

ACTS

OF THE

First Annual Session

OF THE

One Hundred and Ninety-fifth Legislature

OF THE

STATE OF NEW JERSEY

AND

Twenty-fourth Under the New Constitution



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1972

EXECUTIVE ORDERS

(1017)



Executive Orders

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 32

I, William T. Cahill, 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 that:

Friday, February 11, 1972 (the day preceding Lincoln's Birthday) be declared a holiday for State employees in lieu of Saturday, February 12, 1972.

[SEAL] Given, under my hand and seal this 21st day of January, in the year of our Lord, one thousand nine hundred and seventy-two, and of the Independence of the United States, the one hundred and ninety-sixth.

/s/ WILLIAM T. CAHILL,
Governor.

Attest:

/s/ JEAN E. MULFORD,
Acting Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 33

WHEREAS, On August 15, 1971, the President announced a ninety-day stabilization period for prices, rents, wages, and salaries and issued Executive Order 11615 which established the Cost of Living Council, with the Secretary of Treasury as Chairman;

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WHEREAS, The Office of Emergency Preparedness was designated as the operating agency for said Council during this period, known as Phase I of the Economic Stabilization Program, in which prices, rents, wages, and salaries, with few exceptions were frozen; and

WHEREAS, The President issued Executive Order 11627 on October 15, 1971, announcing that a seven member Price Commission and a fifteen member Pay Board was being established, under the Cost of Living Council, with responsibilities for establishing guidelines for prices and wages, and Phase II of the Economic Stabilization Program became effective on November 14, 1971 and will last for an indefinite period;

WHEREAS, The Internal Revenue Service was delegated responsibility by the President for investigating complaints; for monitoring compliance with economic stabilization rules, regulations, and guidelines, and for providing information to the public on the program through local service and Compliance Centers which have been established for that purpose;

WHEREAS, The President appointed a Committee on the Health Service Industry in November, 1971 to assist the Cost of Living Council, the Price Commission, and the Pay Board in formulating guidelines to stabilize the rapidly rising cost of health care services; and

WHEREAS, The Chairman of the Price Commission of the Cost of Living Council has requested the Governor of each State to establish a State Advisory Board for the purpose of evaluating applications made by institutional providers of health care service for exceptions to the Economic Stabilization Program regulations and guidelines of the Price Commission.

NOW, THEREFORE, I, William T. Cahill, Governor of the State of New Jersey, do hereby ORDER and DIRECT:

1. That there is hereby established within the State Department of Insurance a State Advisory Board which shall have the responsibility of evaluating applications made by institutional providers of health care service for exceptions to the Economic Stabilization Program regulations and the guidelines of the Price Commission, and to review and to provide professional evaluation from persons involved in policy determination or operational aspects of health, and make recommendations with respect to such applications for

exceptions before said applications are filed with the Internal Revenue Service.

2. (a) The State Advisory Board shall consist of persons who are interested and knowledgeable in the field of health care services and familiar with local conditions and health care needs, and shall include two hospital trustees, two physicians, two nursing home administrators, two hospital administrators, two medical economists and seven consumers, including labor representation, appointed by the Governor of the State of New Jersey and who shall serve at the pleasure of the Governor.

(b) The public members of the Board shall serve without compensation, but shall be entitled to reimbursement for any expenses reasonably incurred in the discharge of their official duties, subject to the availability of funds.

3. The State Advisory Board shall be responsible for reviewing and evaluating applications received from health care institutions located within New Jersey when the institutions request an exception to the limitations under federal regulations and guidelines. In performing these functions the board shall be guided by section 300.18, paragraph (f), Title 6, Code of Federal Regulations, contained in the December 30, 1971, Federal Register, Volume 36, Number 251 and applicable laws and regulations. Whenever the board considers the granting of an exception as essential to the provision of adequate health services and as consistent with the Economic Stabilization Program, it shall recommend to the Price Commission that an exception be granted. The board may also recommend disapproval of the application of a smaller price increase than that requested by the institution.

4. The Board, which has been created out of the Advisory Committee to the Commissioner of Insurance on Hospital Reimbursement, shall have available to it the staff and research capabilities of the Advisory Committee to the Commissioner of Insurance on Hospital Reimbursement.

5. (a) The State Advisory Board shall meet at the call of the Governor or its chairman and shall report to the Governor at such times as the Governor may require or as the Board deems appropriate.

(b) The Chairman shall be appointed by the Governor. The members of the Board may elect from among themselves a vice-chairman; may appoint a secretary who need not be a member of

the Board; and may adopt By-laws and rules governing their work consistent with law.

(c) Within the limits of appropriations made available to it, the Board is hereby authorized to employ such staff as may be necessary to carry out the duties assigned to it.

(d) The Council shall be entitled to call upon any department, agency or office of the State of New Jersey for such documents, materials and information as it may deem necessary, and shall be entitled to the cooperation of every department, agency, and office of the State of New Jersey.

6. This Executive Order shall take effect immediately.

Given, under my hand and seal this 28th day of January, in the year of our Lord, one thousand nine hundred and seventy-two, and of the Independence of the United States, the one hundred and ninety-sixth.

/s/ WILLIAM T. CAHILL,
Governor.

Attest:

/s/ JEAN E. MULFORD,
Acting Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 34

I, William T. Cahill, 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 that:

1. Monday, July 3, 1972 (the day before Independence Day) be declared an extra holiday for State employees.

Given, under my hand and seal this 8th day of May, in the year of our Lord, one thousand nine hundred and seventy-two, and of the Independence of the United States, the one hundred and ninety-sixth.

/s/ WILLIAM T. CAHILL,
Governor.

Attest:

/s/ JEAN E. MULFORD,
Acting Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 35

WHEREAS, The Federal Regional Council-Region II and other Federal departments and agencies are concerned that official sub-state planning districts be established in each State;

WHEREAS, There presently exists three official interstate planning agencies covering portions of New Jersey, two established by Interstate Compact and one established under the New Jersey Regional Advisory Council Act of 1962;

WHEREAS, The counties of New Jersey have existed for many years as official sub-state areas and in recent years have all established county planning functions with planning boards and professional staffs;

WHEREAS, The counties of New Jersey have worked cooperatively on intercounty problems for many years and since the establishment of county planning agencies have extended this cooperation into the planning field;

WHEREAS, The State has been divided into ten districts for carrying out the Circular A-95 Project Notification and Review procedures;

NOW, THEREFORE, I, William T. Cahill, 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 are hereby established ten sub-state districts for planning purposes, and other purposes which may be appropriate in meeting Federal requirements relating to sub-state coordination activities:

- Tri-State Regional Planning District (Bergen, Essex, Hudson, Middlesex, Monmouth, Morris, Passaic, Somerset and Union Counties).
- Delaware Valley Regional Planning District (Burlington, Camden, Gloucester and Mercer Counties).
- Wilmington Metropolitan Area Planning District (Salem County).

- Atlantic County.
- Cape May County.
- Cumberland County.
- Hunterdon County.
- Ocean County.
- Sussex County.
- Warren County.

2. Within the Tri-State Regional Planning District and the Delaware Valley Regional Planning District, the individual counties are further designated as sub-districts for planning purposes within these larger units if a determination is made that these sub-districts are of a more practical size or serve a more practical purpose than the larger areas.

3. This order shall take effect immediately.

Given, under my hand and seal this 2nd day of
[SEAL] August, in the year of our Lord, one thousand nine
hundred and seventy-two, and of the Independence of
the United States, the one hundred and ninety-seventh.

/s/ WILLIAM T. CAHILL,
Governor.

Attest:

/s/ JEAN E. MULFORD,
Acting Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 36

WHEREAS, On March 11, 1971, I created by Executive Order No. 16 a Governor's State Committee on Children and Youth, a body composed of delegates to the decennial White House Conference on Children (1970) and Youth (1971), youth representatives, and concerned citizens, to implement the recommendations of

those national conferences and otherwise study and recommend what changes need to be made to improve the quality of services for the children and youth of the State; and

WHEREAS, The coming together of these talented people has presented an excellent opportunity for focusing attention on the problems of children and youth in New Jersey; and

WHEREAS, Better communication and coordination of activities among public and private organizations serving children and youth has been established by this Committee;

NOW, THEREFORE, I, William T. Cahill, 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 State Committee on Children and Youth, composed of delegates to the decennial White House conferences, representatives of the Legislature, members of the various State agencies, organizations which have an ongoing concern for the problems of children and youth, and other concerned citizens, shall continue in existence until June 30, 1975.

2. The Office of Youth Services within the Department of Community Affairs, which has served the past year as staff to the Committee, shall continue to serve as staff to the Committee in consultation with the Division of Youth and Family Services recently established in the Department of Institutions and Agencies.

3. The current members of the State Committee shall continue to serve in their capacity. Additional appointments shall be made by the Office of Youth Services, subject to my approval, the number to be sufficient for efficient operation and program needs of the Committee.

4. The Committee shall maintain contact with the White House Conference staff in Washington within the Office of Child Development, Department of Health, Education and Welfare; the National Council of State Committees on Children and Youth; the regional committees established at the decennial Conferences; and should be considered by all other public and private agencies in this State as an official body appointed by the Governor for evaluating and recommending to my office and to others any programs, legislation,

and administrative changes through which the life of the State's children and youth can be enhanced.

5. The Committee shall issue an annual report to the Governor on the progress that has been made by public and private agencies over the past year, and shall make recommendations to the Governor, other State agencies, and private organizations for the improvement of current programs or the initiation of new programs for the children and youth of the State.

6. The month of May shall be designated annually as a month for recognizing the children and youth of our State, and the second week of May shall be designated as "A Week for Children and Youth," sponsored by the State Committee on Children and Youth, and I urge that it be set aside by all agencies in the State, both public and private, for activities focusing on the problems, concerns, and accomplishments of our children and youth.

7. This order shall take effect immediately.

Given, under my hand and seal this 29th day of
[SEAL] September, in the year of our Lord, one thousand nine
hundred and seventy-two, and of the Independence of
the United States, the one hundred and ninety-seventh.

/s/ WILLIAM T. CAHILL,
Governor.

Attest:

/s/ JEAN E. MULFORD,
Acting Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 37

I, William T. Cahill, 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 that:

1. Friday, November 24, 1972 (the day following Thanksgiving Day) be declared an extra holiday for State employees.

[SEAL] Given, under my hand and seal this 12th day of October, in the year of our Lord, one thousand nine hundred and seventy-two, and of the Independence of the United States, the one hundred and ninety-seventh.

/s/ WILLIAM T. CAHILL,
Governor.

Attest:

/s/ JEAN E. MULFORD,
Acting Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 38

WHEREAS, The provision of adequate services to the people of New Jersey is in great measure dependent on the skills and training of State, county and municipal officers and employees; and

WHEREAS, Constant changes and technological innovations in all service areas demand continuing in-service training and retraining programs and the upgrading of technical and executive skills; and

WHEREAS, Such training as has been available is fragmented among a variety of agencies and educational institutions, with little or no central coordination or policy focus; and

WHEREAS, The training opportunities, particularly those available to employees of the county and municipal government, are inadequate to meet demand and need; and

WHEREAS, There is a clear and immediate need for central coordination, supervision, and planning of training programs for State, county and municipal officers and employees, and for improvements in State-wide training opportunities;

Now, THEREFORE, I, William T. Cahill, Governor of the State of New Jersey, do hereby ORDER and DIRECT that:

1. (a) There is hereby created a Public Service Institute in, but not of the Department of Civil Service. The Public Service Institute shall serve as a comprehensive center for the planning, coordination and supervision of a State-wide public service training system.

(b) To insure that the Institute will be in a position to utilize all the expertise currently available for training public service employees and, at the same time, to insure that all segments of the State to be benefited by the Institute will enjoy a close relationship to it, there is hereby established a Public Service Institute Council directed to establish Institute policies and directions; it shall be responsible for the administration and direction of the Public Service Institute on behalf of the Governor and shall recommend an Institute budget annually to the Governor; it shall further be empowered to make recommendations to the Governor concerning training and development of public service employees, to present plans for improving services in these areas, and to present proposals for improving the administrative coordination of existing training programs in State educational institutions and agencies.

(c) The Council shall consist of the President of the Civil Service Commission, who shall be the chairman, the Commissioners of Community Affairs and Education, the Chancellor of Higher Education, the President of Rutgers University, the President of the New Jersey State League of Municipalities and the President of the New Jersey Association of Chosen Freeholders. The members are authorized to appoint alternates to act in their stead. The Council shall also consist of five public members appointed by the Governor who shall serve for terms of three years, provided that of the five members first appointed two members shall be appointed for a one-year term, two members shall be appointed for a two-year term and one member shall be appointed for a three-year term. Thereafter all members shall be appointed for a three-year term. Each member shall hold office for the term of his appointment and

until his successor has been appointed and qualified. Vacancies among the public members shall be filled by appointment for the unexpired term only.

2. (a) The Director of the Institute shall be appointed by the Governor, and shall serve at the pleasure of the Governor.

(b) The Director is hereby authorized, on behalf of the Institute, to call upon any department, office, division or agency of the State to supply such data, information, or assistance as shall be necessary to the discharge of the responsibilities of the Institute under this Order. Each department, office, division or agency of the State is hereby authorized and directed, to the extent not inconsistent with law, to provide such data, information or assistance to the Institute.

(c) The Director and Council shall report annually to the Governor on training needs and programs available for all State, county and municipal officers and employees. Such report shall review, discuss and evaluate the Institute training programs and shall also recommend areas of future training need based on a State-wide training and public service manpower monitoring system as established by the Institute with the cooperation of all executive departments.

(d) The Director (in consultation with the Council, shall be responsible for the administration and direction of the Public Service Institute and selection of the Institute's professional staff and for the Institute's programs in direct and indirect training, executive and organization development, planning and development, local government career development, internship, and training for elected officials. In each of these areas he will develop a comprehensive training system in cooperation with all educational institutions and public agencies throughout the State.

3. Every State, county or municipal agency or educational institution within New Jersey which intends to offer training courses for public officers or employees shall be requested to file, on an annual basis, with the Institute a syllabus of the courses to be offered.

4. The Director with the approval of the Council is hereby empowered to promulgate such rules and regulations as are necessary for the efficient administration of this Order.

5. This Order shall take effect immediately.

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Given, under my hand and seal this 19th day of
[SEAL] December, in the year of our Lord, one thousand nine
hundred and seventy-two, and of the Independence of
the United States, the one hundred and ninety-seventh.

/s/ WILLIAM T. CAHILL,
Governor.

Attest:

JEAN E. MULFORD,
Acting Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 39

WHEREAS, The State of New Jersey has, with reason, prided itself
on the effectiveness of its workmen's compensation program
since the inception of its law in 1911; and

WHEREAS, The State continues to be desirous of providing a com-
prehensive and realistic system of compensation for the injured
workers of this State; and

WHEREAS, The National Commission on State Workmen's Com-
pensation Laws has recently issued a report calling for major
changes in state workmen's compensation programs and also
calling for the creation of individual state advisory committees;

Now, THEREFORE, I, William T. Cahill, Governor of the State of
New Jersey, do hereby ORDER and DIRECT:

1. That there is hereby established a Commission to evaluate
the New Jersey Workmen's Compensation law and administration;
to study the Workmen's Compensation system of this State in-
cluding the level of benefits, the method of assessing benefits, the
means of determining the extent of injury, the means of assessing
the needs of injured workers and the costs of administration; to
analyze the present system in relation to the standards promul-
gated by the Report of the National Commission of State Work-
men's Compensation Laws; to determine the extent to which the

recommendations of prior Workmen's Compensation Commissions have been or should be implemented; to review the administrative methods and practices existing in other jurisdictions and to make specific recommendations for improvement in the New Jersey Workmen's Compensation system. This charge is not intended to limit any avenue of inquiry or exclude from review any subject relative to the Workmen's Compensation system not specifically set forth herein.

2. (a) The Commission shall consist of seven members appointed by the Governor of the State of New Jersey who shall serve at the pleasure of the Governor.

(b) The members of the Commission shall be entitled to a per diem allowance not to exceed \$100 for each day, or part thereof spent in the rendition of service for the Commission under this Order and, in addition, shall be entitled to reimbursement for any expenses reasonably incurred in the discharge of their official duties, subject to the availability of funds.

3. (a) The Commission shall meet at the call of the Governor or its chairman and shall report to the Governor at such times as the Governor may require or as the Board deems appropriate. The Commission shall present a final report to the Governor not later than June 30, 1973. This report shall be of such a nature and sufficiently specific that it may be utilized for the drafting of legislation.

(b) The chairman shall be appointed by the Governor and shall serve at the pleasure of the Governor. The members of the Commission may elect from among themselves a vice-chairman; may appoint a secretary who need not be a member of the Commission; and may adopt by-laws and rules governing their work consistent with law.

(c) Within the limits of appropriations made available to it, the Commission is hereby authorized to employ such staff as may be necessary to carry out the duties assigned to it.

4. The Commission shall hold such public hearings as may be appropriate.

5. The Commission shall be entitled to call upon any department, agency or office of the State of New Jersey for such documents, materials and information as it may deem necessary, and shall be

entitled to the cooperation of every department, agency, and office of the State of New Jersey.

6. This Executive Order shall take effect immediately.

Given, under my hand and seal this 20th day of
 [SEAL] December, in the year of our Lord, one thousand nine
 hundred and seventy-two, and of the Independence of
 the United States, the one hundred and ninety-seventh.

/s/ WILLIAM T. CAHILL,
Governor.

Attest:

/s/ JEAN E. MULFORD,
Acting Secretary to the Governor.

STATE OF NEW JERSEY,
 EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 40

WHEREAS, Planning for the protection of the environment, to assure that the development of the State and its resources is realized in an orderly manner and for the proper location of State facilities to encourage these goals will be fostered by the preparation of a comprehensive State plan; and

WHEREAS, Natural constraints on the growth of the State must be considered in planning for the future, particularly the constraints of water supply, achievement of high air quality standards, assurance that the waters of the State will meet quality standards, and the environmental effects of major installations, such as power generation facilities, which may be required by future growth; and

WHEREAS, The municipalities, counties and regions of New Jersey seek guidance and assistance in the preparation of plans for their jurisdiction and such guidance may be provided through a State planning procedure; and

WHEREAS, The protection of the environment and the realization of orderly development of the State requires the evaluation and coordination of long-range capital programs among the various State departments; and

WHEREAS, The Congress of the United States is seeking to assist the State and local governments to improve upon their present land use planning and management efforts with respect to areas of critical environmental concern, key facilities, and developments and land uses of regional benefit;

NOW, THEREFORE, I, William T. Cahill, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the statutes of this State, do hereby ORDER and DIRECT:

1. There is hereby established a State Planning Task Force. Such Task Force shall be appointed by the Governor and serve at his pleasure. Its duties shall be:

(a) To coordinate the programs and activities of State departments which affect the environment and growth of New Jersey, by the preparation and continued maintenance of a comprehensive State physical development plan, and to advise the Governor with regard to the impact of land use programs and planning activities of each Department;

(b) To prepare recommendations to the Governor on the environmental, social and economic impact of major proposed developments within or affecting the State;

(c) To review the State's capital program as prepared by the Department of Treasury, Division of Budget and Accounting, as it relates to the State's physical development program;

(d) To coordinate Federal planning reviews within State departments in accordance with Federal Office of Management and Budget procedures and requirements;

(e) To assure that State planning policies are integrated into the plans of interstate planning agencies and in such planning committees, councils, and commissions as are or have been established to prepare plans affecting New Jersey;

(f) To assure coordination among and provision of adequate staff services to interdepartmental councils, study groups or committees, and commissions relating to matters of State physical development and in all interdepartmental activities and programs which affect State-wide planning.

2. The State Planning Task Force shall consist of:

(a) The Secretary of Agriculture, the Commissioner of Community Affairs, the Commissioner of Environmental Protection, the Commissioner of Labor and Industry, the Chancellor of Higher

EXECUTIVE ORDERS

Education, the Commissioner of Institutions and Agencies, the Commissioner of Education, the Commissioner of Health, the Commissioner of Transportation and the State Treasurer;

(b) Three citizens of the State who shall be appointed by the Governor, one of whom shall be designated as chairman.

3. The Assistant Commissioner of the Department of Community Affairs (Planning) shall serve as Executive Secretary of the Task Force. The Division of State and Regional Planning shall provide all staff services to the Task Force.

4. The Task Force shall establish such committees as it shall find appropriate. Included among such committees shall be an environmental review committee responsible for assessing the probable environmental impact of plans and recommendations and of informing the Task Force of the likely environmental consequences of plans and recommendations. The environmental review committee shall be chaired by the Commissioner of the Department of Environmental Protection or his designee. The chairman of the environmental review committee shall appoint the members of the committee.

5. The Task Force is authorized to call upon any department, office, division, or agency of the State to supply such available statistical data, program reports, and other information and materials as it deems necessary to discharge its responsibilities under this Order.

6. Each department, office, division, or agency of the State is authorized and directed, to the extent not inconsistent with law, to cooperate with the Task Force and to furnish it such information and assistance as it may find necessary in the discharge of its responsibilities under this Order.

7. This Order shall take effect immediately.

Given, under my hand and seal this 22nd day of
[SEAL] December, in the year of our Lord, one thousand nine
hundred and seventy-two, and of the Independence of
the United States, the one hundred and ninety-seventh.

/s/ WILLIAM T. CAHILL,
Governor.

Attest:

/s/ JEAN E. MULFORD,
Acting Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 41

WHEREAS, The people of the United States and of all the World have suffered a grievous loss in the death of former President Harry S. Truman, and

WHEREAS, December 28, 1972 has been set aside as a National Day of Mourning for the late former President, and

WHEREAS, It is fitting and proper that this day be set aside as a day of mourning and prayer in memory of this great man,

Now, THEREFORE, I, William T. Cahill, 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 that Thursday, December 28, 1972 shall be a day of mourning and prayer for our late former President Harry S. Truman and further ORDER and DIRECT that:

1. All State offices and buildings shall be closed, work permitting, for the transaction of the regular business of government from and after 12 o'clock noon and State employees shall be excused at that time to pay their private respects to President Truman.
2. This Executive Order is not intended to affect banks, schools, county and local governments and the transaction of other business.

Given, under my hand and seal this 26th day of
[SEAL] December, in the year of our Lord, one thousand nine hundred and seventy-two, and of the Independence of the United States, the one hundred and ninety-seventh.

/s/ WILLIAM T. CAHILL,
Governor.

Attest:

JEAN E. MULFORD,
Acting Secretary to the Governor.

