

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 5777**

**STATE OF NEW JERSEY**

DATED: MAY 18, 2021

The Assembly Appropriations Committee reports favorably Assembly Bill No. 5777.

Under this bill, all executive orders issued by the Governor prior to the effective date of this bill that relied on the existence of the public health emergency declared by the Governor in Executive Order No. 103 of 2020 will expire 30 days following the effective date of this bill, with the exception of the executive orders listed below that will remain in effect until January 1, 2022. The Governor will have the ability to revoke or modify the executive orders listed prior to January 1, 2022.

Executive Order No. 106 (2020)

Executive Order No. 111 (2020)

Executive Order No. 112 (2020)

Executive Order No. 123 (2020)

Executive Order No. 127 (2020)

Executive Order No. 150 (2020)

Executive Order No. 159 (2020)

Executive Order No. 170 (2020)

Executive Order No. 178 (2020)

Executive Order No. 192 (2020)

Executive Order No. 207 (2020)

Executive Order No. 229 (2021)

Executive Order No. 233 (2021)

Executive Order No. 237 (2021)

The most recent executive order containing general COVID-19 mitigation measures regarding masking, social distancing, and gatherings prior to the effective date of this bill and this executive order will only be modified in a manner to provide less restrictive measures, unless an increase in hospitalizations, increased spot positivity, or rate of transmission above 1 necessitates a modification that would be more restrictive.

Following the termination of the public health emergency declared by the Governor in Executive Order No. 103 of 2020, as extended, the force and effect of any administrative order, directive, or waiver issued by the head of a State agency while the public health emergency declared by the Governor in Executive Order No. 103 of 2020, as extended, was in effect will be continued and may be modified by the

head of a State agency until such administrative order, directive, or waiver is explicitly revoked.

The bill specifies that the termination of the public health emergency declared by the Governor in Executive Order No. 103 of 2020, as extended, will in no way diminish, limit, or impair the powers of the Governor or the head of a State agency pursuant to the provisions of the civilian defense and disaster control act P.L.1942, c.251 (C.App.A:9-33 et seq.). The state of emergency declared in Executive Order No. 103 of 2020 pursuant to that law will remain in effect until terminated by the Governor.

Following the termination of the public health emergency declared by the Governor in Executive Order No. 103 of 2020, as extended, the Governor, Commissioner of Health, and the head of any other State agency may issue orders, directives, and waivers pursuant to the emergency health powers law, P.L.2005, c.222 (C.26:13-1 et seq.), related to (1) vaccination distribution, administration, and management, (2) COVID-19 testing, (3) health resource and personnel allocation, (4) data collection, retention, sharing, and access, (5) coordination of local health departments, and (6) implementation of any applicable recommendations of the Centers for Disease Control and Prevention to prevent or limit the transmission of COVID-19, including in specific settings.

FISCAL IMPACT:

This bill is not certified for a fiscal note.