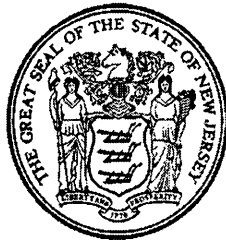


**ACTS**  
OF THE  
**Second Annual Session**  
OF THE  
**Two Hundred and Twelfth Legislature**  
OF THE  
STATE OF NEW JERSEY



**2007**

**New Jersey State Library**



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## **REORGANIZATION PLANS**

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(2359)



A PLAN FOR THE REORGANIZATION, CONSOLIDATION AND  
TRANSFER OF CERTAIN FUNCTIONS OF THE  
COMMERCE, ECONOMIC GROWTH AND TOURISM COMMISSION

PLEASE TAKE NOTICE that on May 10, 2007, Governor Jon S. Corzine hereby issues the following Reorganization Plan No. 001-2007 (the "Plan") providing for the transfer of certain functions, powers and duties of the Commerce, Economic Growth and Tourism Commission ("Commerce Commission").

The Plan furthers an ongoing effort to consolidate and make more effective the structure and function of the Executive Branch in the interests of efficiency and economy, without quantitative or qualitative diminution of services to the public, by consolidating in the Board of the Commerce Commission regulatory and administrative responsibilities relating to economic development.

GENERAL STATEMENT OF PURPOSE

Economic growth and the creation of high-quality jobs are essential to the continued well-being and prosperity of the State of New Jersey. Sustaining New Jersey's position as one of the nation's most prosperous states and most vital centers of innovation demands proactive leadership in increasingly competitive times. Since the beginning of this administration, the Office of Economic Growth has been working to develop and implement Statewide economic development policies, including developing the Economic Growth Strategy for the State of New Jersey. One of the principles of the Economic Growth Strategy is to focus State government, and in particular the Commerce Commission, on the needs of the business community: how best to retain the companies currently located in the State and how to create user friendly processes for businesses that are interested in development and expansion in the State.

Travel and tourism are equally important components of the economic health of the State. This sector of the economy increases revenues and employment opportunities, and it is appropriate for State government to continue vigorously to support this sector through advertising, maintaining visitor centers and implementing the State's master plan for the development of the tourism industry.

Currently, the Commerce Commission has the dual obligation both of promoting the growth of the business community in the State and advertising and promoting tourism in New Jersey. In order to focus the Commerce Commission solely on State government's efficient and effective interaction with the business community, the functions, powers, duties and personnel of the Division of Travel and Tourism will be moved from the Commerce Commission into the Department of State. This move will also enable the Division of Travel and Tourism to create synergies with the New Jersey Council on the Arts, the Cultural Trust and other entities located in the Department of State.

Further, in an effort to streamline the approval process for various economic development programs, which at this time requires the approval of both the Chief Executive Officer and Secretary of the Commerce Commission and the Board of the Commerce Commission, the office of the Chief Executive Officer and Secretary of the Commerce Commission is hereby eliminated and the functions, powers and duties of the Chief Executive Officer and Secretary are continued and transferred to the Commerce Commission Board. This transfer will improve the delivery of services to the business community.

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 transfer, reorganization 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 of 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 and, with respect to the abolition of the requirement pursuant to P.L.2006, c.16 (C.52:27I-6(b)), that the designee of the Chief Executive Officer and Secretary of the Commerce Commission to the Fort Monmouth Economic Revitalization Planning Authority be an employee or officer of the Commerce Commission, afford the Commerce Commission the broadest latitude to select a designee who will bring the special expertise required by that authority;

3. increase the efficiency of the operation 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, according to major purposes;
5. reduce the number of agencies by consolidating those having similar functions under a single head and to abolish such agencies or functions 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 of the Commerce, Economic Growth and Tourism Commission ("Commerce Commission"):

1. The office of the Chief Executive Officer and Secretary of the Commerce Commission, created pursuant to P.L.1998, c.44, as amended (C.52:27C-68 et seq.), is abolished.
2. The functions, powers and duties of the Chief Executive Officer and Secretary of the Commerce Commission pursuant to P.L. 1998, c. 44, as amended (C. 52:27C-68 et seq.), and pursuant to any other provision of law are continued and are transferred to the Board of the Commerce Commission, provided, however, that the requirement pursuant to P.L.2006, c.16 (C.52:27I-6(b)), that the designee of the Chief Executive Officer and Secretary of the Commerce Commission to the Fort Monmouth Economic Revitalization Planning Authority be an employee or officer of the Commerce Commission is abolished.
3. The name of the Commerce Commission is changed from the "New Jersey Commerce, Economic Growth and Tourism Commission" to the "New Jersey Commerce Commission."
4. The functions, powers, duties and personnel of the Division of Travel and Tourism in the Commerce Commission pursuant to P.L.1977, c.225, as amended (C. 34:1A-46 et seq.), and pursuant to any other

provision of law are continued and are transferred to the Secretary of State in the Department of State to be allocated in that department as determined by the Secretary.

5. The New Jersey Tourism Policy Council created pursuant to P.L.1977, c.225, as amended (C.34:1A-51 et seq.), is continued and transferred to the Department of State.

6. The functions, powers, duties and personnel of the Commerce Commission in support of the New Jersey-Israel Commission created pursuant to Executive Order No. 208 (1989) and continued pursuant to Executive Order No. 35 (1991), Executive Order No.90 (1993), Executive Order No. 37 (1995), Executive Order No. 70 (1997), Executive Order No. 12 (2002) and Executive Order. No. 49 (2007) are continued and are transferred to the Secretary of State in the Department of State to be allocated in that department as determined by the Secretary.

7. The above referenced programs and functions are transferred as set forth above, and all functions, powers and duties of the Commerce Commission and the Chief Executive Officer and Secretary of the Commerce Commission are continued and transferred as set forth above. Such programmatic, administrative and support staff presently comprising the Division of Travel and Tourism in the Commerce Commission and such staff as supports the New Jersey Tourism Policy Council and the New Jersey-Israel Commission, as may be agreed upon by the Secretary of State and the Commerce Commission shall be transferred to the Department of State. All records, property, furnishings and office equipment in support of the Division of Travel and Tourism in the Commerce Commission, the New Jersey Tourism Policy Council and the New Jersey-Israel Commission as may be agreed upon by the Secretary of State and the Commerce Commission shall be transferred to the Department of State. A proportionate share of those support services or funds to purchase such services and for the support the various functions and programs of the Division of Travel and Tourism in the Commerce Commission and in support of the New Jersey Tourism Policy Council and the New Jersey-Israel Commission shall be transferred to the Department of State: These transfers shall be made as determined by agreement between the Commerce Commission and the Secretary of State after considering the number and type of positions presently utilized for support of the Division of Travel and Tourism and in support of the New Jersey Tourism Policy Council and the

New Jersey-Israel Commission and the appropriateness of transferring personnel, positions or funding.

8. Any unexpended balance of funds appropriated or otherwise available to the Division of Travel and Tourism in the Commerce Commission are transferred to the Department of State.

9. All remaining functions, powers and duties of the Chief Executive Officer and Secretary of the Commerce Commission are transferred to the Board of the Commerce Commission to be organized and implemented as determined by Board of the Commerce Commission.

#### GENERAL PROVISIONS

1. I find that each aspect of this Plan is necessary to accomplish the purposes set forth in Section 2 of P.L.1969, c.203 (C.52:14C-2). In addition to the reasons set forth above, this Plan will promote the increased efficiency, coordination and functioning of the State's programs that support and finance economic development throughout the State.

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

3. 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.).

4. If any provision of this Plan or the application thereof to any person or circumstances or the exercise of any power or authority 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 application of the law 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.

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

6. Whenever in any law, rule, regulation, order, contract, tariff, document, judicial or administrative proceeding or otherwise reference is made to the various programs and functions set forth above the same shall mean and refer to the various programs and functions within the agency to which these functions and programs have been transferred.

A copy of this Reorganization Plan was filed on May 10, 2007, 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 July 9, 2007, 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 Plan, or at a date later than July 9, 2007, should the Governor establish such later date for the effective date for 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 "Reorganization Plans."

Filed May 10, 2007.

Effective July 9, 2007.