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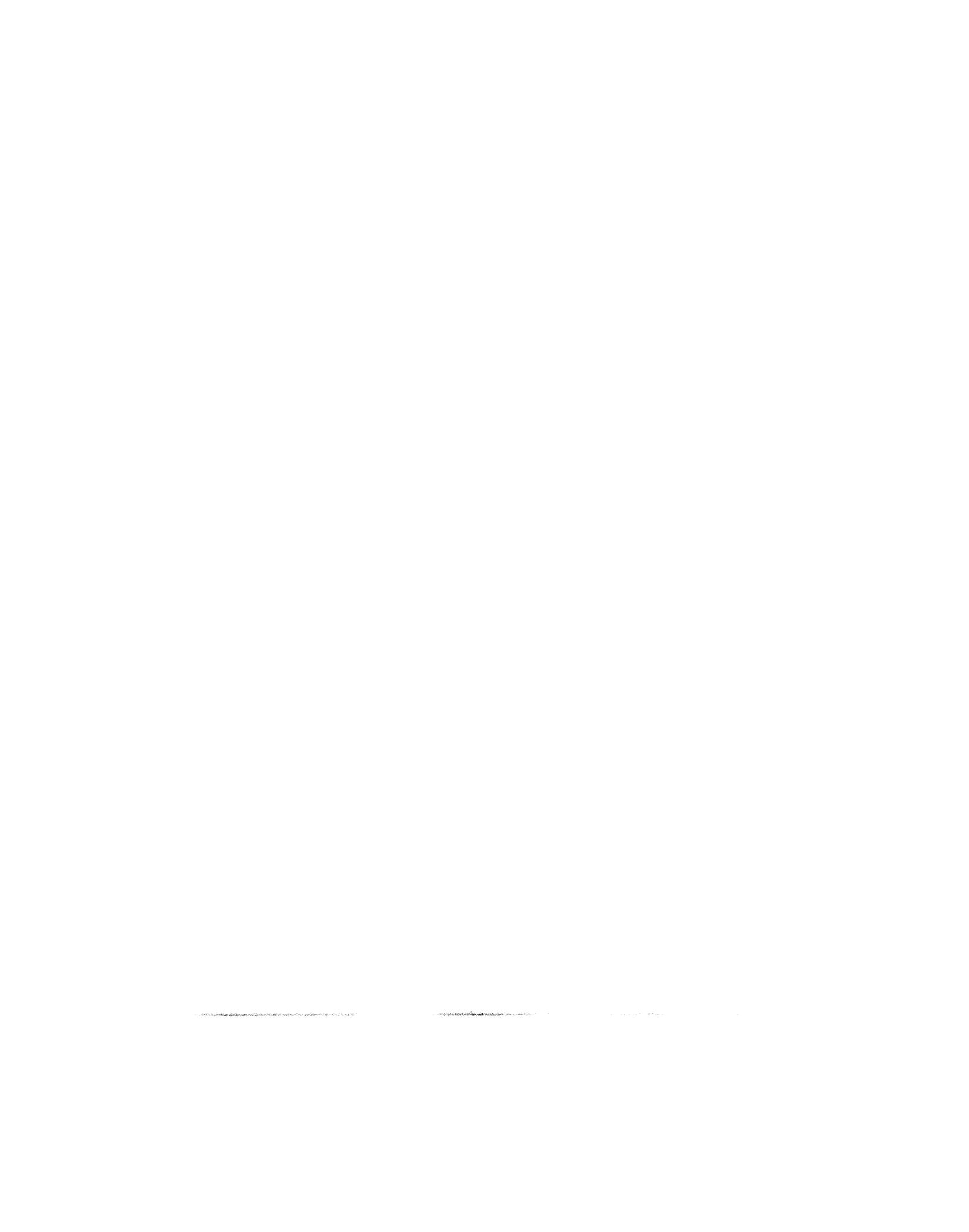


2004

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REORGANIZATION PLANS

(1781)



**REORGANIZATION PLAN NO. 001-2004
A PLAN FOR THE TRANSFER, CONSOLIDATION AND
REORGANIZATION OF THE STATE'S
WORKFORCE DEVELOPMENT SYSTEM INTO THE
DEPARTMENT OF LABOR**

PLEASE TAKE NOTICE that on January 13, 2004, Governor James E. McGreevey hereby issues the following Reorganization Plan No. 001-2004 ("the Plan"), to improve efficiency, coordination, and interaction of workforce development system components within the State of New Jersey. The Plan consolidates responsibility for all employment-directed and workforce development activities, as well as all or a portion of the organizational units responsible for such functions, from the Departments of Human Services and Education, to the Department of Labor. The Plan furthers ongoing efforts of the Executive Branch to improve qualitative and quantitative services to the public, improve efficiency, and meet the challenges of a changing workplace in a competitive economy.

GENERAL STATEMENT OF PURPOSE

New Jersey is committed to an efficient, innovative, and flexible integrated workforce system that promotes the development of labor market skills and provides employers with ready access to qualified workers. The development and maintenance of a skilled workforce is critical to preserve and improve the position of New Jersey in increasingly competitive regional, national, and world economies. A skilled workforce is also a necessary component of continued job growth, increased investment, and rising real incomes, factors that, in turn, improve the quality of life for all residents of the State.

The Departments of Education, Human Services, and Labor presently administer a variety of employment-directed and workforce development programs and activities. However, a single administrator of these related programs and services, as described herein, is necessary to respond more quickly, flexibly, and efficiently to challenges presented by a changing workplace.

The consolidation of all employment-directed and workforce development programs and activities in the Department of Labor will improve their efficiency and effectiveness, further strengthen the innovative One-Stop Career Center System, and improve cooperation between and among

Federal, State, and local governments. The unified, comprehensive workforce delivery system envisioned by this Plan will place New Jersey in the forefront of similar consolidation efforts throughout the United States.

The Plan consolidates responsibility in the Department of Labor, for all employment-directed and workforce development programs and activities of the Work First New Jersey Program (WFNJ) established pursuant to P.L. 1997, c.13, c.14, c.37 and c.38 (C.4:10-54 et seq., 44:10-53 et seq., 44:10-55 et seq.) and Federal Food Stamp Act of 1977, as amended, (P.L.95-113, September 29, 1977, 91 Stat. 913, 7 U.S.C. 2011 et seq.) (FSA) implemented through N.J.A.C.10:87-1.1 et seq. currently administered by the Department of Human Services. The Department of Labor will assume responsibility for all employment and job-readiness activities in WFNJ and FSA including career guidance, labor market information, employability assessment, employability plan development, employment-directed case management, subsidized and unsubsidized employment in the public and private sectors, on-the-job training, employment-directed outreach, Early Employment Initiative, Career Advancement Vouchers, the Community Work Experience Program, the Alternative Work Experience Programs, community service programs, job search and job readiness assistance, vocational educational training, employment-related education and job skills training, basic skills/literacy, work-related educational enhancements, employment and training related expenses and determination of need, access, and referral to the necessary work support services to ensure an individual can participate in the employment-directed and training activities prescribed in their employment development plan, including, but not limited to, child care, transportation, substance abuse and mental health initiatives. These activities are currently funded, in whole or in part, directly or indirectly, pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, as amended (Pub.L. 104-93, August 22, 1996, 110 Stat. 2105, 42 U.S.C. 601), the Federal Food Stamp Act of 1977, as amended, (Pub.L. 95-113, September 29, 1977, 91 Stat. 913, 7 U.S.C. 2011 et seq.), and WFNJ (P.L. 1997,c.13, c.14, c.37, and c.38, (C.4:10-54 et seq., 44:10-53 et seq., 44:10-55 et seq.)). This Plan shall apply to any and all current or future employment-directed and workforce development programs and activities that are appropriate under these laws.

The Plan consolidates all responsibility in the Department of Labor, for the State-funded New Jersey Youth Corps program (P.L.1984, c.198, (C.9:25-1 et seq.)), currently administered under the Department of Human

Services. The New Jersey Youth Corps is a full-time instructional and community service program for school dropouts, with completion of a high school curriculum, continuing education, apprenticeship, and employment as the ultimate goal. Activities under the program include, but are not limited to, basic skills education, work readiness, employability skills, job development, career counseling, job placement and community-based service work. The program shall also provide support for Youth Corps participants, as needed, that include: independent living skills, development of self-esteem, mental health and wellness, access to childcare, pregnancy and violence prevention, parenting instruction, substance abuse counseling, housing and transportation assistance. The Department of Labor currently administers Title I of the Workforce Investment Act, (Pub.L. 105-220, August 7, 1998, 112 Stat. 936, 29 U.S.C. 2801 et seq.) which includes services for youth. In addition, the Department of Labor administers the At-Risk Mentoring Program under the Workforce Development Program to prevent youth from dropping out of high school.

The Plan consolidates responsibility in the Department of Labor, for Adult Basic Education/English as a Second Language (ABE/ESL) programs, authorized by Title II of the Workforce Investment Act (Pub.L. 105-220, August 7, 1998, 112 Stat. 936, 29 U.S.C. 2801 et seq.) and currently administered by the Department of Education. The Department of Labor currently administers the Supplemental Workforce Fund for Basic Skills, which provides coordinated occupational, English as a Second Language, basic skills training, and employability services through the One-Stop Career Center Systems and Customized Training Program. The Department of Labor also currently administers the labor exchange system which provides labor market information, employability assessment and development, resume writing, interviewing skills, job search assistance, and career counseling skills services as a core function. Not included in this reorganization are administration of General Equivalency Diploma testing and the Adult High School Program (P.L.1972, c.191 (C.18A:50-12 et seq.)) and the evening schools for the Foreign Born (P.L.1967, c.271 (C.18A:49-1 et seq.)), which shall remain at the Department of Education.

The Plan transfers responsibility from the Department of Education to the Department of Labor to: (1) approve private vocational schools that operate programs of trade and technical education, or which give pre-employment or supplementary training to the public, (2) establish and approve training providers' programs, and (3) enforce laws and regulations that govern the operation of such private vocational schools currently

codified at Chapter 18 of Title 6A of the Administrative Code, P.L.1981, c.531 (C.44:12-2), and P.L.1967, c.271 as amended by P.L.1987, c.375 (C.18A:69-2 et seq.).

The Plan transfers from the Department of Education to the Department of Labor, with the approval of the United States Department of Labor, the joint registration/approval of registered apprenticeship programs, currently codified at N.J.A.C.6A:19, Subchapter 9, in the State as part of an agreement with the United States Department of Labor, Bureau of Apprenticeship and Training. Curricula review shall remain under the authority of the local apprenticeship coordinator, as determined by the Department of Labor under authorization from the United States Department of Labor.

The State Employment and Training Commission will issue planning guidance for the consolidation of programs, services, and funds at the local level. The local Workforce Investment Board, in collaboration with all local One-Stop partners, will lead the local planning process. If local plans cannot be agreed upon, a panel consisting of the Commissioners of the Departments of Labor, Human Services, and Education, and the Executive Director of the State Employment and Training Commission, or their designees, shall review and resolve any outstanding issues.

NOW, THEREFORE, pursuant to the provisions of the Executive Reorganization Act of 1969, P.L.1969, c.203 (C.52:14C-1 et seq.), I find with respect to the reorganization, transfer, and consolidation provided for in this Plan, that each aspect of the Plan is necessary to accomplish the purposes set forth in Section 2 of the Act and will:

1. Promote the better execution of the laws, the more effective management of the Executive Branch and its agencies and functions of the expeditious administration of the public business;
2. Promote economy to the fullest extent consistent with the efficient operation of the Executive Branch;
3. Increase the efficiency of the operations of the Executive Branch to the fullest extent practicable;
4. Group, coordinate and consolidate agencies and functions of the Executive Branch, as nearly as may be practical, according to major purposes;

5. Eliminate overlapping and duplication of effort within the Executive Branch by reallocating certain functions and responsibilities and thereby better utilizing the resources of the Executive Branch.

PROVISIONS OF THE REORGANIZATION PLAN

THEREFORE, I hereby order the following reorganization:

1. All functions, powers and duties relating to employment-directed and workforce programs and activities of the Department of Human Services as described below are continued and are transferred to the Department of Labor, including, but not limited to, tracking, scheduling and reporting client activity to the Department of Human Services or its representative, which complies with all associated Federal requirements.

a. Subject to the provisions of paragraph 3 below, all employment-directed and workforce programs and activities of the Work First New Jersey Program established pursuant to P.L.1997, c.13, c.14, c.37 and c.38 (C.44:10-34 et seq., 44:10-53 et seq., 44:10-71 et seq., 44:10-55 et seq.).

b. To the extent not set forth in subsection (a), and subject to the provisions of paragraph 3 below, all employment-directed and workforce programs and activities of the Department of Human Services funded, in whole or in part, directly or indirectly, by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, as amended. (Pub.L. 104-93, August 22, 1996, 110 Stat. 2105, 42 U.S.C. 601).

c. To the extent not set forth in subsection (a), and subject to the provisions of paragraph 3 below, all employment-directed and workforce programs and activities of the Department of Human Services funded, in whole or in part, directly or indirectly, by the Federal Food Stamp Act of 1977, as amended and codified in Title VII of the United States Code. (Pub.L. 95-113, September 29, 1977, 91 Stat. 913, 7 U.S.C. 2011 et seq.).

d. All employment-directed and workforce programs, activities, supplemental services and supports, funded in whole or in part, directly or indirectly by the New Jersey Youth Corps Program (P.L.1984, c.198 (C.9:25-1 et seq.) and the New Jersey Department of Human Services.

2. All functions, powers, and duties of the Department of Human Services not transferred to the Department of Labor by this Plan shall remain with the Department of Human Services.

3. Nothing in the Plan shall alter the role or authority of the Department of Human Services as the single State agency for the administration of Title

IV-A (Temporary Assistance for Needy Families), Title IV-D (Child Support), and Food stamp programs. The Departments of Labor and Human Services shall enter into such interagency agreements which outline roles, responsibilities, time frames for implementation, standards of service and performance, within 30 days of the effective date of this Plan, consistent with the foregoing.

4. The programmatic, administrative, support staff, and equipment presently comprising the employment-directed and workforce development programs and activities within the Department of Human Services are transferred to the Department of Labor, with all of their present functions, powers, and duties, along with a proportionate share of those resources to maintain such programs and activities. These transfers shall be made as determined by interagency agreement between the Departments of Human Services and Labor after considering the number and type of positions presently utilized for support of the transferred programs and activities within the Department of Human Services and the appropriateness of transferring personnel, positions, funding, and related equipment. The Commissioner of the Department of Labor and the Commissioner of the Department of Human Services shall, within 30 days of the effective date of this Plan, enter into any and all interagency agreements necessary to effectuate this Plan.

5. All functions, powers and duties relating to employment-directed and workforce programs and activities as described below assigned to the Department of Education are continued and are transferred to the Department of Labor.

a. The administration and provision of adult education and literacy as defined under Title II of the Workforce Investment Act of 1998 Sections 210 to 241. (Pub.L. 105-220, August 7, 1998, 112 Stat. 936, 29 U.S.C. 2801 et seq.).

b. Operational authority for the approval of private trade and vocational schools and those activities commonly referred to as Chapter 531 review. (P.L.1977, c.290 (C.18A:54-10.1), P.L.1981, c.520 (C.44:12-2) and P.L.1967, c.271 as amended by P.L.1987, c.375 (C.18A:69-2 et seq.)). This does not include responsibility for curriculum review and instructor certifications, which remains in the Department of Education.

c. Registration and approval of registered apprenticeship programs under a joint agreement to be negotiated with the United States Department of Labor, Bureau of Apprenticeship and Training.

6. All functions, powers and duties not transferred to the Department of Labor by this Plan remain with the Department of Education.

7. The programmatic, administrative, support staff, and equipment presently comprising the employment-directed and workforce development programs and activities within the Department of Education, as described herein, are transferred to the Department of Labor, with all of their present functions, powers, and duties, along with a proportionate share of those resources to maintain such programs and activities. These transfers shall be made as determined by agreement between the Departments of Education and Labor after considering the number and type of positions presently utilized for support of the transferred programs and activities within the Department of Education and the appropriateness of transferring personnel, positions, funding, and related equipment. The Commissioner of the Department of Labor and the Commissioner of the Department of Education, shall, within 30 days of the effective date of this Plan, enter into any and all interagency agreements necessary to effectuate this Plan.

GENERAL PROVISIONS

1. I find this reorganization is necessary to accomplish the purposes set forth in Section 2 of P.L.1969, c.203. Specifically, this reorganization will promote the more effective management of the Executive Branch and its agencies, and it will promote economy to the fullest extent consistent with the efficient operation of the Executive Branch according to major purposes. It will group, coordinate and consolidate functions in a more consistent and practical manner, improve services and service delivery to New Jersey citizens and businesses, and eliminate overlapping and duplication of functions.

2. All acts and parts of acts and plans or parts of plans inconsistent with any of the provisions of this Plan are superseded to the extent of such inconsistencies.

3. If any provision of this Plan or the application thereof to any person, or circumstance, or the exercise of any power or authority hereunder is held invalid or contrary to law, such holding shall not affect other provisions or applications of the Plan, which can be given effect without the invalid provisions or applications of the Plan, or affect other exercises of power or authority under said provisions not contrary to law. To this end, the provisions of the Plan are declared to be severable.

4. This Plan is intended to protect and promote the public health, safety and welfare and shall be liberally construed to attain the objectives and effect the purposes thereof.

5. All transfers directed by this Plan shall be effected pursuant to the "State Agency Transfer Act," P.L.1971, c.375 (C.52:14D-1 et seq.).

A copy of this Reorganization Plan was filed on January 13, 2004 with the Secretary of State and the Office of Administrative Law for publication in the New Jersey Register. This Plan shall become effective in 60 days on March 13, 2004 unless disapproved by each House of the Legislature by the passage of a concurrent resolution stating in substance that the Legislature does not favor this Reorganization Plan, or at a date later than March 13, 2004, should the Governor establish such a later date for the effective date of the Plan, or any part thereof, by Executive Order.

PLEASE TAKE NOTICE that this Plan, if not disapproved, has the force and effect of law and will be printed and published in the annual edition of the Public Laws and in the New Jersey Register under the heading of "Reorganization Plans."

Filed January 13, 2004.
Effective March 13, 2004.

**REORGANIZATION PLAN NO. 002-2004
A PLAN FOR THE TRANSFER, CONSOLIDATION AND
REORGANIZATION OF THE DIVISION OF
ADDICTION SERVICES INTO THE DEPARTMENT OF
HUMAN SERVICES**

PLEASE TAKE NOTICE that on February 5, 2004, Governor James E. McGreevey hereby issues the following Reorganization Plan No. 002-2004 ("the Plan"), to provide for the increased efficiency, coordination and integration of the State's addiction prevention and treatment functions by the transfer of the functions, powers and duties of the Division of Addiction Services from the Department of Health and Senior Services to the Department of Human Services.

GENERAL STATEMENT OF PURPOSE

The Division of Addiction Services (DAS or Division) is a unit in the Department of Health and Senior Services (DHSS) responsible for coordinating and implementing the State's addiction related services and programs. DAS is comprised of a prevention unit, treatment services unit, an administrative support unit, a planning and new initiatives unit, a research and information systems unit, and a licensing and inspection unit. The mission of the Division of Addiction Services to decrease misuse or abuse of alcohol and other drugs by New Jerseyans by supporting the development of a comprehensive network of prevention, intervention and treatment services in New Jersey. The Division is responsible for providing effective treatment and prevention for alcoholism and drug abuse and for enhancing public awareness of the dangers of such substances. DAS insures that a network of comprehensive prevention, intervention and rehabilitation services related to alcoholism, drug abuse and other addictive illnesses is available. It is responsible for budgeting State, Federal and other funds, and reviews applications, prepares grant documents, and monitors expenditures. For example, DAS awards community grants to approximately 65 agencies to enhance the knowledge and skill of individuals to promote health life choices. DAS develops and supports community change in the attitudes that influence the prevalence of alcohol and other drug problems in the general population. The Division also supports and monitors a wide variety of substance abuse programs, treatment services, and treatment providers designed to reduce the misuse of alcohol and other drugs through effective science-based treatment. The Division plans, coordinates and oversees addiction treatment services for the 21 counties of New Jersey and is responsible for the development of special treatment services for people with mental illness and substance abuse problems. It also oversees and provide technical assistance to programs that provide specialized addiction treatment services to people with special needs. The special needs addressed by this Division include: people who are deaf, hard of hearing or disabled, pregnant women, women with dependent children, minorities and adolescents. The Division conducts licensure inspections and reinspections to determine compliance with licensure standards for initial licensure and license renewals of all residential substance abuse treatment facilities.

The Division also coordinates its activities with the Department of Human Services and the Division of Mental Health Services as well as the 21 county welfare agencies. The Division monitors treatment, provides agencies to ensure compliance with required assessment and treatment

protocols, and with other grant requirements. It maintains and publishes a comprehensive and searchable Statewide addiction treatment provider directory with location, contact information, and descriptions of treatment services available. It also processes the conviction records of drivers convicted of driving under the influence and schedules these drivers for detention, evaluation and education by the county-based intoxicated driver resource centers.

Finally, the Division is responsible for maximizing and coordinating activities to enhance New Jersey's addiction resources and to support development of new and innovative services to treat and combat substance abuse and addiction. The Division carries this mission out through collaboration with other State, Federal and local entities, and through partnering with community-based organizations.

The Rationale For Relocating The Division of Addiction Services Within the Department of Human Services

New Jersey's data indicates the co-occurrence of child abuse and neglect and substance abuse is prevalent. Alcohol and drug use by a pregnant woman is devastatingly harmful to the unborn child. These infants are more likely to have serious medical complications at birth and continue experiencing behavioral, developmental and medical needs throughout their lifetime. Substance use affects all aspects of family life, interferes with positive family functioning and in most situations, perpetuates the cycle of substance abuse and child abuse and neglect.

Families experiencing substance abuse and child abuse also have additional complex and interconnected concerns such as poverty, risk of homelessness, poor physical and mental health, low literacy levels, and poor employment history. Prevalence rates for substance abuse among the array of New Jersey human service populations, beyond child welfare, reflect national trends and are substantially higher than among the general population.

Some Data:

- Children whose parents abused alcohol or drugs were three times likelier to be abused and four times more likely to be neglected compared to the children of parents who did not abuse substances (Reid, Macchetto and Foster, 1999).

- National rates of alcohol and drug abuse for those who are mentally ill, homeless, receiving welfare or involved with child protective services are often at least double of those of the general population (National Center on Addiction and Substance Abuse, 1999; Wright, Rubin and Devine, 1998; Reigier et al., 1990).
- The prevalence of substance abuse among persons with physical or cognitive disabilities is often at least double that of the general population and for those suffering incapacitating injuries is estimated at 50 percent (Buss and Cramer, 1989; Corrigan, 1995; NAAD, 1997; Sylvester, 1986).
- In New Jersey from the standpoint of those reporting substance abuse problems, 73 percent also reported having a mental health problem. (New Jersey Division of Mental Health Services, New Jersey Division of Addiction Services and Peer Review Organization of New Jersey, 2000).

The Department of Human Services (DHS) is the principal State department for administering programs designed to meet the social and human needs for citizens. It has substantial experience in administering programs to provide medical, mental health and specialty services to our people, and in particular to the fragile and special needs segment of society. DHS has substantial experience in coordinating State, county, local and private efforts in meeting these needs and has been the principal agency for the administration of State and Federal grant monies to fund such programs. Transferring the related functions associated with addiction education, prevention and treatment programs to DHS will allow that department to integrate those services into the comprehensive program of social services administered by that department to better meet the needs of our diverse population. It is appropriate, however, for DHSS to retain responsibility for smoking and tobacco related programs, given the direct relation of those programs to the health of our citizens. Thus, the comprehensive tobacco control program will remain in DHSS and will be closely coordinated with the Cancer and Cardiovascular Health initiatives of the Department.

The Rationale For Relocating Registered Environmental Health Inspectors Within the Department of Health and Senior Services

In order to provide expanded and most efficient program services and eliminate the practice of "self-regulation," with the goal of improving the environmental health and sanitary conditions of the institutions operated by the Department of Human Services, the responsibilities, assets and

associated budget of the five Registered Environmental Health Inspectors of the Department of Human Services is hereby transferred to the Department of Health and Senior Services. Administration and delivery of these important services by the Department of Health and Senior Services will allow for a more objective and comprehensive assessment and oversight of environmental and sanitary conditions that affect the health and safety of the residents. Historically, other State agencies, including the Departments of Corrections and Environmental Protection and the New Jersey Highway/Turnpike Authority, have significantly benefitted from the professional, centralized and independent services provided by the State's public health department.

NOW, THEREFORE, in accordance with the provisions of the Executive Reorganization Act of 1969, P.L.1969, c.203 (C.52:14C-1 et seq.), I find with respect to the reorganization included in this Plan that it is necessary to accomplish the purposes set forth in Section 2 of that Act and will do the following:

1. Promote more effective management of the Executive Branch and of its agencies and functions and the expeditious administration of the public business;
2. Promote economy to the fullest extent consistent with the efficient operation of the Executive Branch;
3. Increase the efficiency of the operations of the Executive Branch to the fullest extent practicable;
4. Group, coordinate and consolidate functions in a more consistent and practical way according to major purpose;
5. Eliminate overlapping and duplication of effort within the Executive Branch by reallocating certain functions and responsibilities and thereby better utilize the resources of the Executive Branch.

PROVISIONS OF THE REORGANIZATION PLAN

THEREFORE, I hereby order the following reorganization:

1. The functions, powers and duties of the Division of Addiction Services in the Department of Health and Senior Services, including, but not limited to, the functions, powers and duties under:

- (a) L. 1952, c.157,s.3, as amended (C.12:7-46)
- (b) L.1986, c.39,s.9, as amended (C.12:7-57)
- (c) L.1975, c.305, as amended (C.26:2B-7 et seq.)
- (d) L.1984, c.243 (C.26:2B-9.1)
- (e) L.2001, c.48 (C.26:2B-9.2)
- (f) L.1983, c.531 (C.26:2B-31 et seq.)
- (g) L.1989, c.51 (C.26:2BB-1 et seq.)
- (h) L. 1969, c.152 (C.26:2G-1 et seq.)
- (i) L.1971, c.128 (C.26:2G-31 et seq.)
- (j) L.1996, c.29,s.4 (C.26:2H-18.58a)
- (k) R.S. 39:4-50, as amended (C.39:4-50)
- (l) L.1995, c.318 (C.26:2B-36 et seq.)
- (m) L.1970, c.334 (C.26:2G-21)

are continued and are transferred to the Department of Human Services; provided, however, that the functions, powers and duties of the Department of Health and Senior Services with respect to smoking and tobacco related programs shall remain with the DHSS. A proportionate share of those support services or funds to purchase such services utilized for the support of the Division of Addiction Services within the Department of Health and Senior Services shall be transferred to the Department of Human Services. These transfers shall be made as determined by agreement between the Commission of Health and Senior Services and the Commissioner of Human Services after considering the number and type of positions presently utilized for support of the Division of Addiction Services and the appropriateness of transferring personnel, positions, funding or equipment.

2. These functions, powers, duties and personnel shall be organized and implemented within the Department of Human Services as determined by the Commissioner of Human Services.

3. All records, property, revolving funds, appropriations and any unexpended balance of funds appropriated or otherwise available to the Department of Health and Senior Services in connection with the administration of the Division of Addiction Services shall be transferred to the Department of Human Services pursuant to the "State Agency Transfer Act," P.L.1971, c.375 (C.52:14D-1 et seq.).

4. Monies collected or received by the Department of Human Services shall be deposited in such accounts or funds as may be provided by law for deposit of such monies.

5. Whenever in any law, rule, regulation, order, contract, tariff, document, judicial or administrative proceeding or otherwise relating to the Division of Addiction Services reference is made to the Department of Health and Senior Services or the Commissioner of Health and Senior Services, the same shall mean the Department of Human Services or the Commissioner of Human Services, respectively.

6. The functions, powers and duties of the Department of Human Services, exercised through the Registered Environmental Health Inspectors, as well as such inspectors are continued and are transferred to the Department of Health and Senior Services.

7. These functions, powers, duties and personnel shall be organized and implemented within the Department of Health and Senior Services as determined by the Commissioner of Health and Senior Services.

8. All records, property, revolving funds, appropriations and any unexpended balance of funds appropriated or otherwise available to the Department of Human Services in connection with the administration of the functions, powers and duties of the Registered Environmental Health Inspectors shall be transferred to the Department of Health and Senior Services pursuant to the "State Agency Transfer Act," P.L.1971, c.375 (C.52:14D-1 et seq.).

9. Monies collected or received by the Department of Health and Senior Services shall be deposited in such accounts or funds as may be provided by law for deposit of such monies.

10. Whenever in any law, rule, regulation, order, contract, tariff, document, judicial or administrative proceeding or otherwise relating to Registered Environmental Health Inspectors reference is made to the Department of Human Services or the Commissioner of Human Services, the same shall mean the Department of Health and Senior Services or the Commissioner of Health and Senior Services, respectively.

GENERAL PROVISIONS

1. I find that this reorganization is necessary to accomplish the purposes set forth in Section 2 of P.L.1969, c.203. Specifically, this reorganization will promote the more effective management of the Executive Branch and its agencies, and it will promote economy to the fullest extent consistent with the efficient operation of the Executive Branch according to major purposes. It will group, coordinate and consolidate functions in a more consistent and practical manner and eliminate overlapping and duplication of functions.

2. Any section or part of this Plan that conflicts with Federal law or regulation shall be considered null and void unless and until addressed and corrected through an interagency agreement, Federal waiver or other means.

3. All acts and parts of acts and plans or parts of plans inconsistent with any of the provisions of this Plan are superseded to the extent of such inconsistencies.

4. If any provision of this Plan or the application thereof to any person or circumstance or the exercise of any power or authority hereunder is held invalid or contrary to law, such holding shall not affect other provisions or applications of the Plan which can be given effect without the invalid provisions or applications of the Plan, or affect other exercises of power or authority under said provisions not contrary to law. To this end, the provisions of the Plan are declared to be severable.

5. This Plan is intended to protect and promote the public health, safety and welfare and shall be liberally construed to attain the objectives and effect the purposes thereof.

6. All transfers directed by this Plan shall be effected pursuant to the "State Agency Transfer Act," P.L.1971, c.375 (C.52:14D-1 et seq.).

A copy of this Reorganization Plan was filed on February 5, 2004 with the Secretary of State and the Office of Administrative Law for publication in the New Jersey Register. This Plan shall become effective in 60 days on April 5, 2004 unless disapproved by each House of the Legislature by the passage of a concurrent resolution stating in substance that the Legislature does not favor this Reorganization Plan, or at a date later than April 5, 2004,

should the Governor establish such a later date for the effective date of the Plan, or any part thereof, by Executive Order.

PLEASE TAKE NOTICE that this Plan, if not disapproved, has the force and effect of law and will be printed and published in the annual edition of the Public Laws and in the New Jersey Register under the heading of "Reorganization Plans."

Filed February 5, 2004.

Effective April 5, 2004.

REORGANIZATION PLAN NO. 003-2004
A PLAN FOR THE TRANSFER OF ADMINISTRATION AND
ISSUANCE OF PROFESSIONAL LIBRARIAN CERTIFICATES
TO THE STATE LIBRARY

PLEASE TAKE NOTICE that on February 24, 2004, Governor James E. McGreevey hereby issues the following Reorganization Plan No. 003-2004 ("the Plan"), to improve efficiency in the State certification of professional librarians for public libraries in the State of New Jersey. The Plan transfers responsibility for certification of professional librarians from the Department of Education, to the State Library, in but not of, the Department of State, and affiliated with Thomas Edison State College. The Plan furthers ongoing efforts of the Executive Branch to improve qualitative and quantitative services to the public, improve efficiency, and fully implement the legislative goal of coordination of the Statewide system of libraries in New Jersey under the administration of the State librarian as provided in P.L.2001, c.137.

GENERAL STATEMENT OF PURPOSE

New Jersey is committed to promoting cooperation among the various types of libraries in New Jersey and to providing improved library services to the State's residents by having the State Library coordinate library services on a Statewide basis. Pursuant to N.J.S.A.45:8A-1 et seq., the State Board of Education in the Department of Education currently sets the requirements for certification of professional librarians by regulation, and the State Board of Examiners in the Department of Education currently issues certificates to persons who meet such requirements, which certificate may be required for employment as a professional librarian in any library

in New Jersey supported by public funds. See also, N.J.A.C.6A:9-13.16. The certification of professional librarians in the State of New Jersey is a significant issue to public libraries, to public librarians, and to our citizens. By statute, public libraries must employ certified professional librarians to qualify for State per capita library aid pursuant to N.J.S.A.18A:74-1 et seq. and N.J.A.C.15:21-2.3. Librarians employed in communities governed by civil service law and regulations are required to be certified as professional librarians. Since, pursuant to N.J.S.A.18A:74-10, the State Library is empowered by statute to promulgate regulations and set standards for the operation and improvement of free public libraries to insure public benefit and convenience, and to achieve the objects of the 2001 legislation, the transfer to the State Library of the authority to set the requirements for certification of professional librarians and to issue such certificates to persons who may be employed as professional librarians in public libraries in this State will consolidate State standards for public libraries, and improve the efficiency of State administration of this certification program.

NOW, THEREFORE, pursuant to the provisions of the Executive Reorganization Act of 1969, P.L.1969, c.203 (C.52:14C-1 et seq.), I find with respect to the reorganization, transfer, and consolidation provided for in this Plan, that each aspect of the Plan is necessary to accomplish the purposes set forth in Section 2 of the Act and will:

1. Promote the better execution of the laws, the more effective management of the Executive Branch and its agencies and functions and the expeditious administration of the public business;
2. Promote economy to the fullest extent consistent with the efficient operation of the Executive Branch;
3. Increase the efficiency of the operations of the Executive Branch to the fullest extent practicable;
4. Group, coordinate and consolidate agencies and functions of the Executive Branch, as nearly as may be practical, according to major purposes;
5. Eliminate overlapping and duplication of effort within the Executive Branch by reallocating certain functions and responsibilities and thereby better utilizing the resources of the Executive Branch.

PROVISIONS OF THE REORGANIZATION PLAN

THEREFORE, I hereby order the following reorganization:

1. All the functions, powers and duties of the State Board of Examiners and the State Board of Education under P.L.1947, c.132, as amended (C.45:8A-1 et seq.) are continued and are transferred to the State Library, in but not of the Department of State, and affiliated with Thomas Edison State College, to be allocated within the State Library as determined by the President of Thomas Edison State College.

2. The files, records, data, documents, pending applications, forms, and equipment relevant to the profession librarian certification activities currently maintained within the Department of Education shall be transferred to the State Library, along with a proportionate share of any fees collected pursuant to or funds budgeted or allocated to such certification program activities. These transfers shall be made as determined by inter-agency agreement between the Department of Education, the State Library and Thomas Edison State College, considering the administrative requirements for the efficient transfer of such files, records, data, related equipment, fees and funds. The Commissioner of the Department of Education, the State Librarian and the President of Thomas Edison State College shall, within 30 days of the effective date of this Plan, enter into any and all inter-agency agreements necessary to effectuate this Plan.

3. All functions, powers, and duties of the Department of Education not transferred to the State Library by this Plan shall remain with the Department of Education.

GENERAL PROVISIONS

1. I find this reorganization is necessary to accomplish the purposes set forth in Section 2 of P.L.1969, c.203. Specifically, this reorganization will promote the more effective management of the Executive Branch and its agencies, and it will promote economy to the fullest extent consistent with the efficient operation of the Executive Branch according to major purposes. It will group, coordinate and consolidate functions in a more consistent and practical manner, improve services and service delivery to New Jersey citizens and businesses, and eliminate overlapping and duplication of functions.

2. All acts and parts of acts and plans or parts of plans inconsistent with any of the provisions of this Plan are superseded to the extent of such inconsistencies.

3. If any provision of this Plan or the application thereof to any person, or circumstance, or the exercise of any power or authority hereunder is held invalid or contrary to law, such holding shall not affect other provisions or applications of the Plan, which can be given effect without the invalid provisions or applications of the Plan, or affect other exercises of power or authority under said provisions not contrary to law. To this end, the provisions of the Plan are declared to be severable.

4. This Plan is intended to protect and promote the public health, safety and welfare and shall be liberally construed to attain the objectives and effect the purposes thereof.

5. All transfers directed by this Plan shall be effected pursuant to the "State Agency Transfer Act," P.L.1971, c.375 (C.52:14D-1 et seq.).

A copy of this Reorganization Plan was filed on February 24, 2004 with the Secretary of State and the Office of Administrative Law for publication in the New Jersey Register. This Plan shall become effective in 60 days on April 24, 2004 unless disapproved by each House of Legislature by the passage of a concurrent resolution stating in substance that the Legislature does not favor this Reorganization Plan, or at a date later than April 24, 2004, should the Governor establish such a later date for the effective date of the Plan, or any part thereof, by Executive Order.

PLEASE TAKE NOTICE that this Plan, if not disapproved, has the force and effect of law and will be printed and published in the annual edition of the Public Laws and in the New Jersey Register under the heading of "Reorganization Plans."

Filed February 24, 2004.
Effective April 24, 2004.

**REORGANIZATION PLAN NO. 004-2004
A PLAN FOR THE TRANSFER OF THE FUNCTIONS,
POWERS AND DUTIES OF THE DIVISION OF REVENUE TO
THE DEPARTMENT OF THE TREASURY**

PLEASE TAKE NOTICE that on February 24, 2004, Governor James E. McGreevey hereby issues the following Reorganization Plan No. 004-2004 ("the Plan"), to provide for the transfer of responsibilities for revenue management, including receipts processing, management of accounts receivable and collection of debts, and data entry functions as well as the organizational units responsible for such revenue management, including receipts processing, management of accounts receivable and collection of debts, and data entry functions from the Division of Revenue in the Department of the Treasury to the Department of the Treasury.

This Plan furthers an ongoing effort to streamline and make more effective and efficient the operations of the Executive Branch by reallocating revenue management including receipts processing, management of accounts receivable and collection of debts and data entry functions of the Division of Revenue, together with the organization units of the Division of Revenue, within the Department of the Treasury as the State Treasurer may determine.

The Plan also provides for the continuation within the Department of the Treasury, as may be organized and implemented by the State Treasurer, of responsibility for recording and keeping documents pertaining to all corporate charters, and commercial filings, other filings requiring public notice, filings concerning notaries public, collecting the fees associated with such filings, and preparing monthly abstracts of corporate certificates for use by the Division of Taxation in computing annual corporate license fees and franchise taxes.

GENERAL STATEMENT OF PURPOSE

The Plan is designed to transfer to the Department of the Treasury, the various related responsibilities for revenue management now allocated to the Division of Revenue. This transfer will allow for the organization and implementation of these responsibilities in the manner best determined by the State Treasurer. These responsibilities include receipt of reports, processing of cash receipts, management of accounts receivable, collection of debts, and associated data entry operations of various State agencies, including the Division of Taxation. The Plan accomplishes this purpose of reallocating the functions, powers and duties of the Division of Revenue, within the Department of the Treasury by transferring these responsibilities to the Department of the Treasury. Given the Treasurer's existing statutory authority to organize the Department, the State Treasurer will then have the

ability to organize and implement the affected revenue activities within the Department of the Treasury as he or she determines to be in the best interest of the State.

Consistent with the centralization of revenue management in the Department of the Treasury, this Plan will allow the State Treasurer to exercise under existing authority the discretion to designate a single organization, such as the Division of Taxation, with Statewide responsibility and authority to define and control the policies and procedures governing all aspects of revenue management. Revenue management begins with the imposition and levy of most State taxes, continues with the processing of a broad range of the State's cash receipts and entails the maintenance of various corporate, business and tax filings, and ends with the management of accounts receivable and collection of delinquent receivables held by most State agencies, including the Division of Taxation.

Other opportunities for consolidation or reallocation of the revenue management functions formerly vested only in the Division of Revenue exist. The State Treasurer may determine that greater benefit can be realized by the State by placing the functions in a Division other than the Division of Revenue. The State Treasurer should have the opportunity to make such determinations.

Allowing the State Treasurer to exercise discretion in the organization and implementation of revenue management within the Department of the Treasury will also further the assistance provided other State agencies in the recovery and resolution of their accounts receivable. Specialized collection services had been provided by the Division of Revenue in an efficient and cost-effective manner. By affording the State Treasurer discretion to allocate the functions in such other unit or units within the Department of the Treasury, including the Division of Revenue, as the Treasurer determines, will go a step further in promoting efficiency and cost-effectiveness, eliminating duplication of effort in the State's multi-faceted revenue management activities, and ultimately, improving service to the entire New Jersey community, business and individual.

The Plan also provides for the continuation of responsibility for filing, recording and keeping of corporate and other commercial documents, other filings requiring public notices and concerning notaries public, and associated functions, including those related to corporate license fees and State corporate franchise taxes, with the Department of the Treasury.

NOW, THEREFORE, pursuant to the Executive Reorganization Act of 1969, P.L.1969, c.203 (C.52:14C-1 et seq.) (the "Act"), I find with respect to the reorganization, transfer and consolidation provided for in this Plan, that each aspect of the Plan is necessary to accomplish the purposes set forth in Section 2 of the Act and that each aspect will:

1. Promote the better execution of the laws, the more effective management of the Executive Branch and its agencies and functions and the expeditious administration of the public business;
2. Reduce expenditures and promote economy to the fullest extent consistent with the efficient operation of the Executive Branch;
3. Increase the efficiency of the operations of the Executive Branch to the fullest extent practicable;
4. Group, coordinate and consolidate agencies and functions of the Executive Branch, as nearly as may be practical, according to major purposes;
5. Reduce the number of agencies by consolidating those having related functions under a single head and abolish such agencies thereof as may not be necessary for the efficient conduct of the Executive Branch; and
6. Eliminate overlapping and duplication of effort.

PROVISIONS OF THE REORGANIZATION PLAN

THEREFORE, I hereby order the following reorganization:

1. The Division of Revenue, created pursuant to Executive Reorganization Plan No. 001-1997, is continued but its functions, powers, duties and personnel are transferred to the Department of the Treasury. These functions, powers and duties and personnel shall be organized and implemented within the Department of the Treasury as determined by the State Treasurer.
2. The functions, powers, duties and personnel transferred pursuant to this Plan shall be administered and exercised by such organization unit or units as are designated by the State Treasurer.

3. Nothing contained in this Plan shall be construed to limit the authority of the Treasurer to organize the Department pursuant to N.J.S.A.52:18A-30.

4. All provisions of Reorganization Plan Nos. 001-1997, No. 003-1998, and No. 004-1998 shall continue to be in full force and effect, but to the extent the provisions of these prior Reorganization Plans are in conflict with this Plan, this Plan controls.

GENERAL PROVISIONS

1. I find that each aspect of this reorganization is necessary to accomplish the purposes set forth in Section 2 of P.L.1969, c.203. Specifically, this reorganization will more efficiently direct, administer, coordinate, and control the State's revenue management functions, in particular, consolidate and coordinate the processing of the State's cash receipts, the maintenance of its corporate and business records, the management of its accounts receivable and the collection of its billings and assorted debt. This Plan provides for the organization and implementation of these activities and responsibilities within the Department of the Treasury as the State Treasurer may determine. This reorganization will improve the State's overall ability to manage its revenue and will eliminate duplication of efforts in the area of receipts processing and debt collection.

2. Monies collected or received by the Department of the Treasury in connection with the activities affected by this reorganization shall be deposited in such accounts or funds as may be provided by law for deposit of such monies.

3. All acts or parts of acts inconsistent with any of the provisions of this Plan are superseded to the extent of such inconsistencies.

4. Unless otherwise specified in this Plan, all transfers directed by this Plan shall be effected pursuant to the State Agency Transfer Act, P.L.1971, c.375 (C.52:14D-1 et seq.).

5. Wherever, in any law, rule, regulation, order, contract, tariff, document, judicial or administrative order or proceeding or otherwise, reference is made to the Director of the Division of Revenue, the same shall mean and refer to the Treasurer or the Department of the Treasury, as appropriate, or to such employee as the Treasurer may designate.

6. If any provision of this Plan or the application thereof to any person or circumstances or the exercise of any power or authority hereunder is held invalid or contrary to law, such holding shall not affect other provisions or application of this Plan, which can be given effect without the invalid provisions or applications of the Plan, or affect other exercises of power or authority under said provisions not contrary to law. To this end, the provisions of this Plan are declared to be severable.

7. This Plan is intended to make the operations of the Executive Branch more efficient and effective with regard to revenue management practices and shall be liberally construed to attain the objectives and effect the purposes thereof.

A copy of this Reorganization Plan was filed on February 24, 2004 with the Secretary of State and the Office of Administrative Law for publication in the New Jersey Register. This Plan shall become effective in 60 days on April 24, 2004 unless disapproved by each House of the Legislature by the passage of a concurrent resolution stating in substance that the Legislature does not favor this Reorganization Plan, or at a date later than April 24, 2004, should the Governor establish such a later date for the effective date of the Plan, or any part thereof, by Executive Order.

PLEASE TAKE NOTICE that this Plan, if not disapproved, has the force and effect of law and will be printed and published in the annual edition of the Public Laws and in the New Jersey Register under the heading of "Reorganization Plans."

Filed February 24, 2004.
Effective April 24, 2004.

**REORGANIZATION PLAN NO. 005-2004
A PLAN FOR THE REDESIGNATION AND
REORGANIZATION OF THE NEW JERSEY COMMERCE
AND ECONOMIC GROWTH COMMISSION**

PLEASE TAKE NOTICE that on October 18, 2004, Governor James E. McGreevey hereby issues the following Reorganization Plan No. 005-2004 ("the Plan"), to improve efficiency, coordination, and interaction of the Travel and Tourism industry within the State of New Jersey. The Plan redesignates the New Jersey Commerce and Economic Growth Commis-

sion as the New Jersey Commerce, Economic Growth and Tourism Commission. The Plan furthers ongoing efforts of the Executive Branch to highlight the importance of the tourism industry in New Jersey, improve qualitative and quantitative services to the industry and the public, improve efficiency, and meet the challenges of a competitive economy.

GENERAL STATEMENT OF PURPOSE

The tourism industry is one of the most vital contributors to our State's economy. New Jersey is committed to an efficient, innovative, and broad-based campaign that promotes the tourism industry in New Jersey and that maximizes the economic, recreational and social benefits for our citizens.

Tourism is a critical business in the State of New Jersey. Nationally, New Jersey ranks seventh in terms of domestic traveler spending. Our State experiences approximately 45 million overnight trips and 120 million day trips each year. Together, these travelers spend over \$30 billion during their stays in the Garden State. In total, the tourism industry directly and indirectly supports over 415,000 jobs and generates over \$12.3 billion in wages. Perhaps most significantly, tourism brings in approximately \$2.9 billion in tax revenues to the State each year.

Thus, tourism is clearly one of New Jersey's greatest assets. As a State, we have a vested interest in doing everything we can to nurture this asset and foster its growth. That is what we have attempted to do, by providing over \$140 million in the FY '05 Budget to support tourism in New Jersey, by utilizing shore protection dollars to maintain the exceptionally high quality of our beaches, by providing billions of dollars for transportation infrastructure improvements to increase mobility and to make New Jersey a more desirable tourist destination, by preserving and managing our cherished historical resources for future generations of visitors to enjoy, and by utilizing smart growth and open space preservation to ensure that New Jersey maintains its natural landscapes and unique communities.

This Reorganization Plan is consistent with the State's efforts to promote the tourism industry. Specifically, it is designed to highlight the importance of tourism to New Jersey by redesignating the New Jersey Commerce and Economic Growth Commission as the New Jersey Commerce, Economic Growth and Tourism Commission. This Plan will improve the profile of the

New Jersey State Library

tourism industry and will strengthen the State's efforts to support and foster this critical sector of our economy.

This Reorganization Plan will further enhance the status of tourism by adopting a revised mission statement for the Commission. This will focus the efforts of the Commission and its employees on the central responsibilities of the agency.

The changes encompassed within this Plan will place New Jersey in the forefront of efforts to promote State tourism throughout the United States.

NOW, THEREFORE, pursuant to the provisions of the Executive Reorganization Act of 1969, P.L.1969, c.203 (C.52:14C-1 et seq.), I find with respect to the reorganization, transfer, and consolidation provided for in this Plan, that each aspect of the Plan is necessary to accomplish the purposes set forth in Section 2 of the Act and will:

1. Promote the better execution of the laws, the more effective management of the Executive Branch and its agencies and functions and the expeditious administration of the public business;
2. Promote economy to the fullest extent consistent with the efficient operation of the Executive Branch;
3. Increase the efficiency of the operations of the Executive Branch to the fullest extent practicable;
4. Group, coordinate and consolidate agencies and functions of the Executive Branch, as nearly as may be practical, according to major purposes;
5. Eliminate overlapping and duplication of effort within the Executive Branch by reallocating certain functions and responsibilities and thereby better utilizing the resources of the Executive Branch.

PROVISIONS OF THE REORGANIZATION PLAN

THEREFORE, I hereby order the following reorganization:

1. On and after the effective date of this Reorganization Plan, the New Jersey Commerce and Economic Growth Commission shall be entitled and

known as the New Jersey Commerce, Economic Growth and Tourism Commission and whenever, in any law, rule, regulation, order, contract, document, judicial or administrative proceeding, or otherwise, reference is made to the Commerce and Economic Growth Commission, the same shall mean and refer to the Commerce, Economic Growth and Tourism Commission.

2. The revised mission statement of the New Jersey Commerce, Economic Growth and Tourism Commission shall read as follows:

"The New Jersey Commerce, Economic Growth and Tourism Commission promotes economic vitality now and builds a foundation for world economic leadership in the 21st century. The Commission stimulates dynamic economic growth by providing resources and services to citizens, businesses and institutions, in partnership with other government agencies and the private sector, to create jobs. The Commission is also charged with the mandate to increase tourism through promotional, informational, educational, and developmental programs. These initiatives are designed to maintain and increase New Jersey's standing as a premier national and international travel designation. By nurturing, expanding and attracting industry, commerce, and tourism, we can achieve the highest quality of life and ensure economic security for all our citizens."

GENERAL PROVISIONS

1. I find this reorganization is necessary to accomplish the purposes set forth in Section 2 of P.L.1969, c.203. Specifically, this reorganization will promote the more effective management of the Executive Branch and its agencies, and it will promote economy to the fullest extent consistent with the efficient operation of the Executive Branch according to major purposes. It will group, coordinate and consolidate functions in a more consistent and practical manner, improve services and service delivery to New Jersey citizens and businesses, and eliminate overlapping and duplication of functions.

2. All acts and parts of acts and plans or parts of plans inconsistent with any of the provisions of this Plan are superseded to the extent of such inconsistencies.

3. If any provision of this Plan or the application thereof to any person, or circumstance, or the exercise of any power or authority hereunder is held

invalid or contrary to law, such holding shall not affect other provisions or applications of the Plan, which can be given effect without the invalid provisions or applications of the Plan, or affect other exercises of power or authority under said provisions not contrary to law. To this end, the provisions of the Plan are declared to be severable.

4. This Plan is intended to protect and promote the public health, safety and welfare and shall be liberally construed to attain the objectives and effect the purposes thereof.

5. All transfers directed by this Plan shall be effected pursuant to the "State Agency Transfer Act," P.L.1971, c.375 (C.52:14D-1 et seq.).

A copy of this Reorganization Plan was filed on October 18, 2004 with the Secretary of State and the Office of Administrative Law for publication in the New Jersey Register. This Plan shall become effective in 60 days on December 17, 2004 unless disapproved by each House of the Legislature by the passage of a concurrent resolution stating in substance that the Legislature does not favor this Reorganization Plan, or at a date later than December 17, 2004, should the Governor establish such a later date for the effective date of the Plan, or any part thereof, by Executive Order.

PLEASE TAKE NOTICE that this Plan, if not disapproved, has the force and effect of law and will be printed and published in the annual edition of the Public Laws and in the New Jersey Register under the heading of "Reorganization Plans."

Filed October 18, 2004.
Effective December 17, 2004.