

ACTS
OF THE
Second Annual Session
OF THE
Two Hundred and Fourteenth Legislature
OF THE
STATE OF NEW JERSEY



2011

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EXECUTIVE ORDERS

(1755)

EXECUTIVE ORDER NO. 53

WHEREAS, Lakewood Police Officer Christopher Anthony Matlosz was born in Elizabeth, New Jersey and lived in Rahway, Howell and Lakewood before settling in Manchester in 2008; and

WHEREAS, Officer Matlosz was a 2000 graduate of Howell High School and received an Associates Degree in Criminal Justice from Brookdale Community College in Lincroft, New Jersey; and

WHEREAS, Officer Matlosz graduated from the 69th Class of the Monmouth County Police Academy and served with the Lakewood Police Department for five years; and

WHEREAS, Officer Matlosz had previously served with the Englishtown Police Department and as a special police officer with the Freehold Township Police Department, Long Branch Police Department, and Manasquan Police Department; and

WHEREAS, Officer Matlosz was twenty-seven years old, and a loving and devoted son, brother, and fiancé; and

WHEREAS, Officer Matlosz tragically lost his life after being shot during a routine stop; and

WHEREAS, Officer Matlosz's selfless devotion to public service and the protection of others makes him a hero and a true role model for all New Jerseyans; and

WHEREAS, it is appropriate and fitting for the State of New Jersey to recognize his true commitment to the welfare and safety of others, to mark his untimely passing, to honor his memory, and to remember his family as they mourn their tragic loss;

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

1. The flag of the United States of America and the flag of New Jersey shall be flown at half-staff at all State departments, offices, agencies and instrumentalities during appropriate hours on Friday, January 21, 2011, in recognition of the life and in mourning of the passing of Police Officer Christopher Anthony Matlosz.
2. This Order shall take effect immediately.

Dated January 19, 2011.

EXECUTIVE ORDER NO. 54

WHEREAS, United States Army Private First Class Benjamin G. Moore was raised in Bordentown, New Jersey and graduated from Bordentown Regional High School in 2006; and

WHEREAS, inspired to public service in the aftermath of the September 11, 2001 terrorist attacks, Private First Class Moore trained to serve as a volunteer firefighter and emergency medical technician and thereafter enlisted in the United States Army; and

WHEREAS, Private First Class Moore was assigned to the 693rd Engineer Company, 7th Engineer Battalion, 10th Sustainment Brigade, 10th Mountain Division at Fort Drum, New York; and

WHEREAS, in the service of his country, Private First Class Moore was deployed to Ghazni Province, Afghanistan to support ongoing efforts in Operation Enduring Freedom; and

WHEREAS, Private First Class Moore was an honorable and courageous young man who loved his country and the military; and

WHEREAS, Private First Class Moore tragically lost his life while heroically and selflessly serving his country in Afghanistan; and

WHEREAS, Private First Class Moore was a brave and dedicated soldier as well as a loving son and brother whose memory lives in the hearts of his family and fellow soldiers; and

WHEREAS, Private First Class Moore's heroism, patriotism, and service to his country make it appropriate and fitting for the State of New Jersey to remember him and his family, to mark his passing, and to honor his memory;

NOW, THEREFORE, I, CHRIS CHRISTIE, 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 24, 2011 in recognition and mourning of a brave and loyal American hero, United States Army Private First Class Benjamin G. Moore.

2. This Order shall take effect immediately.

Dated January 20, 2011.

EXECUTIVE ORDER NO. 55

WHEREAS, the maintenance of an effective and efficient wastewater treatment and removal system represents a core responsibility of government that is vital to ensuring the health, safety, and welfare of those whose daily life activities depend on such a system; and

WHEREAS, the Passaic Valley Sewerage Commission ("PVSC") plays an important role in providing this essential service within the Passaic Valley Sewerage District, which is comprised of 48 municipalities in the Counties of Bergen, Essex, Hudson, and Passaic, serving approximately 1.3 million people within

380,000 residential units including 360 large apartment buildings, as well as 2,205 large commercial institutions and 380 major industrial sites located within its service area; and

WHEREAS, during the course of my administration, a number of troubling facts and allegations have emerged regarding the conduct of certain of the commissioners of the PVSC, which caused my Chief Counsel to issue letters dated January 18, 2011 to each sitting commissioner requesting specific employment-related information to be supplied by January 25, 2011; and

WHEREAS, the responses received from the commissioners have been carefully reviewed, in conjunction with other relevant information concerning the conduct of those individuals; and

WHEREAS, six of the involved commissioners have been suspended, consistent with current law, pending the conclusion of all appropriate proceedings; and

WHEREAS, the statutes and regulations governing the PVSC and its operations vest nearly all operational authority in its board of commissioners and do not expressly empower the Executive Director to take necessary actions to ensure the continued operation of the facilities of the PVSC; and

WHEREAS, the PVSC has nonetheless made it a practice since 1977 to delegate a portion of the responsibility for day-to-day operations of its plant and assets to an Executive Director; and

WHEREAS, the suspensions of six commissioners as described above have resulted in the board's inability to constitute a quorum, as required to perform its duties; and

WHEREAS, in the absence of executive authorization by a quorum of the PVSC board of commissioners, basic functions of the sewerage treatment plant and its associated facilities would not be able to occur, including but not limited to purchasing, payroll, and other essential activities related to supporting the operations of these 24-hour facilities; and

WHEREAS, as Governor, I am entrusted with the responsibility to protect the health, safety, and welfare of the people of this State, as well as the responsibility to aid in the prevention of damage, loss, or destruction of property in the event of an emergency affecting the State; and

WHEREAS, the Constitution and statutes of the State of New Jersey, including but not limited to the provisions of N.J.S.A. App. A:9-33 et seq., and all amendments and supplements thereto, confer upon the Governor of the State of New Jersey certain emergency powers;

WHEREAS, the health and safety of the individuals visiting, living, and working in the Passaic Valley Sewerage District necessitate the ongoing management and operation of the sewerage treatment plant, its staff and assets, including but not limited to the performance of the activities authorized by N.J.S.A. 58:14-1 et seq.; and

WHEREAS, failure to ensure those continued operations would result in unacceptable threats to the health and safety of New Jersey's citizens, most immediately

those in the Passaic Valley Sewerage District, which would be too large in scope to be handled by ordinary municipal and county operations;

NOW, THEREFORE, I, CHRIS CHRISTIE, 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 hereby DECLARE and PROCLAIM that a State of Emergency exists within the Passaic Valley Sewerage District as a result of the above-referenced conditions; and I hereby ORDER AND DIRECT the following:

1. Except as otherwise provided in this Order, and continuing until such time as this state of emergency is amended or terminated by me, the Executive Director of the PVSC is hereby authorized and directed to take any steps he determines to be necessary and appropriate to ensure that continuity is maintained in the provision of sewerage and environmental services by the PVSC; that the duties and responsibilities of the PVSC to the public, its employees, and contractors are satisfied; that all actions are taken to insure the integrity of the operation of the PVSC and the expenditure of ratepayer funds; and that the assets of PVSC are safeguarded and maintained; that the lawful debts and obligations of the PVSC are paid; and that the health, safety, and welfare of the citizens of the State of New Jersey and Passaic Valley Sewerage District are maintained.

2. The Executive Director, for the duration of this state of emergency, shall perform all of the necessary and appropriate operational functions assigned by law, including by N.J.S.A. 58:14-1 et seq., to the "Commissioners," to the "Board of Commissioners," and to the "Passaic Valley Sewerage Commissioners," unless otherwise specified in this Order. The Executive Director shall have the capacity to enter into contracts, execute instruments, set rates, hire, fire, manage, discipline, prescribe employee duties, reorganize, fix employee compensation, promote and demote employees, and any other similar powers necessary to ensure the continued and seamless operation of the facilities by its workforce. Provided, however, that the Executive Director shall not be authorized to exercise the following authority without obtaining advance written approval from the Governor's Authorities Unit: authority granted by N.J.S.A. 58:14-34.14, relating to the issuance of bonds; authority to authorize or make expenditures in excess of the limits established by N.J.S.A. 58:14-22 and memoranda from the New Jersey State Treasurer modifying that threshold; authority to commence litigation pursuant to, inter alia, N.J.S.A. 58:14-33; or authority to conduct real estate transactions of any value.

3. Within seven days of the issuance of this Order, the Executive Director shall report on any actions taken pursuant to paragraphs 1 and 2 of this Order to the Governor's Authorities Unit. Thereafter, and continuing for the duration of this state of emergency, the Executive Director shall provide a weekly report to the Authorities Unit. The Executive Director shall assume no personal liability for actions or inactions that are consistent with this Order.

4. In accordance with governing law, including but not limited to 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, including the PVSC, necessary to avoid and protect against this emergency.

5. Consistent with current law, including but not limited to N.J.S.A. 58:14-34.24, nothing in this Order shall be construed in any way to limit or alter the rights vested in the PVSC to acquire, construct, maintain, reconstruct, and operate the sewerage system and to fulfill the terms of any agreement made with the holders of such bonds or other obligations, and this Order shall not in any way impair the rights or remedies of such holders, and shall not modify in any way the exemptions from taxation provided for in N.J.S.A. 58:14-1 et seq.

6. All State officials and agencies and all officers, agents, and employees of every political subdivision of the State, including the PVSC, shall cooperate fully in the implementation of this Order. Until such time as the State of Emergency is terminated, I reserve the right to take such additional actions, invoke such additional emergency powers, and issue such emergency orders or directives as may be necessary to avert and meet the potentially devastating problems presented by this emergency, to protect the health, safety, and welfare of the people of this State, and to ensure the continued provision of essential public health services.

7. This Order shall take effect immediately and shall remain in full force and effect until rescinded, modified, or supplemented by me in response to the ongoing state of emergency.

Dated January 25, 2011.

EXECUTIVE ORDER NO. 56

WHEREAS, United States Army Specialist Ryan A. Gartner was a resident of Dumont, New Jersey where he attended elementary school and Dumont High School; and

WHEREAS, Specialist Gartner graduated from the New Jersey National Guard Challenge Youth Program at Fort Dix in 2004; and

WHEREAS, Specialist Gartner was assigned to the 201st Military Intelligence Battalion, Fort Sam Houston, Joint Base San Antonio, Texas; and

WHEREAS, Specialist Gartner was an ambitious and courageous young man who loved his country and the military; and

WHEREAS, Specialist Gartner tragically lost his life while supporting Operation Enduring Freedom in Bagram, Afghanistan; and

WHEREAS, Specialist Gartner was a dedicated soldier as well as a loving son and brother, whose memory lives in the hearts of his family, friends, and fellow soldiers; and

WHEREAS, Specialist Gartner's patriotism and dedicated service to his country and his fellow soldiers make it appropriate and fitting for the State of New Jersey to remember him and his family, to mark his passing, and to honor his memory;

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

1. The flag of the United States of America and the flag of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours on Wednesday, February 16, 2011, in recognition and mourning of a brave and loyal American hero, United States Army Specialist Ryan A. Gartner.
2. This Order shall take effect immediately.

Dated February 14, 2011.

EXECUTIVE ORDER NO. 57

WHEREAS, the National Weather Service has issued a Flood Watch for the State of New Jersey predicting severe weather conditions, including heavy rains, high winds, main stream and river flooding, and tidal and coastal flooding beginning on March 9, 2011; and

WHEREAS, this severe storm is expected to produce two to four inches of rain throughout the State, with forecasts of significantly higher rainfall in some localities; and

WHEREAS, this severe storm is expected to produce major flooding on the Ramapo, Passaic, Delaware, and Raritan Rivers, with the possibility of record floods, and heavy rain, saturated ground, and progressing runoff will worsen present flood conditions in the Ramapo, Passaic, Delaware, and Raritan River basins and in other rivers and streams throughout New Jersey; and

WHEREAS, the impending weather and storm conditions are expected to require State, county, and local governments to open shelters and assist in evacuations, and will impede transportation and the flow of traffic throughout the State; and

WHEREAS, the impending weather and flood conditions are likely to 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, the aforesaid weather and flood conditions constitute an imminent hazard that threatens and presently endangers the health, safety and resources of the residents of one or more municipalities and counties of this State; and

WHEREAS, this situation may become too large in scope to be handled 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, 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;

NOW, THEREFORE, I, CHRIS CHRISTIE, 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. I authorize and empower the State Director of Emergency Management to activate those elements of the State Emergency Operations Plan that he deems necessary to further safeguard the public security, health, and welfare, 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 the State Director of Emergency Management, who is the Superintendent of State Police, in accordance with N.J.S.A. App.A:9-33 et seq., as supplemented and amended, through the police agencies under his control, to determine the control and direction of the flow of vehicular traffic on any State or interstate highway, municipal or county 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, to determine the control and direction of the flow of vehicular traffic on any State, municipal, county, or interstate highway, and its access roads, including the right to detour, reroute, or divert any or all traffic, and to prevent ingress or egress from any area to which the declaration of emergency applies, and further authorize all law enforcement officers to enforce any such order of the Superintendent of State Police within their respective municipalities.

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

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

6. I authorize and empower the executive head of any agency or instrumentality of the State government with authority to promulgate rules to waive, suspend, or modify any existing rule the enforcement of which would be detrimental to the pub-

lic welfare during this emergency, notwithstanding the provisions of the Administrative Procedure Act or any law to the contrary for the duration of this Executive 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 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 his deputies in consultation with the State Director of Emergency Management.

12. This Order shall take effect immediately and shall remain in effect until such time as it is determined by me that an emergency no longer exists.

Dated March 9, 2011.

EXECUTIVE ORDER NO. 58

WHEREAS, the education of the children of New Jersey is critically important to the State's economy and future prosperity; and

- WHEREAS, this Administration is committed to improving the current system of public education in New Jersey, as well as its Statewide coordinating structure; and
- WHEREAS, the central purpose of our public education system is to maximize the number of public school students who graduate from high school ready for college and career; and
- WHEREAS, effective education is based on a partnership between accountability for results and empowerment of educators to determine the right strategies to achieve those results; and
- WHEREAS, the Department of Education must transform its focus from input measures to output measures, most significantly producing college and career ready graduates; and
- WHEREAS, excessive and unnecessary State mandates often force school districts to spend time and incur costs that can interfere with the State's core educational mission of ensuring equal educational opportunity while raising student learning for all; and
- WHEREAS, overly prescriptive rules and regulations inhibit the initiative of teachers, school leaders and administrators, and dilute accountability for local decision making; and
- WHEREAS, this Administration is committed to ensuring that New Jersey's schools, school districts, and the Department of Education are operating at their maximum potential while making the most effective and efficient use of available resources;

NOW, THEREFORE, I, CHRIS CHRISTIE, 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 a New Jersey Education Transformation Task Force, hereinafter referred to as the "Task Force."
2. The Task Force shall consist of up to seven (7) members appointed by the Governor. The Governor shall select a chairperson from among the members of the Task Force. The Task Force shall consist of individuals who have practical experience, knowledge or expertise in the areas of education policy or administration, including at least one teacher, principal, school business administrator, and superintendent. All members of the Task Force shall serve without compensation. The Task Force shall organize as soon as practicable after the appointment of its members. The Task Force may retain outside consultants, including legal counsel, in furtherance of its charge.
3. The Task Force is charged with completing a comprehensive and thorough review of all current administrative regulations that affect public education. The Task Force shall evaluate all such regulations to determine the extent to which they increase the quality of instruction for students, improve the academic achievement of students, improve teaching effectiveness within schools or improve the safety and

wellbeing of students. The Task Force shall also review the statutes supporting these administrative regulations. The Task Force shall prepare recommendations to the Governor and Commissioner of Education regarding all statutes and regulations affecting public education that are overly prescriptive.

4. The Task Force shall also review existing accountability systems and resulting incentive structures for public schools and public school districts, including the Quality Single Accountability Continuum ("Q SAC"). The Task Force shall provide recommendations to the Governor on a revamped accountability system which would grant more autonomy to public schools and public school districts while maintaining strict measures of accountability in the areas of student performance, safety, and fiscal responsibility.

5. In formulating its recommendations pursuant to this Order, the Task Force may elicit public input from school and school district leaders, teachers, other education professionals, community groups, the State Board of Education, and other interested parties.

6. The Task Force shall issue an initial report containing its recommendations to the Governor no later than August 15, 2011. Thereafter, the Task Force will continue to meet as needed to continue to review and revise, if necessary, the recommendations following the receipt of comments from the public, stakeholders and the State Board of Education, pursuant to a schedule to be developed by the Department. The Task Force shall expire upon the Governor's receipt of a report containing their final recommendations pursuant to this Executive Order. The final recommendations shall be provided by no later than December 31, 2011.

7. The final report of the Task Force shall be provided to the Legislature and the State Board of Education, and shall be made available to the public.

8. This Order shall take effect immediately.

Dated April 4, 2011.

EXECUTIVE ORDER NO. 59

WHEREAS, John H. Adler made many valuable contributions to the State of New Jersey during his distinguished career of public service spanning more than two decades; and

WHEREAS, former United States Representative and State Senator Adler served New Jersey as a councilman, Senator, and Congressman, holding important positions including chairman of the New Jersey Senate Judiciary Committee and as a member of the United States House Committee on Financial Services; and

WHEREAS, Congressman Adler was raised in Haddonfield and resided in Cherry Hill, most recently representing the 3rd Congressional District; and

WHEREAS, Congressman Adler received his undergraduate degree from Harvard University and graduated from Harvard Law School, practicing law in state and federal courts in New Jersey and Pennsylvania; and

WHEREAS, Congressman Adler most recently served as a shareholder in the law firm of Greenberg Traurig, L.L.P., specializing in corporate, commercial, and real estate litigation matters; and

WHEREAS, Congressman Adler served as a member of the New Jersey State Senate from 1992 until 2009, serving as chair of the Senate Judiciary Committee responsible for overseeing advice and consent of gubernatorial nominees; and

WHEREAS, during his time in the United States Congress, Congressman Adler was actively involved in important matters relating to Sarbanes-Oxley and financial services regulatory reform; and

WHEREAS, Congressman Adler will be remembered for his knowledge, intelligence, determination, pragmatism, and ability to bring people together; and

WHEREAS, Congressman Adler was a trusted advisor, friend, and mentor to many at all levels of government; and

WHEREAS, it is with deep sadness that we mourn the loss of Congressman Adler, and extend our sincere sympathy to his wife, four sons, extended family, and friends; and

WHEREAS, in recognition of his achievements and service to New Jersey, it is fitting and appropriate to honor the memory and passing of Congressman John H. Adler;

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

1. The flag of the United States of America and the flag of the State of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours on Friday, April 8, 2011, in recognition and mourning of the passing of Congressman John H. Adler.
2. This Order shall take effect immediately.

Dated April 6, 2011.

EXECUTIVE ORDER NO. 60

WHEREAS, diesel exhaust poses a health risk to the people of this State; and

WHEREAS, the United States Environmental Protection Agency, the International Agency for Research on Cancer, the World Health Organization, and the United States Department of Health and Human Services' National Toxicology Program have classified diesel exhaust as likely to be carcinogenic to humans; and

WHEREAS, diesel exhaust contributes significantly to the fine particle air pollution in New Jersey; and

WHEREAS, the cumulative exposure to pollution and other hazards from multiple sources in urban communities creates a disproportionate impact on the health,

well-being, and quality of life of persons living in those communities, and those impacts are exacerbated by exposure to diesel exhaust in urban settings; and WHEREAS, diesel engines are extremely durable, often remaining in service for decades, and unless the vehicles and equipment powered by these engines reduce their emissions, they can continue to emit high levels of harmful fine particulates and other chemicals for thirty (30) years; and WHEREAS, aftermarket control technologies, cleaner burning fuels, and cleaner engines are available now, and the costs associated with applying these risk reduction strategies are relatively low when compared with the costs of the vehicles or equipment they update and the costs to public health; and WHEREAS, it is appropriate for the State to continue to show leadership by requiring that major state construction contracts involving diesel engines are awarded with concern for the protection of the environment and the health of our citizens; and WHEREAS, reducing fine particle concentrations emitted as part of major state construction contracts could prevent up to 75 deaths and 1,000 cases of asthma in the State each year;

NOW, THEREFORE, I, CHRIS CHRISTIE, 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 New Jersey Department of Environmental Protection (“NJDEP”) and New Jersey Department of Transportation (“NJDOT”) shall establish a pilot program to reduce emissions from non-road diesel powered equipment used in selected publicly funded state construction contracts. The pilot program, which is to be completed within three years, will require diesel emission retrofit technology to be installed on non-road diesel powered equipment used in one or more projects in urban areas, to be selected by the Commissioners of NJDEP and NJDOT. Funding shall be provided through NJDEP to reimburse the cost of diesel emission retrofit technology installed under the pilot program.

2. Upon completion of the three-year pilot program, NJDEP and NJDOT shall conduct a stakeholder process to determine, based on experience with the pilot program and, if applicable, other projects, whether it is appropriate to continue or expand the diesel emission reduction requirements and whether modifications are needed before continuing or expanding emission reduction requirements. The stakeholder process identified in this paragraph shall be completed within ninety (90) days.

3. After consultation with NJDOT and after the stakeholder process outlined in paragraph 2, the Commissioner of NJDEP shall make a recommendation to the Governor to continue and expand the diesel air pollution retrofit requirements to the entire State, with appropriate modifications, unless the Commissioner finds that the diesel retrofit program on construction equipment has not been successfully imple-

mented. Such recommendation shall be provided to the Governor within thirty (30) days of completing the stakeholder process outlined in paragraph 2.

4. All state agencies and authorities affected by this Order are hereby ordered to ensure that the requirements of this Order are met in a timely manner and enforced.

5. This Order shall take effect immediately.

Dated April 20, 2011.

EXECUTIVE ORDER NO. 61

WHEREAS, United States Army Corporal John W. Lutz, of Kearny, New Jersey, was reported missing in action during the Korean War in 1951; and

WHEREAS, Corporal Lutz was in the United States Army assigned to the 1st Ranger Infantry Company; and

WHEREAS, Corporal Lutz was last accounted for when his unit was attempting to infiltrate enemy lines near Chaun-ni, South Korea, along the Hongcheon River Valley; and

WHEREAS, Corporal Lutz was reportedly captured by enemy forces on May 19, marched north to a POW camp in Suan County, North Korea, and died of malnutrition in July 1951; and

WHEREAS, Corporal Lutz's remains have been identified and returned to his family for burial with full military honors; and

WHEREAS, Corporal Lutz was a courageous soldier who loved his family, friends, and fellow soldiers; and

WHEREAS, Corporal Lutz was, in turn, loved by his family, friends, and fellow soldiers, who take great pride in his commitment, heroism, and achievements; and

WHEREAS, United States Army Corporal Lutz made the ultimate sacrifice, giving his life in the line of duty, while fighting on behalf of his country; and

WHEREAS, it is appropriate and fitting to mark his passing, honor his memory, and remember his family as they mourn their loss;

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

1. The flag of the United States of America and the flag of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours on Friday, April 29, 2011, in recognition of the life and in mourning of the passing of United States Army Corporal John W. Lutz, Jr.

2. This Order shall take effect immediately.

Dated April 27, 2011.

EXECUTIVE ORDER NO. 62

WHEREAS, United States Army Sergeant Keith Buzinski was raised in Hamilton Township, New Jersey and attended township schools before moving to Daytona Beach, Florida in 2004; and

WHEREAS, Sergeant Buzinski was assigned to the 2nd Battalion, 30th Infantry Regiment, 4th Brigade Combat Team, 10th Mountain Division stationed out of Fort Polk, Louisiana; and

WHEREAS, Sergeant Buzinski was an honorable and courageous young man who loved his country and the military; and

WHEREAS, Sergeant Buzinski has received some of our nation's highest military honors, including the Purple Heart and Bronze Star; and

WHEREAS, Sergeant Buzinski tragically lost his life while heroically and selflessly serving his country in Afghanistan while deployed as part of Operation Enduring Freedom; and

WHEREAS, Sergeant Buzinski was a brave and dedicated soldier as well as a loving husband, father, son, and brother whose memory lives in the hearts of his family and fellow soldiers; and

WHEREAS, Sergeant Buzinski's heroism, patriotism, and service to his country make it appropriate and fitting for the State of New Jersey to remember him and his family, to mark his passing, and to honor his memory;

NOW, THEREFORE, I, CHRIS CHRISTIE, 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, May 2, 2011 in recognition and mourning of a brave and loyal American hero, United States Army Sergeant Keith Buzinski.
2. This Order shall take effect immediately.

Dated April 27, 2011.

EXECUTIVE ORDER NO. 63

WHEREAS, Coach Harry Shatel was a remarkable leader, mentor, and role model who devotedly served the community and the youths that he coached; and

WHEREAS, Coach Shatel suddenly and unexpectedly passed away at his home in Ormond Beach, Florida on April 30, 2011 at the age of 67; and

WHEREAS, as the head baseball coach of the Morristown High Colonials for 38 seasons, Coach Shatel shaped the lives of hundreds of high school students, including eight who were drafted by Major League Baseball teams; and

WHEREAS, Coach Shatel compiled 752 victories during his time at Morristown High, making him New Jersey's all-time winningest high school baseball coach; and

WHEREAS, Coach Shatel's Colonials collected three state championships, nine sectional championships, and twelve Morris County Tournament championships during his tenure; and

WHEREAS, in addition to his success on the field, Coach Shatel earned the admiration and respect of his players, opponents, and members of the community because of his integrity, passion, enthusiasm, generosity, and humility; and

WHEREAS, it is because Coach Shatel touched the lives of so many people during his coaching career, which spanned across five decades, that his legacy is felt across this State by so many; and

WHEREAS, through his accomplishments on the baseball field and contributions to the community off the baseball field, Coach Shatel has made New Jersey a better place; and

WHEREAS, it is with deep sadness that we mourn the loss of Coach Harry Shatel and extend our sincere sympathy to his wife, Kitty, their three children, Bruce, Sheila, and Michael, their three grandchildren, his entire family, and his many friends; and

WHEREAS, it is appropriate to recognize the achievements, to honor the memory, and to mark the passing of Coach Harry Shatel;

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

1. The Flag of the United States of America and the flag of the State of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours on Thursday, May 12, 2011, in recognition and mourning of the passing of Coach Harry Shatel
2. This Order shall take effect immediately.

Dated May 9, 2011.

EXECUTIVE ORDER NO. 64

WHEREAS, the New Jersey Higher Education Task Force ("Task Force") created by Executive Order No. 26 issued a report in December 2010 that, among other things, recommended that the trustees of New Jersey's public Colleges and Universities should be permitted to file Conflict of Interest forms in lieu of Financial Disclosure Statements; and

WHEREAS, in reaching this recommendation, the Task Force determined that requiring trustees to file the more complex Financial Disclosure Statements

would likely have a chilling effect on a candidate's willingness to serve on the State's public College and University boards; and

WHEREAS, while this Administration is committed to securing the most qualified individuals to serve on the governing boards of our State Colleges and Universities, it also must ensure that the trustees of the State's public College and University boards are held to the highest ethical standards in order to protect the public trust; and

NOW, THEREFORE, I, CHRIS CHRISTIE, 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 Governor's Advisory Council on Higher Education ("Advisory Council") shall examine the bifurcated financial disclosure requirements in the higher education community and make a recommendation to the Governor as to the appropriate level and content of financial disclosure applicable to the trustees of the State's College and University boards. In undertaking its review, the Council shall consider any relevant information concerning ethics disclosures for public officials and College or University trustees, including, but not limited to: prior Executive Orders relating to financial disclosure; the Higher Education Task Force Report; and the Conflict of Interest forms currently used by higher education trustees. The recommendation shall be delivered to the Governor in writing no later than November 15, 2011.

2. During the period in which the Council is considering this issue, and until such time as any future Executive Order is issued, members of the governing boards of the State Colleges and Universities shall be required to file the Conflict of Interest forms with the State Ethics Commission, as had been required pursuant to Executive Order No. 26, and not the Financial Disclosure Statements. For the current year, the State Ethics Commission shall have the authority to grant a reasonable extension, not to exceed thirty days, of the deadline in which to file the Conflict of Interest forms.

3. This Order shall take effect immediately.

Dated May 9, 2011.

EXECUTIVE ORDER NO. 65

WHEREAS, United States Army First Lieutenant Omar J. Vazquez was raised in Hamilton Township, New Jersey and graduated from Rider University in 2007; and

WHEREAS, First Lieutenant Vazquez received his Master's Degree in Liberal Studies from Rutgers University in 2009; and

WHEREAS, First Lieutenant Vazquez was assigned to the 2nd Squadron, 3rd Armored Cavalry Regiment, Fort Hood, Texas; and

WHEREAS, First Lieutenant Vazquez was an honorable and courageous young man who loved his country and the military; and
WHEREAS, First Lieutenant Vazquez tragically lost his life while heroically and selflessly serving his country in Numaniyah, Iraq while supporting Operation New Dawn; and
WHEREAS, First Lieutenant Vazquez was a brave and dedicated soldier as well as a loving son and brother whose memory lives in the hearts of his family, friends, and fellow soldiers; and
WHEREAS, First Lieutenant Vazquez's heroism, patriotism, and service to his country make it appropriate and fitting for the State of New Jersey to remember him and his family, to mark his passing, and to honor his memory;

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

1. The flag of the United States of America and the flag of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours on Friday, May 13, 2011 in recognition and mourning of a brave and loyal American hero, United States Army First Lieutenant Omar J. Vazquez.
2. This Order shall take effect immediately.

Dated May 9, 2011.

EXECUTIVE ORDER NO. 66

WHEREAS, United States Army Specialist Richard C. Emmons, III was born and raised in Salem County, New Jersey; and
WHEREAS, Specialist Emmons was a signal support systems specialist with the 2nd Battalion, 30th Infantry Regiment, 4th Brigade Combat Team, 10th Mountain Division; and
WHEREAS, Specialist Emmons was an honorable and courageous young man who loved his country and the military; and
WHEREAS, Specialist Emmons has received some of our nation's highest military honors, including the Bronze Star, the Purple Heart, the Army Good Conduct Medal, the National Defense Service Medal, the Afghanistan Campaign Medal, the Global War on Terrorism Service Medal, the Army Service Ribbon, the Overseas Service Ribbon, the NATO Medal and the Combat Action Badge; and
WHEREAS, Specialist Emmons tragically lost his life while heroically and selflessly serving his country in Logar Province, Afghanistan while supporting Operation Enduring Freedom; and

WHEREAS, Specialist Emmons was a brave and dedicated soldier as well as a loving son and brother whose memory lives in the hearts of his family, friends, and fellow soldiers; and

WHEREAS, Specialist Emmons's heroism, patriotism, and service to his country make it appropriate and fitting for the State of New Jersey to remember him and his family, to mark his passing, and to honor his memory;

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

1. The flag of the United States of America and the flag of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours on Wednesday, June 15, 2011 in recognition and mourning of a brave and loyal American hero, United States Army Specialist Richard C. Emmons, III.

2. This Order shall take effect immediately.

Dated June 10, 2011.

EXECUTIVE ORDER NO. 67

WHEREAS, Clarence A. Clemons, Jr., was a gifted musician, remarkable performer and iconic figure in New Jersey whose membership in Bruce Springsteen's E Street Band and various other musical and entertainment related endeavors have left an indelible mark upon the cultural landscape of our State; and

WHEREAS, Clarence Clemons was born in Norfolk, Virginia on January 11, 1942 and moved to Newark, New Jersey in 1962 to work as a youth counselor while pursuing a career in the music industry; and

WHEREAS, Clarence Clemons passed away in Palm Beach, Florida on Saturday, June 18, 2011 at the age of 69 due to complications from a stroke suffered previously; and

WHEREAS, as a solo artist, musical contributor and, most prominently, lead saxophone player and long serving member of the E Street Band, Clarence Clemons participated in the recording of over thirty (30) albums and countless live performances over the past four decades; and

WHEREAS, his studio recordings and live performances have endeared him to countless fans in New Jersey and around the world and have enriched the lives of fans of many different genres of music, including rock & roll, soul and jazz; and

WHEREAS, Clarence Clemons' considerable musical talent and unique style of saxophone playing contributed significantly to the success of Bruce Springsteen and the E Street Band, leading to the sale of over 100 million albums worldwide, numerous music awards and critical acclaim; and

WHEREAS, Clarence Clemons' passion and enthusiasm for his music, his seemingly boundless optimism and his extroverted nature and larger-than-life personality, together with his imposing physical stature, further endeared him to his fans and earned him the moniker "the Big Man" from Bruce Springsteen; and

WHEREAS, in addition to his success in the music industry, Clarence Clemons appeared in several films and television shows, including Martin Scorsese's "New York, New York," and authored his memoirs, "Big Man: Real Life and Tall Tales" in 2009; and

WHEREAS, having enriched the lives of so many people during his musical and entertainment career, which spanned across five decades, Clarence Clemons has left a legacy in this State that will be cherished for many years; and

WHEREAS, through his accomplishments and achievements in the entertainment industry and his contributions to the cultural identity of New Jersey, Clarence Clemons has made New Jersey a better place; and

WHEREAS, it is with deep sadness that we mourn the loss of Clarence Clemons and extend our sincere sympathy to his family, friends and many fans; and

WHEREAS, it is appropriate to recognize the achievements and contributions, to honor the memory, and to mark the passing of Clarence Clemons;

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

1. The Flag of the United States of America and the flag of the State of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours on Thursday, June 23, 2011, in recognition and mourning of the passing of Clarence Clemons.
2. This Order shall take effect immediately.

Date June 21, 2011.

EXECUTIVE ORDER NO. 68

WHEREAS, United States Army Sergeant James W. Harvey, II resided in Toms River, New Jersey; and

WHEREAS, Sergeant Harvey was assigned to D Company, 2nd Battalion, 2nd Infantry Regiment, 3rd Brigade Combat Team, 1st Infantry Division, Fort Knox, Kentucky; and

WHEREAS, Sergeant Harvey was an honorable and courageous young man who loved his country and the military; and

WHEREAS, Sergeant Harvey tragically lost his life while heroically and selflessly serving his country in Ghazni Province, Afghanistan while supporting Operation Enduring Freedom; and

WHEREAS, Sergeant Harvey was a brave and dedicated soldier as well as a loving son and brother whose memory lives in the hearts of his family, friends, and fellow soldiers; and

WHEREAS, Sergeant Harvey's heroism, patriotism, and service to his country make it appropriate and fitting for the State of New Jersey to remember him and his family, to mark his passing, and to honor his memory;

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

1. The flag of the United States of America and the flag of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours on Friday, June 24, 2011 in recognition and mourning of a brave and loyal American hero, United States Army Sergeant James W. Harvey, II.

2. This Order shall take effect immediately.

Dated June 22, 2011.

EXECUTIVE ORDER NO. 69

WHEREAS, on February 3, 2010, I signed Executive Order No. 11 (2010) establishing a New Jersey Gaming, Sports and Entertainment Advisory Commission, hereinafter referred to as the Commission, for the purpose of developing recommendations to implement a comprehensive, statewide approach concerning the issues and financial needs of the State's gaming, professional sports, and entertainment industries; and

WHEREAS, on July 21, 2010, after receiving the Commission's final report, I signed Executive Order No. 34 (2010) extending the Commission's existence until June 30, 2011, to support the implementation of the Commission's recommendations that I accepted; and

WHEREAS, in light of the continuing importance of New Jersey's gaming, sports and entertainment sectors to the State's economy and to enhancing the way of life of our citizens and the Commission's expertise in addressing the complex issues presented by these industries, it is appropriate to extend the Commission's existence for an additional period to provide continued support concerning the implementation of its recommendations;

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

1. Executive Order No. 34 is hereby superseded and Paragraph 6 of Executive Order No. 11 (2010) is amended to provide that the Commission shall not expire upon the issuance of its final report, but rather shall continue in existence until June 30, 2012, or such other date as I shall establish, in order to support the implementation of those recommendations of the Commission, and any related matters, that meet with my approval

2. This Order shall take effect immediately.

Dated June 30, 2011.

EXECUTIVE ORDER NO. 70

WHEREAS, United States Army Specialist Rafael A. Nieves, Jr. was raised in Bayonne, New Jersey and Jersey City, New Jersey and his mother continues to reside in Bayonne, New Jersey; and

WHEREAS, Specialist Nieves attended grammar school in Hudson County and attended high school in upstate New York; and

WHEREAS, Specialist Nieves was assigned to the 1st Battalion, 506th Infantry Regiment, 4th Brigade Combat Team, 101st Airborne Division (Air Assault), Fort Campbell, KY; and

WHEREAS, Specialist Nieves was an honorable and courageous young man who loved his country and the military; and

WHEREAS, Specialist Nieves tragically lost his life while heroically and selflessly serving his country in Paktika province, Afghanistan while supporting Operation Enduring Freedom; and

WHEREAS, Specialist Nieves was a brave and dedicated soldier as well as a loving husband, son and brother whose memory lives in the hearts of his family, friends, and fellow soldiers; and

WHEREAS, Specialist Nieves's heroism, patriotism, and service to his country make it appropriate and fitting for the State of New Jersey to remember him and his family, to mark his passing, and to honor his memory;

NOW, THEREFORE, I, KIM GUADAGNO, Acting Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. 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, July 18, 2011 in recognition and mourning of a brave and loyal American hero, United States Army Specialist Rafael A. Nieves, Jr.

2. This Order shall take effect immediately.

Dated July 15, 2011.

EXECUTIVE ORDER NO. 71

WHEREAS, United States Army Sergeant Alessandro Plutino graduated from Pitman High School in 2001; and

WHEREAS, Sergeant Plutino realized a life-long dream and joined the Army after graduating from Wilkes University in Wilkes-Barre, Pennsylvania; and

WHEREAS, Sergeant Plutino was an Army Ranger and Rifle Team Leader in B Company, 1st Battalion, 75th Ranger Regiment; and

WHEREAS, Sergeant Plutino was an honorable and courageous young man who loved his country and the military, serving six tours of duty; and

WHEREAS, Sergeant Plutino tragically lost his life while heroically and selflessly serving his country in Afghanistan while supporting Operation Enduring Freedom; and

WHEREAS, Sergeant Plutino was a brave and dedicated soldier as well as a loving son, brother, and fiancé whose memory lives in the hearts of his family, friends, and fellow soldiers; and

WHEREAS, Sergeant Plutino's heroism, patriotism, and service to his country make it appropriate and fitting for the State of New Jersey to remember him and his family, to mark his passing, and to honor his memory;

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

1. The flag of the United States of America and the flag of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours on Friday, August 12, 2011, in recognition and mourning of a brave and loyal American hero, United States Army Sergeant Alessandro Plutino.
2. This Order shall take effect immediately.

Dated August 10, 2011.

EXECUTIVE ORDER NO. 72

WHEREAS, United States Marine Corporal Nicholas S. Ott graduated from Manchester Regional High School in 2006; and

WHEREAS, Corporal Ott was assigned to the 1st Battalion, 3rd Marine Regiment, 3rd Marine Division, III Marine Expeditionary Force, Kaneohe Bay, Hawaii; and

WHEREAS, Corporal Ott was an honorable and courageous young man who loved his country and the military; and

WHEREAS, Corporal Ott was awarded two Navy and Marine Corps Achievement Medals, the Marine Corps Good Conduct Medal, the National Defense Service

Medal, the Afghanistan Campaign Medal, the Global War on Terrorism Expeditionary Medal, the Global War on Terrorism Service Medal and three Sea Service Deployment Ribbons; and

WHEREAS, Corporal Ott tragically lost his life while heroically and selflessly serving his country in Helmand province, Afghanistan while supporting Operation Enduring Freedom; and

WHEREAS, Corporal Ott was a brave and dedicated Marine as well as a loving son and brother whose memory lives in the hearts of his family, friends, and fellow Marines; and

WHEREAS, Corporal Ott's heroism, patriotism, and service to his country make it appropriate and fitting for the State of New Jersey to remember him and his family, to mark his passing, and to honor his memory;

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

1. The flag of the United States of America and the flag of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours on Friday, August 19, 2011, in recognition and mourning of a brave and loyal American hero, United States Marine Corporal Nicholas S. Ott.

2. This Order shall take effect immediately.

Dated August 16, 2011.

EXECUTIVE ORDER NO. 73

WHEREAS, the National Weather Service is predicting that Hurricane Irene will move along the New Jersey coast beginning on August 27, 2011, bringing the potential for severe weather conditions, including heavy rains, high winds, main stream and river flooding, and progressing runoff that may threaten homes and other structures, and endanger lives in the State; and

WHEREAS, it is necessary to take action in advance of the storm to lessen the threat to lives and property in this State; and

WHEREAS, the impending weather conditions may impede transportation and the flow of traffic in New Jersey, and may make it difficult or impossible for citizens to obtain the necessities of life, as well as essential services such as police, fire and first aid; and

WHEREAS, the impending weather conditions constitute an imminent hazard which threatens and presently endangers the health, safety and resources of the residents of one or more municipalities and counties of this State; and

WHEREAS, this situation may become too large in scope to be handled 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, 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;

NOW, THEREFORE, I, CHRIS CHRISTIE, Governor of the State of New Jersey, in order to protect the health, safety and welfare of the people of the State of New Jersey DO DECLARE and PROCLAIM that a State of Emergency exists in the State of New Jersey and I hereby ORDER and DIRECT the following:

1. I authorize and empower the State Director of Emergency Management to activate those elements of the State Emergency Operations Plan that he deems necessary to further safeguard the public security, health, and welfare, to direct the activation of county and municipal emergency operations plans as necessary, and to coordinate the preparation, response and recovery efforts from this emergency with all governmental agencies, volunteer organizations, and the private sector.

2. I authorize and empower the State Director of Emergency Management, who is the Superintendent of State Police, in accordance with N.J.S.A. App.A:9-33 et seq., as supplemented and amended, through the police agencies under his control, to determine the control and direction of the flow of vehicular traffic on any State or interstate highway, municipal or county 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, to determine the control and direction of the flow of vehicular traffic on any State, municipal, county, or interstate highway, and its access roads, including the right to detour, reroute, or divert any or all traffic, and to prevent ingress or egress from any area to which the declaration of emergency applies, and further authorize all law enforcement officers to enforce any such order of the Superintendent of State Police within their respective municipalities.

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

5. I authorize and empower the State Director of Emergency Management to utilize all facilities owned, rented, operated, and maintained by the State of New

Jersey to house and shelter persons who may need to be evacuated from a residence, dwelling, building, structure, or vehicle during the course of this emergency.

6. I authorize and empower the executive head of any agency or instrumentality of the State government with authority to promulgate rules to waive, suspend, or modify any existing rule 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 Executive 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 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 his deputies in consultation with the State Director of Emergency Management.

12. This Order shall take effect immediately and shall remain in effect until such time as it is determined by me that an emergency no longer exists.

Dated August 25, 2011.

EXECUTIVE ORDER NO. 74

WHEREAS, on September 11, 2001, unprecedented terrorist attacks were launched on New York, Washington, D.C. and Pennsylvania; and
WHEREAS, nearly seven hundred of our residents were killed in the attacks; and
WHEREAS, these horrific attacks not only caused a tremendous loss of life, but also inflicted immense pain and anguish on those who survived the events of that day, which include hundreds of New Jersey families whose lives have been dramatically affected by the loss of a parent, spouse, child or other loved one; and
WHEREAS, many New Jerseyans, including thousands of police, fire, military, emergency and construction personnel responded to this tragedy; and
WHEREAS, as we reach the ten year anniversary of this tragic event it will be remembered by all New Jerseyans, both privately as well as in public remembrances and memorial ceremonies; and
WHEREAS, it is fitting that this day be observed with full solemnity, in tribute to the thousands of innocent victims who perished in the attacks;

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

1. The flag of the United States of America and the flag of the State of New Jersey shall be flown at half-staff at all State departments, offices, agencies, instrumentalities and all public buildings during appropriate hours Friday, September 9, 2011 through Sunday, September 11, 2011 in recognition and mourning of all of those lost in the September 11th attacks, and particularly, those lost from our home State.
2. This Order shall take effect immediately.

Dated September 7, 2011.

EXECUTIVE ORDER NO. 75

WHEREAS, United States Marine First Lieutenant Ryan K. Iannelli was raised in East Greenwich Township, New Jersey; and
WHEREAS, First Lieutenant Iannelli graduated at the top of his class from Kingsway Regional High School in 2002; and
WHEREAS, First Lieutenant Iannelli received a degree from Oral Roberts University in Tulsa, Oklahoma in May of 2006; and
WHEREAS, First Lieutenant Iannelli was assigned to Marine Light Attack Helicopter Squadron 269, Marine Air Group 29, 2nd Marine Air Wing, II Marine Expeditionary Force, Marine Corps Air Station New River, N.C.; and
WHEREAS, First Lieutenant Iannelli was an honorable and courageous young man who loved his country and the military; and

WHEREAS, First Lieutenant Iannelli tragically lost his life while heroically and selflessly serving his country in Helmand province, Afghanistan while supporting Operation Enduring Freedom; and

WHEREAS, First Lieutenant Iannelli was a brave and dedicated Marine as well as a loving son whose memory lives in the hearts of his family, friends, and fellow Marines; and

WHEREAS, First Lieutenant Iannelli's heroism, patriotism, and service to his country make it appropriate and fitting for the State of New Jersey to remember him and his family, to mark his passing, and to honor his memory;

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

1. The flag of the United States of America and the flag of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours on Wednesday, October 5, 2011 in recognition and mourning of a brave and loyal American hero, United States Marine First Lieutenant Ryan K. Iannelli.

2. This Order shall take effect immediately.

Dated October 3, 2011.

EXECUTIVE ORDER NO. 76

WHEREAS, Joseph S. Wargo, Jr. was raised in Phillipsburg, New Jersey, resided in Lopatcong Township, and served his community with dedication and distinction as a Police Officer in the Borough of Mount Arlington; and

WHEREAS, in 1992 Officer Wargo graduated from Phillipsburg High School, where he excelled in the sport of football; and

WHEREAS, Officer Wargo began his career in law enforcement in Lebanon Borough, and served as an Officer in the Mount Arlington Police Department for over ten years; and

WHEREAS, Officer Wargo further demonstrated his commitment to the law enforcement community by serving as President of the local chapter of the Fraternal Order of Police, Lodge 78, in Mount Arlington; and

WHEREAS, Officer Wargo, a loving and devoted husband, tragically lost his life in the line of duty at the age of thirty eight, making the ultimate sacrifice while on patrol on Route 80 when his police car was struck by another vehicle; and

WHEREAS, Officer Wargo's dedication, determination, and selfless devotion to public service and the protection of others make him a hero and a true role model for all New Jerseyans; and

WHEREAS, it is appropriate and fitting for the State of New Jersey to recognize his true commitment to the welfare and safety of others, to mark his untimely passing, to honor his memory, and to remember his many friends and his family as they mourn their tragic loss;

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

1. The flag of the United States of America and the flag of New Jersey shall be flown at half-staff at all State departments, offices, agencies and instrumentalities during appropriate hours on Wednesday, October 19, 2011, in recognition of the life and in mourning of the passing of Police Officer Joseph S. Wargo, Jr.
2. This Order shall take effect immediately.

Dated October 17, 2011.

EXECUTIVE ORDER NO. 77

WHEREAS, preparing all of New Jersey's students for college and career is a critical mission for this Administration; and

WHEREAS, meeting that mission requires all of New Jersey's children to enjoy access to high-quality early education and development programs to prepare them for the challenges of life and learning; and

WHEREAS, providing high-quality early learning and development programs requires exceptional educators, a comprehensive curriculum, meaningful standards for measuring child growth and development, and the support of strong community programs to assist families; and

WHEREAS, providing these critical resources requires the combined efforts and expertise of several State agencies, including the Departments of Education, Children and Families, Health and Senior Services, and Human Services; and

WHEREAS, coordination and collaboration across multiple State Departments, including the Departments of Education, Children and Families, Health and Senior Services, and Human Services are therefore required to provide high-quality early learning and development programs;

NOW, THEREFORE, I, CHRIS CHRISTIE, 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 New Jersey Commission for Early Learning and Development, hereinafter referred to as the "Early Learning Commission."
2. The Early Learning Commission shall consist of five members as follows: the Commissioner of the Department of Education; the Commissioner of the De-

partment of Children and Families or her designee; the Commissioner of the Department of Health and Senior Services or her designee; the Commissioner of the Department of Human Services or her designee; and the chairperson of the New Jersey Council for Young Children. The Commissioner of the Department of Education shall serve as the chairperson of the Early Learning Commission.

3. The Early Learning Commission shall organize as soon as practicable, but in no event shall it convene its first meeting later than one month following the effective date of this Order. Thereafter, the Early Learning Commission shall meet at least once each month, and more often if needed.

4. The Early Learning Commission is charged with recommending improvements to the quality of, and access to, early learning and development programs in the State of New Jersey in the most cost-effective manner possible.

5. In meeting that charge, the Early Learning Commission must, at a minimum:

a. Review existing programs and budgets across the Departments of Education, Children and Families, Health and Senior Services, and Human Services and determine the best way to coordinate those programs and budgets, as well as the delivery of services, to expand the number of high-quality early learning and development programs in New Jersey in the most cost-effective manner possible;

b. Identify ways to promote New Jersey's Quality Rating Improvement System, Grow NJ, in order to provide parents with meaningful information on the quality of early learning and development programs throughout the State;

c. Enhance curricular and other supports for early childhood educators by, among other things, developing best practices and training modules and disseminating those practices and modules to early learning and development programs;

d. Coordinate social, health, and family supports for children with high needs enrolled in early learning and development programs by, to the extent permitted by Federal and State law, integrating data systems maintained by the Departments of Education, Children and Families, Health and Senior Services, and Human Services connected to early childhood programs; and

e. Regularly consult with the New Jersey Council for Young Children and the Coordinating Council for Part C of IDEA in discharging the above-enumerated duties.

6. This Order shall take effect immediately.

Dated October 18, 2011.

EXECUTIVE ORDER NO. 78

WHEREAS, Executive Order No. 3 (2010) created the bi-partisan Red Tape Review Group, chaired by Lieutenant Governor Kim Guadagno, to review certain rules, regulations, and processes that are a burden on New Jersey's economy; and

- WHEREAS, on April 19, 2010, the Red Tape Review Group issued its Findings and Recommendations and encouraged the development of a revised State Plan that aligns key principles with State agency rules and local master plans using the Business Action Center (“BAC”) and the Office for Planning Advocacy (“OPA”) to facilitate these priorities; and
- WHEREAS, using State planning as a tool to align all levels of government behind a shared vision for future growth and preservation will focus capital spending and better coordinate New Jersey’s planning; and
- WHEREAS, the goals of a new State Plan include the alignment of State government to ensure effective resource allocation, coordination, cooperation, and communication among those who play a role in economic and physical growth in New Jersey; and
- WHEREAS, consistent with these goals, the Red Tape Review Group’s Findings and Recommendations for greater efficiencies and coordination and, as authorized under the State Planning Act (N.J.S.A § 52:18A-196, et seq.), the State Planning Commission (“SPC”) should consider as part of the approval process for review and revision of the State Development & Redevelopment Plan (the “State Plan”) a revised draft entitled “State Strategic Plan: NJ’s State Development and Redevelopment Plan”; and
- WHEREAS, after the SPC adopts a new State Plan, the Executive Branch has the responsibility to lead this coordination and drive the State’s implementation of the new State Plan, thereby reducing onerous and burdensome red tape, improving efficiency, and strategically spurring targeted economic growth;

NOW, THEREFORE, I, CHRIS CHRISTIE, 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 creation of a State Strategic Plan Steering Committee (“Steering Committee”) to work closely with the SPC and OPA to ensure that relevant State departments and agencies incorporate the goals, objectives, and values of a new SPC-adopted State Plan into Department Strategic Plans, as hereinafter discussed, and relevant regulations, programs, policies, and operations.
2. The Steering Committee shall:
 - a. Consist of the following cabinet members or their designees: the Secretary of Agriculture; the President of the Board of Public Utilities; the State Treasurer; the Secretary of State; the Commissioner of the Department of Community Affairs; the Commissioner of the Department of Education; the Commissioner of the Department of Environmental Protection; the Commissioner of the Department of Transportation; and the following non-cabinet members or their designees: the Deputy Chief of Staff for Policy and Planning in the Office of the Governor; the Executive Director of New Jersey Transit; the Executive Director of the New Jersey Economic Development Authority; and any other member determined by the Governor in the future;

b. Be chaired by the Lieutenant Governor (“Chairperson”), who shall be supported primarily by OPA staff and, as necessary, other State department and/or agency staff;

c. Have the following responsibilities and duties:

i. Provide support and guidance for the creation, development, and implementation of “Department Strategic Plans” by departments and/or agencies impacted by the State planning process and a new State Plan (“Impacted Departments”), and advise whether Department Strategic Plans are consistent with both a new State Plan and Department Strategic Plans of other Impacted Departments;

ii. Identify and advise whether relevant existing State funding is available to support priority State and local government actions consistent with the goals, objectives, and values identified and enumerated in a new State Plan;

iii. Serve as an inter-agency venue for agencies to address department-level conflicts in policies or practices that impact implementation of strategies identified and enumerated in a new State Plan or agreed upon actions of another Department Strategic Plan;

iv. Suggest methods to provide guidance and support for inter-agency cooperation and collaboration on specific issues of Statewide importance.

3. Each Steering Committee member shall identify a liaison that shall, on behalf of his or her department:

a. Consult with the Steering Committee on Impacted Departments’ implementation of Department Strategic Plans that, to the extent feasible and practicable, align the actions, regulations, programs, policies, and operations in accordance with a new State Plan and the guidance offered by the Steering Committee;

b. Consult with the Steering Committee to align relevant existing funding for supporting local government and public projects that best meet the goals, objectives, and values identified and enumerated in a new State Plan;

c. Participate in working groups and/or mediation sessions to address issues related to implementing a new State Plan; and

d. Prior to the adoption, amendment, or repeal of any rule adopted pursuant to Section 4(a) of the Administrative Procedure Act (N.J.S.A. § 52:14B, et seq.), and in conjunction with existing procedures for the review of rules proposals and adoptions, work closely with the Steering Committee and the OPA to assess the impact of the proposed rule on the goals and principles of a new State Plan.

4. Executive Order No. 4 (2002) is hereby rescinded.

5. This Order shall take effect immediately.

Dated October 19, 2011.

EXECUTIVE ORDER NO. 79

WHEREAS, United States Army Staff Sergeant Jorge M. Oliveira lived in the Ironbound section of Newark, New Jersey; and

WHEREAS, Staff Sergeant Oliveira was an Essex County Sheriff's Officer serving in Afghanistan with the Army National Guard; and

WHEREAS, Staff Sergeant Oliveira was assigned to the 2nd Battalion, 113th Infantry Regiment, 50th Brigade Combat Team, Riverdale, New Jersey; and

WHEREAS, Staff Sergeant Oliveira was an honorable and courageous young man who loved his country and the military; and

WHEREAS, Staff Sergeant Oliveira has received some of our nation's highest military honors, including the Army Good Conduct Medal, Army Reserve Components Achievements Medal, National Defense Service Medal, Armed Forces Expeditionary Medal, Global War on Terrorism Service Medal, Iraq Campaign Medal with Campaign Star, NCO Professional Development Ribbon, Army Service Ribbon, Overseas Service Ribbon, Armed Forces Reserve Medal with Mobilization Device (2nd Award), Expert Infantryman Badge, and Air Assault Badge; and

WHEREAS, Staff Sergeant Oliveira tragically lost his life while heroically and selflessly serving his country in Paktika province, Afghanistan while supporting Operation Enduring Freedom; and

WHEREAS, Staff Sergeant Oliveira was a brave and dedicated soldier as well as a loving son and brother whose memory lives in the hearts of his family, friends, and fellow soldiers; and

WHEREAS, Staff Sergeant Oliveira's heroism, patriotism, and service to his country make it appropriate and fitting for the State of New Jersey to remember him and his family, to mark his passing, and to honor his memory;

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

1. The flag of the United States of America and the flag of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours on Friday, October 28, 2011, in recognition and mourning of a brave and loyal American hero, United States Army Staff Sergeant Jorge M. Oliveira.
2. This Order shall take effect immediately.

Dated October 26, 2011.

EXECUTIVE ORDER NO. 80

WHEREAS, the State of New Jersey is presently experiencing a strong winter-type storm with high winds, rain, snow, and mixed precipitation throughout the State, making travel hazardous and causing fallen trees, power outages, and the potential for coastal, stream, and river flooding throughout the State; and

WHEREAS, this severe storm is expected to continue to affect the State throughout the evening and morning, impeding transportation and the flow of traffic; and
WHEREAS, the storm and related conditions may make it difficult or impossible for citizens to obtain the necessities of life, as well as essential services such as police, fire and first aid; and
WHEREAS, the aforesaid weather and flood conditions constitute an imminent hazard that threatens and endangers the health, safety and resources of the residents of one or more municipalities and counties of this State; and
WHEREAS, this situation may become too large in scope to be handled by the normal county and local operating services in some parts of this 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, 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;

NOW, THEREFORE, I, CHRIS CHRISTIE, 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. I authorize and empower the State Director of Emergency Management to activate those elements of the State Emergency Operations Plan that he deems necessary to further safeguard the public security, health, and welfare, to direct the activation of county and municipal emergency operations plans as necessary, and to coordinate the response and recovery efforts from this emergency with all governmental agencies, volunteer organizations, and the private sector.

2. I authorize and empower the State Director of Emergency Management, who is the Superintendent of State Police, in accordance with N.J.S.A. App.A:9-33 et seq., through the police agencies under his control, to determine the control and direction of the flow of vehicular traffic on any State or interstate highway, municipal or county 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, to determine the control and direction of the flow of vehicular traffic on any State, municipal, county, or interstate highway, and its access roads, including the right to detour, reroute, or divert any or all traffic, and to prevent ingress or egress from any area to which the declaration of emergency applies, and further authorize all law enforcement officers to enforce any such order of the Superintendent of State Police within their respective municipalities.

4. I authorize and empower the State Director of Emergency Management to order the evacuation of all persons, except for those emergency and governmental

personnel whose presence the State Director deems necessary, from any area where their continued presence would present a danger to their health, safety, or welfare because of the conditions created by this emergency.

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

6. I authorize and empower the executive head of any agency or instrumentality of the State government with authority to promulgate rules to waive, suspend, or modify any existing rule 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 Executive 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 provisions of 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 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 provision 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 di-

rected by the county emergency management coordinator or his or her deputies in consultation with the State Director of Emergency Management.

12. This Order shall take effect immediately and shall remain in effect until such time as it is determined by me that an emergency no longer exists.

Dated October 30, 2011.

EXECUTIVE ORDER NO. 81

WHEREAS, United States Army Sergeant John A. Lyons lived in Seaside Park, New Jersey and graduated from Central Regional High School in Berkeley Township, New Jersey; and

WHEREAS, Sergeant Lyons graduated from Rutgers University in 2008 and joined the Army as a combat engineer in February 2009; and

WHEREAS, Sergeant Lyons was assigned to the 8th Engineer Battalion, 36th Engineer Brigade, Fort Hood, Texas; and

WHEREAS, Sergeant Lyons was an honorable and courageous young man who loved his country and the military; and

WHEREAS, Sergeant Lyons has received some of our nation's highest military honors, including the NATO Medal, three Army Achievement Medals, the National Defense Service Medal and the Afghanistan Campaign Medal with campaign star; and

WHEREAS, Sergeant Lyons tragically lost his life while heroically and selflessly serving his country in Ghazni Province, Afghanistan while supporting Operation Enduring Freedom; and

WHEREAS, Sergeant Lyons was a brave and dedicated soldier as well as a loving son and brother whose memory lives in the hearts of his family, friends, and fellow soldiers; and

WHEREAS, Sergeant Lyons' heroism, patriotism, and service to his country make it appropriate and fitting for the State of New Jersey to remember him and his family, to mark his passing, and to honor his memory;

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

1. The flag of the United States of America and the flag of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours on Thursday, November 10, 2011, in recognition and mourning of a brave and loyal American hero, United States Army Sergeant John A. Lyons.

2. This Order shall take effect immediately.

Dated November 4, 2011.

EXECUTIVE ORDER NO. 82

WHEREAS, Assemblyman Peter J. Biondi was an effective and devoted public servant, serving in the New Jersey General Assembly with distinction since 1998, in addition to having held several important elected positions at the county and local levels, including Mayor of Hillsborough Township and Somerset County Freeholder; and

WHEREAS, during his years of service in the General Assembly, Assemblyman Biondi earned a reputation as a true leader who elevated principles above partisanship, holding numerous leadership positions including Assistant Republican Leader, Deputy Conference Leader, and Republican Conference Leader, as well as serving on the Budget, Human Services, Regulated Professions and Independent Authorities, Solid Waste, and Transportation Committees; and

WHEREAS, Assemblyman Biondi was born in Newark, raised in Union, and later moved to Hillsborough, New Jersey, where he resided for thirty-five years; and

WHEREAS, Assemblyman Biondi served his country in the United States Army reserves from 1961 until 1967; and

WHEREAS, in addition to his many accomplishments in politics and the public sector, Assemblyman Biondi also distinguished himself as a servant of his community, tirelessly working to support a wide variety of organizations including, but not limited to, the Rotary Club of Hillsborough, the American Heart Association, the American Cancer Society, the New Jersey State Fire Engine Museum, the Resource Center for Women and their Families, the New Jersey State P.B.A., the March of Dimes, and many others; and

WHEREAS, Assemblyman Biondi began his long career of public service as an elected Hillsborough Township committee member in 1983, and later served as Hillsborough Mayor from 1986 until 1993 before being elected to the Somerset County Board of Chosen Freeholders, where he served until 1997; and

WHEREAS, in 1997 he was first elected to the New Jersey General Assembly, and thereafter was re-elected seven times including last week, when Assemblyman Biondi received the most votes of any of candidate seeking to represent District 16 in the Assembly; and

WHEREAS, Assemblyman Biondi also was a caring and devoted family man who enjoyed spending time with his wife, children, and grandchildren; and

WHEREAS, Assemblyman Biondi's courage and leadership are an example for all who aspire to public service; and

WHEREAS, it is fitting and appropriate to honor the memory and mourn the passing of Assemblyman Biondi, and with deep sadness extend our sincere sympathy to his family, his many friends and admirers, and his respectful colleagues;

NOW, THEREFORE, I, KIM GUADAGNO, Acting Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The flag of the United States of America and the flag of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours on Wednesday, November 16, 2011 in recognition and mourning of the passing of Assemblyman Peter J. Biondi.

2. This Order shall take effect immediately.

Dated November 14, 2011.

EXECUTIVE ORDER NO. 83

WHEREAS, the State of New Jersey ("State") is committed to improving both the efficiency of governmental functions and the delivery of essential services for the people of New Jersey; and

WHEREAS, a major function of State government is the fair and orderly administration of our criminal laws; and

WHEREAS, New Jersey's criminal justice system appropriately embodies a broad range of goals including punishment, deterrence, reform, and prevention designed to maintain public safety; and

WHEREAS, an efficient criminal corrections system should include alternatives to pure incarceration that recognize established techniques for treatment and intervention that may better serve the public by breaking the cycle of criminality caused by repeat offenders; and

WHEREAS, effective and appropriate treatment and re-entry programs can lower recidivism rates, reduce the population of the State's prison system, and help transform offenders into productive members of our communities; and

WHEREAS, as a nationally recognized leader in the reduction of recidivism rates, New Jersey must continue to lead national efforts to eradicate the causes of career criminal conduct; and

WHEREAS, the Executive and Judicial branches of State government currently invest more than \$200 million a year on a multitude of programs treating offenders; and

WHEREAS, one of these successful programs, New Jersey's Drug Court, has demonstrated promise as a means of reducing recidivism. The Drug Court program allows substance-abusers without prior convictions for violent crimes who are charged with new non-violent offenses an alternative to incarceration. The Drug Court program emerged from research showing that offenders dependent on drugs or alcohol often revert to crime following incarceration if denied appropriate treatment, monitoring, and supervision. Court ordered intervention presents an effective and humane response to crimes committed by drug or alcohol dependent offenders, and helps to achieve the overriding goal of the New Jersey Code of Criminal Justice to protect public safety by reducing the incidence of crime; and

WHEREAS, New Jersey's Drug Court Program currently allows participation only by those who affirmatively seek admission, it is in the public interest to broaden this successful program to reach drug dependent offenders who do not initially seek admission but who nonetheless need and may benefit from the court-supervised drug treatment; and

WHEREAS, legacy development and organization of treatment and re-entry programs created a decentralized and uncoordinated system that hampers the State's ability to identify and build upon successful programs such as the Drug Court and develop new plans to increase effective intervention;

NOW, THEREFORE, I, CHRIS CHRISTIE, 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 a Governor's Task Force for Recidivism Reduction, hereinafter referred to as the "Task Force."

2. The Governor shall select a Task Force Director ("Director"), who, along with the Chairman of the New Jersey State Parole Board ("Chairman"), shall lead the Task Force, ensure its mandates are performed and report to the Governor on an ongoing basis its findings and achievements. The Task Force shall consist of representatives of the Judiciary and various Executive Departments who, through legislation, departmental charge of responsibility or policy initiative, control or administer programs or treatment that may have an effect upon prisoner re-entry or prisoner recidivism rates. The Director and Chairman shall choose appropriate representatives from any Departments deemed as necessary to accomplish the purposes of this Order. The Task Force shall consist of individuals who have practical experience, knowledge or expertise in the areas of a) treatment or programming for offenders; b) mental health or drug or alcohol addiction; c) state government operations that could potentially remove barriers to successful re-entry; and d) performance benchmarking and evaluation. Members of the Task Force shall serve through inter-governmental mobility assignments. The Task Force shall organize as soon as practicable after the appointment of its members.

3. The Task Force is authorized to call upon any department, office or agency of State government to provide such information, resources or other assistance deemed necessary to discharge its responsibilities under this Order. Each department, officer, division and agency of this State is hereby required to cooperate with the Task Force and to furnish it with such information, personnel and assistance as is necessary to accomplish the purposes of this Order.

4. The Task Force is charged with studying the State's efforts towards the reduction of criminal recidivism, creating a system whereby those efforts can be benchmarked and continually evaluated, then presenting ongoing recommendations to the Governor regarding how best to ensure the effectiveness and success of this State's efforts towards recidivism reduction. The recommendations will be based

upon input from all of the various stakeholders, widely recognized best practice models, and a performance benchmarking and measurement system.

5. The Task Force may consult with the provider community, stakeholders, practitioners, experts or other knowledgeable individuals in the public or private sector on any aspect of its mission.

6. The Task Force shall engage a college or university for the creation of an initial benchmarking study. The product of this study shall be a report of the effectiveness and performance of all present offender treatment and programming that may affect recidivism.

7. The Task Force shall develop a system for performance measurement designed to inform the Task Force of ongoing programmatic successes and weaknesses. Performance measurement shall greatly influence the Task Force's recommendations for programmatic development and priorities.

8. The Task Force shall embrace the widely accepted principles of evidence-based best practices. The Task Force will develop protocols for the determination of what constitutes evidence-based programming and will formulate, then recommend, the maximum allowable percentage of State supported non-evidence based programming.

9. The Task Force shall coordinate and assist the Judiciary with the development of a program to effectuate an expansion of the Drug Court Program.

10. This Order shall take effect immediately.

Dated November 28, 2011.

EXECUTIVE ORDER NO. 84

WHEREAS, United States Army Specialist Ronald H. Wildrick, Jr. grew up in Byram Township, New Jersey and graduated from Lenape Valley Regional High School in Stanhope, NJ in 2000; and

WHEREAS, Specialist Wildrick was assigned to A Company, 2nd Battalion, 35th Infantry Regiment, 3rd Brigade Combat Team, 25th Infantry Division, Schofield Barracks, Hawaii; and

WHEREAS, Specialist Wildrick also served in the U.S. Army Continental Color Guards; and

WHEREAS, Specialist Wildrick was an honorable and courageous young man who loved his country and the military; and

WHEREAS, Specialist Wildrick has received some of our nation's highest military honors, including the Army Commendation Medal, Army Achievement Medal, Afghanistan Campaign Medal with Bronze Service Star, Global War on Terrorism Medal, Army Service Ribbon, and Basic Parachutist Badge. Posthumously he was awarded the Bronze Star Medal, Purple Heart, NATO Medal, and Combat Infantryman Badge; and

WHEREAS, Specialist Wildrick tragically lost his life while heroically and selflessly serving his country in Kunar Province, Afghanistan, while supporting Operation Enduring Freedom; and

WHEREAS, Specialist Wildrick was a brave and dedicated soldier as well as a loving son, brother, husband and father whose memory lives in the hearts of his family, friends, and fellow soldiers; and

WHEREAS, Specialist Wildrick's heroism, patriotism, and service to his country make it appropriate and fitting for the State of New Jersey to remember him and his family, to mark his passing, and to honor his memory;

NOW, THEREFORE, I, CHRIS CHRISTIE, 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 January 12, 2012, in recognition and mourning of a brave and loyal American hero, United States Army Specialist Ronald H. Wildrick, Jr.

2. This Order shall take effect immediately.

Dated January 5, 2012.