's Restart and Recovery Commission ("Commission").

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

a. Providing guidance for a phased-in reopening of the State's economy, including assessing the economic impact on the State from such a reopening as well as the impact of any applicable social distancing guidelines on certain economic sectors;

b. Developing strategies for how State and Federal government can support the economic recovery of the private sector, including consideration of any related workforce and transportation issues;

c. Suggesting priorities for investments that will allow the State's economy to both rebound and be positioned for long-term success, while accounting for the immediate and longer-term fiscal challenges resulting from the spread of COVID-19;

d. Identifying critical needs for Federal support and intervention;

e. Identifying opportunities for various sectors of the economy to be rebuilt in a manner that is well-positioned for the economy of today and the

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

f. Ensuring that any economic recovery proposals consider equity for disadvantaged communities; and

g. Assessing how policy choices will affect the simultaneous goals of short-term economic recovery and long-term fiscal health.

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

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

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

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

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

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

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

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

10. This Order shall take effect immediately.

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

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor