EXECUTIVE ORDER NO. 28

WHEREAS, economic growth is critical to advancing the Sherrill Administration's goals of lowering costs, creating inclusive opportunity, supporting New Jersey's children and families, and making State government more transparent, efficient, and accountable; and

WHEREAS, quality jobs and career pathways support higher employment, wages, and economic mobility, and stronger household incomes give New Jersey families greater capacity to invest in their children and their futures; and

WHEREAS, a broader economic and tax base strengthens the State's fiscal sustainability and its capacity to fund public priorities, and economic development efforts should be evaluated through measurable outcomes, including employment, wages, business formation, and private investment; and

WHEREAS, New Jersey possesses significant economic advantages, including a highly educated and diverse workforce, world-class research universities and health care institutions, strategic transportation and port infrastructure, proximity to major markets, and longstanding strengths in innovation and industry; and

WHEREAS, businesses seeking to locate, remain, or expand in New Jersey may interact with multiple State departments, authorities, and programs, and clearer points of contact and more coordinated State processes can reduce unnecessary cost, delay, and uncertainty; and

WHEREAS, sustained economic growth requires the State not only to attract new investment, but also to build stronger relationships with employers already operating in New Jersey and support their continued growth and expansion; and

WHEREAS, New Jersey's ability to compete for business investment depends in part on the availability of development-ready sites and the coordination of planning, permitting, infrastructure, environmental review, and financing resources; and

WHEREAS, New Jersey can achieve greater economic impact by concentrating its most intensive economic development efforts in sectors where the State has established strengths, valuable assets, or a credible opportunity for differentiated growth, while addressing the distinct needs of foundational industries; and

WHEREAS, research, development, and commercialization contribute to business formation, private investment, productivity, and the creation of high-quality jobs, and New Jersey has an opportunity to better connect its research institutions, industry strengths, innovation assets, and State programs; and

WHEREAS, states increasingly compete for federal research investments and other major innovation opportunities through coordinated partnerships among government, higher education, industry, and nonprofit institutions, and New Jersey requires stronger statewide capacity to organize and support such partnerships; and

WHEREAS, the State's economic development and workforce development efforts must be closely aligned so that employers can access the talent needed to grow and New Jersey residents can access the jobs and career pathways created by that growth; and

WHEREAS, small businesses are essential to New Jersey's communities and economy, and the State should make it easier for entrepreneurs and small-business owners to identify, understand, and access relevant services, financing, technical assistance, and regulatory guidance; and

WHEREAS, economic conditions and access to jobs, investment, infrastructure, and business opportunity vary significantly among New Jersey communities, and persistent local challenges may require coordinated strategies tailored to the assets and barriers of particular places; and

WHEREAS, economic development programs and investments should be regularly evaluated to ensure that public resources address identifiable economic constraints, produce measurable benefits for New Jersey residents, and remain cost-effective; and

WHEREAS, achieving these goals requires a coordinated, whole-of-government approach that improves the State's business climate, strengthens the sectors that create quality jobs, increases research and commercialization, and ensures that residents and businesses in every community participate in and benefit from economic growth; and

WHEREAS, effective implementation of a statewide economic strategy requires clear agency responsibilities, sustained cross-agency coordination, measurable milestones, regular review of performance, and a process for escalating barriers and resolving decisions that span multiple departments and authorities;

NOW, THEREFORE, I, MIKIE SHERRILL, 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. **Definitions.** For purposes of this Order:

   a. “Council” means the New Jersey Means Business Economic Development Council established by this Order.

   b. “Executive Branch departments and agencies” means any of the principal departments of 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.

c. "Strategy" means the New Jersey Means Business Economic Development Strategy developed pursuant to this Order.

2. **Mission and Goals.** The mission of the New Jersey Means Business Economic Development Strategy is to drive New Jersey's place as the economic and innovation engine at the heart of the Northeast, make New Jersey among the most business friendly and economically competitive states in the region, and build out an inclusive economy that reaches every community statewide. Executive Branch departments and agencies shall, to the fullest extent consistent with their statutory authorities, align relevant economic development activities with the following pillars through 2030:

a. Improve the overall business climate to make it easier to attract and grow businesses in New Jersey;

b. Focus on and invest in key sectors that create quality jobs and support the State's competitiveness;

c. Increase research, development, and commercialization to generate additional investment in New Jersey innovation; and

d. Ensure that New Jersey residents and businesses in all communities participate in and benefit from economic growth.

3. **Establishment of the New Jersey Means Business Economic Development Council.** There is hereby established the New Jersey Means Business Economic Development Council which shall report to the Chief Operating Officer in the Office of the Governor, and which shall coordinate the implementation of the Strategy and drive the State's economic development agenda.

4. **Chair and Membership.**

a. The Council shall be chaired by the Senior Director of Strategic Initiatives and Economic Opportunity in the Office of the Governor, or the Chair's designee.

b. In addition to the Senior Director of Strategic Initiatives and Economic Opportunity, the Council shall consist of the Commissioner, other agency head, or chief executive officer of the following Executive Branch departments and agencies, or a named designee:

(1) The New Jersey Economic Development Authority;

(2) The New Jersey Innovation Authority;

(3) The Department of State;

(4) The Department of Labor and Workforce Development;

(5) The Department of Community Affairs; and

(6) The Department of the Treasury.

c. The Chair may designate additional Executive Branch departments and agencies to participate on the Council.

d. The Council may consult with experts or other knowledgeable individuals, organizations, or companies in the public or private sector on any aspect of its mission.

5. **Subcommittees and Workstreams.**

a. The Council shall organize subcommittees, to be made up of Executive Branch departments and agencies as determined by the Chair.

b. The Governor's Office shall designate a chair for each subcommittee. Each subcommittee chair shall coordinate participating entities, monitor performance, identify cross-agency dependencies, and advance the initiatives assigned to the subcommittee.

c. Each subcommittee may establish workstreams to carry out specific initiatives. Each workstream shall have a designated lead, participating entities, defined deliverables, milestones, and performance measures determined by the chair of the subcommittee in consultation with the Governor’s Office.

d. Subcommittees and workstreams shall meet as frequently as necessary to achieve their assigned milestones. The Council shall meet on a schedule established by the Chair of the Council, but no less frequently than quarterly, to review performance, align resources, and resolve matters that require broader authority.

e. Subcommittees and workstreams may consult with experts or other knowledgeable individuals,

organizations, or companies in the public or private sector on any aspect of their missions.

6. **Council Responsibilities.** The Council shall:

a. Recommend statewide direction for implementation of the Strategy and confirm implementation priorities;

b. Coordinate the activities of Executive Branch departments and agencies whose responsibilities affect the Strategy;

c. Review progress, resolve cross-agency issues, and elevate significant policy, resource, or legislative decisions to the Governor;

d. Identify opportunities to align with the Strategy and deduplicate State programs, funding, data, and administrative processes. To the extent permitted by law, the Council shall have the authority to request data or other information from an Executive Branch department or agency to facilitate data sharing across State government and fulfill its mission;

e. Recommend additional actions necessary to achieve the goals of this Order; and

f. Engage with non-governmental stakeholders proactively to shape strategies and decisions.

7. **Performance Management and Reporting.**

a. Each subcommittee, through its designated workstreams, shall maintain information on initiative owners, milestones, progress, and recommendations made.

b. Within 90 days of the effective date of this Order, the Council shall propose a performance framework for the Strategy, including a limited set of

statewide outcome measures and supporting indicators aligned with the mission and goals set forth in Section 2 of this Order. The framework shall set forth baselines, data sources, refresh schedules, and appropriate geographic, sector, and demographic disaggregation. To design this performance framework, the Council shall have the authority to request data or other information from an Executive Branch department or agency, and shall facilitate cross-agency cooperation, to the fullest extent possible, to collect and share relevant data.

c. Subcommittees shall recommend to the Council and the Chief Operating Officer a limited set of outcome and delivery measures for incorporation into the Strategy as appropriate, subject to approval by the Council and the Chief Operating Officer.

d. The Council shall review progress through regular internal performance reports and shall publish an annual summary of progress on the New Jersey Means Business Economic Development Strategy website.

8. **Priority-Sector Strategy.** Within 120 days of the effective date of this Order, the Chair, in consultation with the New Jersey Economic Development Authority, the Governor's Office, and other Executive Branch departments and agencies as determined by the Chair, shall identify for review by the Governor a limited number of sectors or subsectors for intensive, coordinated State economic development activity and an additional group of sectors or subsectors for targeted support with economy-wide tools.

a. The Chair, in consultation with the New Jersey Economic Development Authority and the Governor's Office, shall provide to the Governor for her consideration:

(1) An assessment of New Jersey's existing industry base, employment and wage potential, business growth, research and innovation assets, infrastructure, housing stock, supply chains, and other factors relevant to the State's competitive position;

(2) A list of sectors in which New Jersey has an established strength or a credible opportunity for differentiated growth, distinguishing between sectors warranting intensive, coordinated State support and those better served through targeted or economy-wide tools; and

(3) An inventory of the key tools the State plans to use to support each sector, such as workforce development efforts, agency and private sector coordination, regulatory review and simplification, and financial assistance or incentives, describing the key strengths, constraints, opportunities, competitive environment, and data for each sector, and who will be responsible for leading each of these sector strategies.

b. Following approval of the selected priority sectors or subsectors by the Governor, the parties responsible for each sector strategy as recommended by the Chair, in consultation with the New Jersey

Economic Development Authority and the Governor's Office, shall, in the 90 days following the Governor's approval, provide to the Chair:

(1) An assessment of whether existing incentives, financing programs, workforce programs, and other State tools adequately address the needs of the priority sectors;

(2) Recommendations to coordinate employer and industry engagement to identify barriers to business growth and significant talent and skill needs;

(3) Recommended changes to relevant programs, policies, or investments where existing tools do not adequately address identified sector needs;

(4) Proposed measures for evaluating employment, wages, business growth, investment, and other relevant sector outcomes; and

(5) An assessment of the gaps and potential opportunities in the State's business attraction and retention efforts for these sectors.

9. **Reduction in the Cost of Doing Business.** Within 90 days of the effective date of this Order, the Chief Operating Officer, in consultation with the Department of the Treasury, the Department of Community Affairs, the Department of State, and other relevant Executive Branch departments and agencies as determined by the Chair, shall develop and provide initial recommendations to the Governor that reduce the cost and complexity of starting, operating, and growing a business in New Jersey, which may include, but shall not be limited to, recommendations related to State

administrative processes, duplicative or unnecessary procedural burdens, financial requirements, taxes and fees, and related topics such as energy and licenses. The Chief Operating Officer shall also identify the fiscal, statutory, regulatory, and administrative implications of each recommendation. As part of this effort, the Chief Operating Officer shall review rules, requirements, and fees that impact the cost of doing business across all levels of government and shall recommend to the Governor legislative, policy, or other changes to reduce business costs and delays.

10. **Site Readiness Initiative.** Within 90 days of the effective date of this Order, the Chair, in consultation with the New Jersey Economic Development Authority, the Governor's Office, the Department of Environmental Protection, the Department of Transportation, and other relevant Executive Branch departments and agencies as determined by the Chair, shall propose a plan, for the Governor's review and consideration, for a statewide initiative to identify and prepare publicly owned and other appropriate sites for economic development and redevelopment. The plan shall:

a. Propose criteria for identifying and prioritizing sites, including sites primed for redevelopment;

b. Identify an initial set of priority sites for investment;

c. Describe eligible predevelopment activities, including environmental assessment, planning, permitting, infrastructure engineering, acquisition, and site assembly, as appropriate;

d. Recommend an operating model, funding plan, and approach for leveraging existing State and other public resources;

e. Provide for a public-facing tool to identify and evaluate available sites;

f. Identify implementation milestones and measures of site readiness and economic impact; and

g. Detail potential funding sources, including existing and future State incentives, revolving funds, trust funds, bonds, private investment, philanthropic capital, and programs to catalyze redevelopment.

11. **Strategic Projects Business and Permitting Navigation.** Within 150 days of the effective date of this Order, the Chief Operating Officer, in consultation with the Governor's Office Permitting Governing Council and other relevant Executive Branch departments and agencies as determined by the Chair, shall create a cross-agency business and permitting navigation service for key business projects in the State to make the process of growing, expanding, or investing in a business or development project in the State more coordinated and easier to navigate by bringing together efforts related to State and municipal permitting, regulatory review, workforce development, and other key areas relevant to business growth and investment. The navigation service shall leverage learnings from the Business Action Center's existing navigation efforts as well as other coordination efforts, such as the Department of Environmental Protection's Office of Permit and Project Navigation. The service shall:

a. Propose criteria for determining which projects qualify for coordinated navigation support;

b. Propose key liaisons to the navigation service within each agency and determine under which agency, authority, or office the navigation service will be located;

c. Bring together all State agencies and authorities involved in regulatory, permitting, and other decisions for a qualifying project to boost collaboration and streamline review processes and enhance other opportunities to encourage economic growth;

d. Recommend a single State project lead and liaison for each qualifying project;

e. Propose participating agency responsibilities, escalation procedures, and expectations for timely decision-making;

f. Propose a common method for tracking project milestones and metrics, agency actions, and unresolved barriers;

g. Identify any resources, policy changes, or technology required for implementation; and

h. Ensure that the navigation service is coordinated with existing agency permitting processes and ongoing modernization initiatives to avoid duplicative requirements and facilitate efficient interagency review.

12. **Statewide Brand and External Marketing.** Within 90 days of the effective date of this Order, the Chair, in consultation with the New Jersey Economic Development Authority, the Governor's Office, and other relevant Executive Branch departments and agencies as determined by the Chair, shall recommend to the Governor a strategy for a unified external brand and consistent campaign messaging for business attraction, business retention, and business growth. The strategy shall include a governance model for use of the brand across State entities and a method for

measuring changes in how priority audiences view New Jersey as a place to visit, work, establish a business, and grow a business.

13. **Business Retention and Expansion Capacity.** Within 90 days of the effective date of this Order, the Chair, in consultation with the New Jersey Economic Development Authority, the Governor's Office, the New Jersey Business Action Center in the Department of State, and other relevant Executive Branch departments and agencies as determined by the Chair, shall recommend to the Governor an implementation plan for a dedicated business retention and expansion function. The plan shall:

a. Propose a method for identifying and managing relationships with major and strategically important employers in New Jersey;

b. Recommend project leads for significant expansion and retention opportunities;

c. Identify a plan for the development of a unified system to track employer engagement, projects, referrals, and outcomes, including a tracking mechanism for engagement, projects, and outcomes and technology to make such a unified system less manual and more automated; and

d. Identify a process for communicating recurring employer concerns and recommended policy or process changes to the Governor's Office and relevant Executive Branch departments and agencies.

14. **Business Attraction Market Strategy.** Within 90 days of the effective date of this Order, the Chair, in consultation with the New Jersey Economic Development Authority, the Governor's Office, and other relevant Executive Branch departments and agencies as determined by the Chair, shall identify for the Governor options for diversifying and refocusing the industries,

markets, and capabilities prioritized for business attraction. As part of these options, the Chair, in consultation with the New Jersey Economic Development Authority, shall assess the number, location, and scope of international offices; identify priority international markets; and recommend the domestic lead-generation capacity required to pursue business attraction and expansion opportunities from companies headquartered in the United States.

15. **Economic Development Incentives and Capital Review.** Within 120 days of the effective date of this Order:

a. The Chair, in consultation with the New Jersey Economic Development Authority, the Governor's Office, the Department of the Treasury, and other relevant Executive Branch departments and agencies as determined by the Chair, shall review the State's existing business, development, and real estate incentive and funding programs and recommend changes to the Governor, including any necessary legislative or regulatory updates, to strengthen fiscal discipline, improve cost-effectiveness, address identified barriers to investment and growth, accelerate speed to market, and better align the State's economic development tools with priority sectors and opportunities that produce substantial benefits for New Jersey residents.

b. As part of these recommended changes, the Chair, in consultation with the New Jersey Economic Development Authority and other relevant Executive Branch departments and agencies as determined by the Chair shall review capital funding available across Executive Branch departments and agencies, and recommend to the Governor options for better

coordinating and leveraging those resources to advance the Governor's economic development priorities.

c. The recommended changes and options developed pursuant to this Section shall identify implementation responsibilities, fiscal implications, performance measures, and any statutory or budgetary action required.

16. **State Research, Development, and Commercialization Strategy.** Within 120 days of the effective date of this Order, the Chief Operating Officer, in consultation with the New Jersey Economic Development Authority and other relevant Executive Branch departments and agencies as determined by the Chair, shall recommend to the Governor a statewide strategy to strengthen New Jersey's position in research, innovation, and commercialization. The strategy shall:

a. Map New Jersey's research assets and capabilities, including areas of academic and applied research strength, specialized facilities and infrastructure, research funding, talent, industry connections, and other assets across the State;

b. Assess New Jersey's competitive position by identifying the research fields and technology areas in which the State has, or could build, a distinctive advantage, as well as significant gaps or weaknesses;

c. Recommend a focused statewide research agenda identifying a limited number of areas in which New Jersey should organize resources, deepen collaboration, and pursue national leadership;

d. Evaluate the State's research-to-commercialization system, including research funding, shared infrastructure, industry partnerships, technology transfer, translational support, startup formation, early-stage capital, and pathways to scale, and identify gaps that inhibit promising research from producing economic and public benefits; and

e. Recommend how State institutions, programs, and investments should advance the agenda, including the respective roles of the Commission on Science, Innovation and Technology, the New Jersey Statewide AI Supercomputer Initiative, existing Strategic Innovation Centers, and any additional programs, partnerships, infrastructure, or organizational capacity required.

17. **Small Business Service Delivery.** Within 120 days of the effective date of this Order, the Chair, in consultation with the New Jersey Innovation Authority, the Department of State, the Governor’s Office, and other relevant Executive Branch departments and agencies as determined by the Chair, shall recommend to the Governor a statewide strategy to make it easier for businesses of different sizes to find, understand, and access State services through Business.NJ.gov, the New Jersey Business Action Center, and other trusted channels. The strategy shall:

a. Identify the distinct needs of New Jersey's small businesses, microbusinesses, Main Street businesses, startups, and midsized employers. For each of these groups, the strategy shall:

(1) Inventory existing State programs, funding, technical assistance, and other resources available to them; and

(2) Evaluate the effectiveness of existing programs in meeting small businesses' needs;

b. Recommend priority improvements to how businesses navigate services, move between agencies, and receive support;

c. Identify clear agency responsibilities and a roadmap for improving service delivery, data sharing, technology, and performance measurement;

d. Identify opportunities, enabled by shared access to business information, to reduce manual work and processing time within agencies, including staff-facing tools for reviewing applications, issuing and renewing licenses and permits, and verifying the standing of a business;

e. Identify the information businesses are required to provide to more than one State agency and, for each element, whether it may be shared between agencies under existing law and, if it may not, the specific statutory or regulatory provision that prevents it;

f. For each of the most common business interactions with the State, identify the number of separate State systems and separate sign-ons a business must use to complete it, and recommend a target for reducing both;

g. Identify actions that can begin immediately and longer-term changes that may require additional resources, policy changes, or legislation; and

h. Evaluate opportunities to improve Business.NJ.gov to make it easier for businesses to find, understand, and access State services and procurement opportunities, consistent with the State's procurement reform efforts.

18. **Procurement Reform Alignment.** Within 90 days of the effective date of this Order, the Chief Operating Officer shall convene the Department of the Treasury, the New Jersey Innovation Authority, the Department of State, the New Jersey Economic Development Authority, and other relevant Executive Branch departments and agencies as determined by the Chair to ensure that the State's procurement reform efforts are aligned with the New Jersey Means Business Economic Development Strategy. This convening shall support expanded access to State contracting opportunities for New Jersey's small businesses, socially and economically disadvantaged businesses, microbusinesses, Main Street businesses, startups, and midsized employers, including through improved connections to vendor outreach, technical assistance, and available financing resources. These activities shall build upon the State's procurement reform initiatives and coordinate their implementation with the business service delivery improvements undertaken pursuant to this Order.

19. **Establishment of Advisory Group Focused on Small and Midsized Businesses.** Within 120 days of the effective date of this Order, the Chief Operating Officer shall establish an advisory group to bring together leaders from the business community who are focused on small and midsize businesses and represent a cross-section of the State's economy to provide direct, actionable insight to the Council and the Chief Operating Officer on how to strengthen the State's business climate, stimulate economic growth, enhance business retention, and expand access to capital

for these businesses across the State. As part of establishing this advisory group, the Chief Operating Officer, in collaboration with relevant Executive Branch departments and agencies and relevant business leaders and organizations as determined by the Chair, shall propose to the Governor a plan outlining the mandate, membership, and goals of the advisory group. This plan shall address:

a. The composition of the advisory group with the goal of including business leaders and business association leaders focused on small businesses and representing a broad range of industries and regions, as well as the inclusion of representation for socially and economically disadvantaged businesses. The Chair shall be a representative appointed by the Chief Operating Officer;

b. The purpose of the advisory group with specific deliverables and milestones. The purpose shall at a minimum include expanding small businesses access to investment and capital, promoting entrepreneurship and business creation, boosting retention and growth, and increasing equitable economic development across New Jersey. The plan should identify how the advisory group will accomplish these goals;

c. The meeting cadence for the advisory group, as well as any recommended subcommittees, and required support from the Executive Branch; and

d. How the advisory group’s effectiveness will be evaluated, including specific metrics for success.

20. **Place-Based Economic Opportunity Strategy.** Within 120 days of the effective date of this Order, the Chair, in consultation with the Department of Community Affairs, the New Jersey Economic Development Authority, the Governor's Office, and other relevant Executive Branch departments and agencies as determined by the Chair, shall recommend to the Governor a strategy for place-based economic opportunity initiatives to better connect communities facing persistent economic challenges with employment, business growth, and investment.

a. The strategy shall:

(1) Recommend criteria for identifying places where there are significant economic need, identifiable assets or connections to regional growth, and barriers that coordinated State action could reasonably address;

(2) Recommend a limited initial cohort of communities, corridors, or multi-municipal areas for focused State action, informed by the Municipal Revitalization Index, other economic and workforce data, and consultation with local and regional stakeholders;

(3) Provide an initial assessment of places recommended for focused State action, including economic and workforce conditions, relevant assets, connections to the surrounding regional economy, barriers to investments and employment, current State and local initiatives, and opportunities for coordinated State involvement;

(4) Identify existing State programs, funding, technical assistance, and other resources that

can be aligned or deployed in each place, as well as statutory, regulatory, programmatic, or administrative barriers that may require further action; and

(5) Propose an action plan for each proposed place that identifies a limited set of coordinated State actions, the entity responsible for each action, target dates, available or potential funding sources, implementation milestones or barriers, and expected outcomes.

b. Within 90 days of the effective date of this Order, the Department of Community Affairs shall review current and proposed Memoranda of Agreement with Transitional Aid municipalities to assure they address impediments to economic investments and create processes and capacities that align with the New Jersey Means Business Economic Development Strategy.

c. Within 45 days of the effective date of this Order, the Governor's Office shall convene relevant Executive Branch departments and agencies to ensure that revitalization efforts for Trenton and Atlantic City are aligned with the mission and goals of the New Jersey Means Business Economic Development Strategy.

21. **Workforce and Talent Strategy.** Within 90 days of the effective date of this Order, the Chief Operating Officer shall convene relevant Executive Branch departments and agencies to begin development of an updated Statewide Workforce and Talent Strategy for recommendation to the Governor. This convening shall ensure that such a workforce strategy is fully aligned with the

New Jersey Means Business Economic Development Strategy and can prepare New Jersey's workforce for the four pillars outlined under Section 2 of this Order.

22. **Permitting Reform Alignment.** Within 90 days of the effective date of this Order, the Chief Operating Officer shall convene the Governor's Office Permitting Governing Council and relevant Executive Branch departments and agencies to ensure that the Governor's permitting reform effort as outlined by Executive Order No. 5 (2026) is fully aligned with the mission, goals, vision, workplan, and pillars of the Strategy. This convening shall also prioritize the development and implementation of additional permitting reforms that improve the business friendliness and the economic competitiveness of the State.

23. **Cooperation and Information.** Consistent with applicable law, the Council may establish rules of procedure for its meetings and the sharing of information and may call upon any Executive Branch department or agency to supply data, information, personnel, or other assistance available to it that the Council deems necessary to carry out its duties under this Order. Each Executive Branch department and agency shall, to the extent not inconsistent with law and within the limits of its statutory authority, cooperate with the Council and provide timely assistance.

24. **Deliberative Materials.** Except with respect to any requirement in this Order to make certain reports or information available to the public, any reports, records, recommendations, or other information created pursuant to this Order, including communications that the Council or any of its members, subcommittees, and workstreams, and all Executive Branch departments and agencies responsible for activities set forth in this Order have with experts or other knowledgeable individuals,

organizations, or companies in the public or private sector on any aspect of the Council’s mission shall constitute advisory, consultative, and deliberative materials for the Governor's review and shall be deemed to be confidential, non-public, and not subject to the Open Public Records Act, P.L.1963, c.73, as amended and supplemented.

25. **Construction.** Nothing in this Order shall be construed to alter or limit the statutory authority of any Executive Branch department or agency; require the disclosure of confidential, privileged, or legally protected information; or create a private right of action to enforce any provision of this Order or any rule, recommendation, or action developed pursuant to it. This Order shall be implemented consistent with all applicable State and federal law and subject to the availability of appropriations.

26. This Order shall take effect immediately.

GIVEN, under my hand and seal this 10th day of November, Two Thousand and Twenty-Six, and of the Independence of the United States, the Two Hundred and Fifty-First.

[seal]

/s/ Mikie Sherrill

Governor

Attest:

/s/ Timothy P. Lydon

Chief Counsel to the Governor