

**ACTS**  
OF THE  
**First Annual Session**  
OF THE  
**Two Hundred and Eighth Legislature**  
OF THE  
STATE OF NEW JERSEY



**1998**

**New Jersey State Library**



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## EXECUTIVE ORDERS

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(931)



## EXECUTIVE ORDER NO. 78

WHEREAS, Beginning February 4, 1998 and continuing February 5, 1998 heavy rains, strong winds and high tides have created flooding, hazardous road conditions, and threatened homes and other structures in the coastal areas of the State; and

WHEREAS, The aforesaid severe weather conditions constitute a disaster from a natural cause which threatens and presently endangers the health, safety and resources of the residents of one or more municipalities or counties of this State, and which is in some parts of the State and may become in other parts of the State too large in scope to be handled by the normal municipal operating services; and

WHEREAS, The Constitution and statutes of the State of New Jersey, particularly the provisions of the Laws of 1942, Chapter 251 (N.J.S.A. App. A:9-33 et seq.) and the Laws of 1979, Chapter 240 (N.J.S.A. 38A:3-6.1) and the Laws of 1963, Chapter 109 (N.J.S.A. 38A:2-4) and all amendments and supplements thereto, confer upon the Governor of the State of New Jersey certain emergency powers;

THEREFORE, I, CHRISTINE TODD WHITMAN, Governor of the State of New Jersey, in order to protect the health, safety and welfare of the people of the State of New Jersey:

1. Do declare and proclaim that a State of Emergency has existed and presently exists in Atlantic, Cape May, Monmouth and Ocean Counties.

2. Empower, in accordance with the Laws of 1942, Chapter 251 (N.J.S.A. A:9-33 et seq.) as supplemented and amended, the State Director of Emergency Management, who is the Superintendent of State Police, through the police agencies under his control, to determine the control and direction of the flow of such vehicular traffic on any State highway, municipal or county road, including the right to detour, reroute or divert any or all traffic and to prevent ingress or egress from any area, that, in the State Director's discretion, is deemed necessary for the protection of the health, safety and welfare of the public, and to remove parked or abandoned vehicles from such roadways as conditions warrant.

3. Authorize, in accordance with the Laws of 1942, Chapter 251 (N.J.S.A. App. A:9-33 et seq.) as supplemented and amended, the Attorney General, pursuant to the provisions of N.J.S.A. 39:4-213, acting through the Superintendent of the Division of State Police, to determine the control and direction of the flow of vehicular traffic on any State or interstate highway,

and its access roads, including the right to detour, reroute or divert any or all traffic, and to prevent ingress or egress from any area to which the declaration of emergency applies. I further authorize all law enforcement officers to enforce any such orders of the Superintendent of State Police with their respective municipalities.

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

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

6. Authorize, in accordance with the Laws of 1963, Chapter 100 (N.J.S.A. 38A:3-6.1), the Adjutant General to order to active duty such members of the New Jersey National Guard that, in the Adjutant General's judgment, are necessary to provide aid to those localities where there is a threat or danger to the public health, safety and welfare and to authorize the employment of any supporting vehicles, equipment, communications or supplies as may be necessary to support the members so ordered.

7. Reserve, in accordance with the Laws of 1942, Chapter 251 (N.J.S.A. App. A:9-34), as supplemented and amended, the right to utilize and employ all available resources of the State government and of each and every political subdivision of the State, whether of persons, properties or instrumentalities, and to commandeer and utilize any personal services and any privately owned property necessary to protect against this emergency.

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

Dated February 6, 1998.

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EXECUTIVE ORDER NO. 79

WHEREAS, Governor Kean established the Governor's Advisory Committee on Public/Private Volunteer Partnerships ("Advisory Committee"); and

WHEREAS, Executive Order No. 71 (1992) issued by Governor Florio renamed the Advisory Committee the Governor's Advisory Council on Volunteerism and Community Service ("Advisory Council"); and

WHEREAS, Executive Order No. 34 (1995) continued the Advisory Council and, among other things, changed the membership of the Council; and

WHEREAS, In order for the Advisory Council to better encourage and support volunteerism in the State of New Jersey, it is advisable to change the membership of the Advisory Council to include the Commissioners of Transportation and Environmental Protection and the Adjutant General of the Department of Military and Veterans' Affairs, as these Departments administer Statewide volunteer programs;

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

1. Executive Order No. 34 (1995) shall remain in full force and effect except as modified herein.

2. Paragraph 3 of Executive Order No. 34 (1995) is hereby amended as follows:

The Advisory Council shall consist of not more than 42 members, including ex-officio members. The Commissioners of the Departments of Commerce, Community Affairs, Education, Environmental Protection, Health and Senior Services, Human Services and Transportation, the Adjutant General of the Department of Military and Veterans' Affairs, the Attorney General, the Executive Director of the Administrative Office of the Courts and the Executive Director of the New Jersey Commission on Community Service, or their designees, as well as one representative of a federal volunteer program, shall serve on the Advisory Council as ex officio members.

3. This Order shall take effect immediately.

Dated February 10, 1998.

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EXECUTIVE ORDER NO. 80

WHEREAS, Torrential rains, strong winds and high tides created flooding, hazardous road conditions and threatened homes and other structures within

the Counties of Atlantic, Cape May, Monmouth and Ocean, beginning February 4, 1998 and continuing through February 5, 1998; and

WHEREAS, Conditions and issues related to the severe weather conditions required that I invoke the emergency powers vested in the Governor by the Constitution and Statutes of this State, including, but not limited to, the provisions of the Laws of 1942, Chapter 251 (N.J.S.A. App. A:9-33 et seq.) and the Laws of 1979, Chapter 240 (N.J.S.A. 38A:3-6.1) and the Laws of 1963, Chapter 109 (N.J.S.A. 38A:2-4); and

WHEREAS, I issued Executive Order No. 78 on February 6, 1998, declaring a State of Emergency, which Order provided, among other things, that members of the New Jersey National Guard be ordered to active duty to provide aid and recovery assistance to those localities where there was a threat to the public health, safety and welfare and authorized the employment of any supporting vehicles, equipment, communications or supplies as were necessary to support the members so ordered; and

WHEREAS, The severe weather conditions which were the cause for the issuance of that Order have subsided;

NOW, THEREFORE, I, CHRISTINE TODD WHITMAN, 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 State of Emergency that prompted the issuance of Executive Order No. 78 having subsided, Executive Order No. 78 is hereby rescinded.
2. The State Director of Emergency Management remains authorized and empowered to utilize all facilities owned, rented, operated and maintained by the State of New Jersey to house and shelter persons who may need shelter as a consequence of the emergency.
3. The State Director of Emergency Management remains authorized to order the evacuation of all persons from any area where their continued presence would present a danger to their health, safety or welfare because of the conditions created by the emergency.
4. The Department heads of the various agencies of State government who are called upon to provide assistance in the aftermath of the emergency

shall continue to lend assistance to ensure the protection of the health, safety and resources of the residents of Atlantic, Cape May, Monmouth and Ocean Counties and the State of New Jersey.

5. This Order shall take effect immediately.

Dated March 10, 1998.

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EXECUTIVE ORDER NO. 81

WHEREAS, Assembly Bill No. 292, enacted into law on this date makes several changes to the Tenants Property Tax Rebate Act, P.L. 1976, c.63 (C.54:4-6.2 et seq.), which requires landlords to rebate reductions in property taxes to their residential tenants; and

WHEREAS, Assembly Bill No. 292 redefines the property subject to the Tenants Property Tax Rebate Act, identifies the reductions to be rebated, changes the calculation of the property tax reduction to be rebated and clarifies the landlord and tenant procedures for making and receiving rebates; and

WHEREAS, Those changes to the Tenants Property Tax Rebate Act contained in Assembly Bill No. 292 have generated interest and discussion regarding many and varied issues involving landlords and tenants in the State of New Jersey; and

WHEREAS, It is important for government officials, landlords, tenants and private investors to work together in order to promote cooperation to ensure both the proper and safe development of multi-family housing communities and the maintenance of existing communities;

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

1. The creation of the Landlord-Tenant Task Force (hereinafter Task Force) to study the issues affecting landlords and tenants and their relationship in multi-family housing communities.

2. A charge to the Task Force to consider issues which will include, but not be limited to:

- a. the State's current laws concerning property tax rebates by landlords to tenants;
- b. the existing laws regarding rent control and the sharing of tax rebates;
- c. the effect of rent control on property costs;
- d. the feasibility of using Alternative Dispute Resolution to resolve landlord-tenant disputes prior to the filing of a complaint in the Superior Court, Special Civil Part;
- e. the problems relating to landlord-tenant proceedings in Superior Court, Special Civil Part;
- f. the increase and improvement of multi-family housing communities in the State; and
- g. the development of laws that clearly delineate the responsibilities of the landlord and the tenant.

3. The Task Force shall convene by July 1, 1998, and shall complete its study and report to me within one hundred and twenty (120) days of the date the Task Force first convenes.

4. The Task Force shall identify and report back to me articulating their concerns, agreements and disagreements and making recommendations regarding these issues.

5. The Task Force shall consist of the Attorney General, or his designee; the Commissioner of the Department of Community Affairs, or her designee; a member of the Senate to be appointed by the Senate President; a member of the General Assembly to be appointed by the Speaker of the General Assembly; and one member from each of the following organizations to be appointed by the Governor: the New Jersey State Bar Association, the New Jersey Tenants Organization, the New Jersey Apartment Association, the League of Municipalities, the New Jersey Builders Association, and the New Jersey Bankers Association. The

Governor shall designate a chairman and vice-chairman of the Task Force from among the members of the Task Force.

The members shall serve without compensation, but shall be reimbursed for necessary expenses incurred in the performance of their duties subject to the availability of funds therefor. The Department of Community Affairs and all other State departments and agencies are hereby directed, to the extent not inconsistent with law and within budgetary constraints, to cooperate with the Task Force and to furnish it with such information, personnel, and assistance as are necessary to accomplish the purposes of this Order.

6. This Order shall take effect immediately.

Dated May 4, 1998.

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EXECUTIVE ORDER NO. 82

WHEREAS, Ellis Island, New Jersey has played a singularly important role in the history of the United States and the State of New Jersey as an immigration station to which millions of Americans and New Jersey residents can trace their roots;

WHEREAS, The historic significance of Ellis Island, New Jersey was acknowledged by the United States when the Island was designated as part of the Statue of Liberty/Ellis Island National Monument and placed under the operation supervision of the National Parks Service;

WHEREAS, The structures presently existing on the Island are a significant part of the rich history of Ellis Island, New Jersey;

WHEREAS, Some of the structures on Ellis Island, including the Main Building, have been maintained and restored successfully through private and public efforts and placed to beneficial use as an immigration museum and administrative offices;

WHEREAS, The Supreme Court of the United States in an opinion dated May 26, 1998 recognized and acknowledged New Jersey's sovereignty and governmental control over a substantial portion of Ellis Island, as defined in the Court's opinion;

WHEREAS, Many of the structures on the portion of Ellis Island that is within New Jersey's territory are presently in a state of disrepair and disuse;

WHEREAS, The State of New Jersey seeks to cooperate with, consult, and assist the National Parks Service in determining the most beneficial future use of the structures on Ellis Island, New Jersey and in selecting alternatives for maintaining and restoring said structures;

WHEREAS, The citizens of the State of New Jersey, as well as the citizens of the United States, would benefit from the maintenance, restoration, and beneficial use of the structures on Ellis Island, New Jersey;

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

1. The creation of the Advisory Committee on the Preservation and Use of Ellis Island (the Advisory Committee).

2. The Advisory Committee is charged with investigating all potential future uses of the structures on Ellis Island, New Jersey, examining available alternatives to maintain, restore, and put to beneficial use the structures on Ellis Island, New Jersey in a manner consistent with the historic significance of the Island, recommending to the Governor and the State Historic Preservation Officer a plan to maintain, restore, and put to beneficial use the structures on Ellis Island, New Jersey and cooperating with and assisting the State of New York and the City of New York, when appropriate, with respect to the maintenance, restoration, and use of the structures on the portion of Ellis Island within the State of New York.

3. The Advisory Committee shall be composed of up to 13 members, as follows:

- a. The Attorney General or his designee;
- b. The State Treasurer or his designee;
- c. The State Historic Preservation Officer;
- d. The Secretary of State or her designee;
- e. The Director, Division of Taxation or his designee;
- f. A Senator to be appointed by the President of the Senate;
- g. An Assembly Member to be appointed by the Speaker of the General Assembly;

- h. The Mayor of Jersey City or his designee;
- i. A member of the New Jersey Congressional delegation; and
- j. No more than four members of the public to be appointed by the Governor based upon professional experience and expertise in urban planning, history, architecture and/or historic restoration.

The Governor shall designate a chair and vice-chair from among the members of the Advisory Committee. The members shall serve without compensation, but shall be reimbursed for necessary expenses incurred in the performance of their duties subject to the availability of funds therefor.

4. The Advisory Committee shall organize and meet as soon as possible after the appointment of its members. The chair shall appoint a secretary who need not be a member of the Advisory Committee. Vacancies on the Advisory Committee shall be filled in the same manner as the original appointment.

5. All State departments and agencies are hereby directed, to the extent not inconsistent with the law and within budget constraints, to cooperate with the Advisory Committee and to respond to requests for such information, personnel and assistance as are necessary to accomplish the purpose of this Order.

6. This Order shall take effect immediately.

Dated May 27, 1998.

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EXECUTIVE ORDER NO. 83

WHEREAS, An Executive Reorganization Plan transferring certain responsibilities for reports, receipts and correspondence processing functions from the Department of Labor and consolidating them in the Division of Revenue within the Department of the Treasury was filed with the Legislature on March 30, 1998 as Reorganization Plan No. 003-1998; and

WHEREAS, This Reorganization Plan is to become effective on May 29, 1998 or at such later date as the Governor may establish, if not disapproved by the Legislature; and

WHEREAS, It is necessary to delay the effective date of this Reorganization Plan until July 1, 1998, to synchronize the effective date of this Plan with the start of Fiscal Year 1999;

NOW, THEREFORE, I, CHRISTINE TODD WHITMAN, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution, by the Statutes of this State and by Reorganization Plan No. 003-1998, do hereby ORDER and DIRECT:

1. That the effective date for Reorganization Plan No. 003-1998 shall be July 1, 1998.
2. This Order shall take effect immediately.

Dated May 27, 1998.

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EXECUTIVE ORDER NO. 84

WHEREAS, The Brain Injury Association of New Jersey has identified traumatic brain injury as the leading cause of death and disability among children and young adults in this country; and

WHEREAS, Since the late 1970's, advances in medical technology have enabled many persons with severe brain injury to survive these injuries; and

WHEREAS, Persons with brain injury may need specialized rehabilitation programs geared to the specific needs of these individuals to live their lives to the maximum potential; and

WHEREAS, Establishing records and providing treatment methods and services to people with brain injury must be a priority for the State;

NOW, THEREFORE, I, CHRISTINE TODD WHITMAN, 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 in the Department of Human Services the New Jersey Advisory Council on Traumatic Brain Injury.
2. The Council shall be composed of 18 public members, all of whom shall be appointed by the Governor, including 8 individuals who are

survivors of traumatic brain injury or the family members of such individuals, and at least 1 individual representing each of the following groups: public or private health-related organizations, disability advisory or planning groups within the State, the Brain Injury Association of New Jersey, injury control programs at the State or local level, and the Center for Health Statistics for data research purposes. Initial terms of the public members shall be staggered as follows: 6 members shall serve for a term of 1 year; 6 members shall serve for a term of 2 years; and 6 members shall serve for a term of 3 years. Thereafter members shall serve for terms of 3 years. Vacancies shall be filled for the unexpired term.

3. The Commissioners of the Departments of Human Services, Education, Health and Senior Services, Community Affairs, Labor, Banking and Insurance, Law and Public Safety, and Treasury and/or their designees, shall also serve on the Council.

4. The Commissioner of the Department of Human Services or his or her designee shall chair the Council.

5. The Council shall:

a. Advise and make recommendations to the Department of Human Services and the other related State agencies on ways to improve services regarding traumatic brain injury, including the coordination of such services between public and private entities;

b. Encourage citizen participation through the establishment of public hearings and other types of community outreach and prevention activities;

c. Encourage and stimulate research and prevention activities; and

d. Oversee any programs created under federal Public Law 104-166 known as the Traumatic Brain Injury Act and any successive amendments to said Act, and report to the federal government regarding such programs.

6. The Council shall meet quarterly and members shall serve without compensation.

7. This Order shall take effect immediately.

Dated May 28, 1998.

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EXECUTIVE ORDER NO. 85

WHEREAS, Alexander P. Waugh, Sr., born in Caldwell in 1907, devoted his life in public service to the people of the State of New Jersey; and

WHEREAS, In 1933, he was elected to the General Assembly and served until 1934; and

WHEREAS, From 1933 until 1937, he served as a municipal court judge in Verona, Essex County; and

WHEREAS, In 1942, he served as the mayor of Verona; and

WHEREAS, In 1948, he was appointed as a judge of the Essex County District Court, and, in 1954, he was elevated to the Essex County Court; and

WHEREAS, In 1956, he was appointed to Superior Court of New Jersey in Essex County by Governor Robert Meyner; and

WHEREAS, He was elevated to Assignment Judge of Essex County by Chief Justice Arthur Vanderbilt, a post he held until 1965; and

WHEREAS, He later served as an Assignment Judge in the Morris/Sussex/Warren vicinage until his retirement from the bench in 1972; and

WHEREAS, Although retired from the bench for more than 25 years, he played a critical role in advising Governors on the appointment of judges to the bench in New Jersey, and the judiciary of this State has greatly benefited from his guidance; and

WHEREAS, He also was instrumental in developing the integrity of our nation's legal system by chairing the National Council of State Trial Judges from 1968 to 1969, and as a founder and director of the National Judicial College; and

WHEREAS, He has been a mentor to both the bench and the bar and has upheld the highest standards of professional integrity as both a judge and a lawyer; and

WHEREAS, He was devoted to his wife and family and was considerate and compassionate to his friends and colleagues; and

WHEREAS, It is with deep sadness that we mourn the loss of Judge Alexander P. Waugh, Sr. and extend our sincere sympathies to his family and friends; and

WHEREAS, It is fitting and appropriate for the State of New Jersey to mourn the passing of Judge Alexander P. Waugh, Sr. and to honor his distinguished career in public service to our State;

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

1. The flag of the United States of America and the flag of the State of New Jersey shall be flown at half-staff at all State departments, offices, agencies and instrumentalities during appropriate hours beginning on Friday, July 3, 1998 and through and including Friday, July 10, 1998 in recognition and mourning of the passing of Judge Alexander P. Waugh, Sr.
2. This Order shall take effect immediately.

Dated July 1, 1998.

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EXECUTIVE ORDER NO. 86

WHEREAS, Executive Order No. 81 (1998) established the Landlord-Tenant Task Force; and

WHEREAS, The Task Force was created to promote cooperation among government officials, landlords, tenants and private investors and to ensure the proper and safe development of multi-family housing communities as well as the maintenance of existing communities; and

WHEREAS, In order for the Task Force to better encourage discussion and cooperation among more varied interest groups in the State of New Jersey, it is advisable to amend the membership of the Task Force to add one member from the Mobile Homeowners Association and one member from the Affordable Housing Network;

NOW, THEREFORE, I, CHRISTINE TODD WHITMAN, 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. Executive Order No. 81 (1998) shall remain in full force and effect except as modified herein.

2. Paragraph 3 of Executive Order No. 81 (1998) is hereby amended as follows:

The Task Force shall convene by October 1, 1998, and shall complete its study and report back to me within one hundred and twenty (120) days of the date the Task Force first convenes.

3. The first paragraph of paragraph 5 of Executive Order No. 81 (1998) is hereby amended as follows:

The Task Force shall consist of the Attorney General, or his designee; the Commissioner of the Department of Community Affairs, or her designee; a member of the Senate to be appointed by the Senate President; a member of the General Assembly to be appointed by the Speaker of the General Assembly; and one member from each of the following organizations to be appointed by the Governor: the New Jersey State Bar Association, the New Jersey Tenants Organization, the New Jersey Apartment Association, the League of Municipalities, the New Jersey Builders Association, the New Jersey Bankers Association, the Mobile Homeowners Association and the Affordable Housing Network. The Governor shall designate a chair and vice-chair of the Task Force from among the members of the Task Force.

4. This Order shall take effect immediately.

Dated July 27, 1998.

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#### EXECUTIVE ORDER NO. 87

WHEREAS, Rapidly changing technology and increasing citizen expectations have made the effective use of information technology a critical element of governance; and

WHEREAS, Information technology provides a powerful tool that can transform the ability of citizens and businesses to access government information and services and improve the breadth and quality of those services; and

WHEREAS, The State must become more flexible and responsive in its use of information technology to meet citizen expectations and the challenges and opportunities of the 21st century; and

WHEREAS, The State must commit to building an information technology infrastructure that supports the effective use of information technology throughout State government; and

WHEREAS, The State must integrate and coordinate information technology planning and budgeting on a statewide basis to effectively realize operating efficiencies;

NOW, THEREFORE, I, CHRISTINE TODD WHITMAN, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and the statutes of this State, do hereby ORDER and DIRECT:

1. There is hereby established an Office of Information Technology that is allocated in but not of the Department of the Treasury. The Office of Information Technology shall be independent of any supervision by the Department.

2. The Office of Telecommunications and Information Systems created by Executive Order No. 84 (Kean) is abolished and all of its functions, powers, and duties, except as herein otherwise provided, are continued in the Office of Information Technology established under this Executive Order.

3. All appropriations and other moneys available and to become available to the Office of Telecommunications and Information Systems are hereby continued in the Office of Information Technology and shall be available for the objects and purposes for which appropriated, subject to any terms or conditions of such appropriations.

4. Employees of the Office of Telecommunications and Information Systems shall become employees of the Office of Information Technology and shall retain their present employment status under Title 11A and their collective bargaining status. Future employees of the Office of Information Technology shall be hired consistent with Title 11A.

5. The Office of Information Technology shall be headed by a Governing Board, which shall meet at least quarterly and shall consist of seven members as follows:

- a. The Chief Information Officer, as the chair;
- b. The State Treasurer or designee;
- c. Two voting Executive Branch agency members, appointed by and serving at the pleasure of the Governor and until a successor is appointed; and
- d. Three voting public members, appointed by and serving at the pleasure of the Governor, who shall be New Jersey residents employed by, owners of, or members of the Board of Directors of a business that is located in New Jersey. Public members shall possess both business and information technology leadership expertise. Public members shall not receive compensation for their services but shall be entitled to reimbursement for expenses incurred in the performance of their official duties.

6. The Governing Board shall set policy for the Office of Information Technology, review and approve the annual budget request for the Office of Information Technology, and appoint and advise the Chief Technology Officer. The Governing Board shall review and approve the strategic plan for the Office of Information Technology and shall ensure that such plan is consistent with the strategic direction established by the Executive Branch agencies as embodied in the Statewide Strategic Plan for Information Technology.

7. The Chief Information Officer, working with Executive Branch agencies, shall develop and implement the Statewide Strategic Plan for Information Technology and shall lead, coordinate and integrate statewide information technology policies and activities.

8. The Office of Information Technology shall be managed by a Chief Technology Officer, who shall be appointed by, and serve at the pleasure of, the Governing Board. The Chief Technology Officer shall have technical proficiency and managerial expertise in the information technology field and shall be responsible for the day-to-day operations of the Office of Information Technology. The Chief Technology Officer shall develop a strategic plan for the Office of Information Technology that is consistent with the Statewide Strategic Plan for Information Technology.

9. The Chief Technology Officer shall chair the Information Technology Coordinating Team, consisting of the Chief Information Officer from each Executive Branch agency. The Information Technology Coordinating Team shall work cooperatively with the Chief Information Officer to develop and implement the Statewide Strategic Plan for Information Technology.

10. All agencies of the State government are directed to cooperate fully with the Office of Information Technology and with each other to ensure the effective use of information technology in State government.

11. This Order shall take effect immediately.

Dated September 4, 1998.

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EXECUTIVE ORDER NO. 88

WHEREAS, I appointed the members of the Property Tax Commission in December 1997 and charged them with recommending ways to help county school and municipal officials ease the heavy burden of property taxes on New Jersey residents; and

WHEREAS, The Commission has held 10 meetings, numerous subcommittee meetings and four public hearings to gather data and opinions from private citizens, policy experts, local officials and State legislators; and

WHEREAS, The Commission sought to address both the cost of New Jersey's method of providing local government services as well as the State's historically heavy reliance on the property tax to fund these government services; and

WHEREAS, The Commission has concluded that while New Jersey citizens ought to continue holding local control in deciding which services they will receive, it is equally important for New Jersey to reduce property taxes by finding more efficient ways to provide these services; and

WHEREAS, The Commission recommends, therefore, that New Jersey implement a host of legislative and regulatory changes to encourage sharing of services; and

WHEREAS, The Commission has made specific recommendations urging State government agencies to take an active role in encouraging and facilitating shared and regional services; and

WHEREAS, I agree that State agencies can and should encourage and facilitate shared and regional services wherever appropriate;

NOW, THEREFORE, I, CHRISTINE TODD WHITMAN, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and the statutes of this State, do hereby ORDER and DIRECT:

1. All State agencies shall review their rules, regulations and program requirements that might impact the implementation of interlocal shared service programs or activities to identify within the next ten months, and thereafter remove where appropriate, any restrictions or impediments to such programs or activities.

2. All State agencies that regulate local activities or conduct local program analyses, including the Local Government Budget Review Program, upon request by one or more localities, shall provide coordinated staff assistance to local officials with planning and evaluating new interlocal shared service programs and activities.

3. The Department of Education and the Department of Community Affairs shall work together to encourage interlocal cooperative efforts between school districts and municipalities.

4. The Commissioner of Education shall conduct studies to identify within the next six months existing models of regional and shared services among school districts and shall thereafter, where appropriate, develop new models. Such models may pertain to general education or central office functions, including management, administrative, and support services. The Commissioner shall promote regionalization and shared services by establishing workshops and showcases where school officials can share their experiences and accomplishments and by publishing and distributing highlights of successful efforts.

5. This Order shall take effect immediately.

Dated September 16, 1998.

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EXECUTIVE ORDER NO. 89

WHEREAS, New Jersey has one of the largest senior citizen populations in the nation; and

WHEREAS, Currently, one in seven residents of this State is at least sixty-five years of age and, it is anticipated that, in thirty years, one in four New Jerseyans will be at least sixty-five years old; and

WHEREAS, These demographic projections indicate a critical need to anticipate and develop responses to the likely need of large numbers of elderly residents of this State for elder care and the needs of their care givers;

NOW, THEREFORE, I, CHRISTINE TODD WHITMAN, 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 in the Department of Health and Senior Services the New Jersey Advisory Council on Elder Care.

2. The Council shall be composed of 17 members as follows: three members of the Senate to be appointed by the President of the Senate, no more than two of whom shall be members of the same political party; three members of the General Assembly, to be appointed by the Speaker of the General Assembly, no more than two of whom shall be members of the same political party; the Commissioner of the Department of Health and Senior Services, a Deputy Commissioner of the Department of Health and Senior Services, and the Director of Senior Services or their designees; and eight public members, all of whom shall be appointed by the Governor, who shall have an interest or expertise in issues pertaining to elder care.

3. It shall be the responsibility of the New Jersey Advisory Council on Elder Care to gather and evaluate information on the current and perceived future service needs of senior citizens and those caring for them, and to determine the current needs of independent elders and those anticipated during the next 25 years. The Council shall, in particular, focus on the following issues: (1) the kinds of support or choices that care givers need now and will need in the future to help their patients, parents or loved ones maintain their dignity and independence; (2) the expectations that middle-aged persons currently have about the kind of care they will receive as senior citizens during the next 25-year period and how they expect to pay for that care; (3) the service delivery system that needs to be established or modified to meet anticipated elder care needs, and the kinds of legislative or policy decisions necessary for this purpose; and (4) the kinds of

accommodations that need to be made for senior citizens who want to utilize various long-term care options.

4. The Council shall:

a. Organize as soon as practicable following the appointment of its members. The Governor shall appoint a chairperson from among its members. The council members shall serve without compensation.

b. The Council shall meet at the call of the chairperson at the times and in the places deemed appropriate and necessary to fulfill its charge. The Council shall be entitled to call to its assistance and avail itself of the services of officials and employees of any State department, board, bureau, commission or agency as it may require and as may be available to it for its purposes.

5. The Council shall present a report of its findings and recommendations to the Governor and the Legislature no later than six months after the date of its initial meeting.

6. This Order shall take effect immediately.

Dated September 28, 1998.

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EXECUTIVE ORDER NO. 90

WHEREAS, Executive Order No. 82 (Whitman) created the Advisory Committee on the Preservation and Use of Ellis Island (the Advisory Committee); and

WHEREAS, The Advisory Committee is charged with investigating all potential future uses of the structures on Ellis Island, New Jersey, examining available alternatives to maintain, restore, and put to beneficial use the structures on Ellis Island, New Jersey in a manner consistent with the historic significance of the Island, recommending to the Governor and the State Historic Preservation Officer a plan to maintain, restore, and put to beneficial use the structures on Ellis Island, New Jersey and cooperating with and assisting the State of New York and the City of New York, when appropriate, with respect to the maintenance, restoration, and use of the structures on the portion of Ellis Island within the State of New York; and

WHEREAS, The addition of more public members would be instrumental in ensuring that the Advisory Committee accomplishes its objectives;

NOW, THEREFORE, I, CHRISTINE TODD WHITMAN, 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. Paragraph 3, section j of Executive Order No. 82 (Whitman) shall be replaced with the following language:

j. No more than seven members of the public to be appointed by the Governor, including but not limited to individuals with professional experience and expertise in urban planning, history, architecture and/or historic restoration.

2. All other provisions of Executive Order No. 82 (Whitman) shall remain in full force and effect.

3. This Order shall take effect immediately.

Dated October 5, 1998.

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EXECUTIVE ORDER NO. 91

I, CHRISTINE TODD WHITMAN, 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. November 27, 1998, the day following Thanksgiving, shall be granted as a day off to employees who work in the Executive Departments of State Government and who are paid from State funds or from federal funds made available to the State, whose functions, in the opinion of their appointing authority, permit such absence.

2. An alternate day shall be granted to the aforementioned category of employees whose functions, in the opinion of their appointing authority, precludes such absence on November 27, 1998.

Dated November 16, 1998.