

ACTS
OF THE
Second Annual Session
OF THE
Two Hundred and First Legislature
OF THE
STATE OF NEW JERSEY
AND
Thirtieth Under the New Constitution
CHAPTERS 237-543



1985

New Jersey State Library

EXECUTIVE ORDERS

(2235)

Executive Orders

EXECUTIVE ORDER No. 89

WHEREAS, The State prisons and other penal and correctional institutions of the New Jersey Department of Corrections continue to house populations of inmates in excess of their capacities and remain seriously overcrowded; and

WHEREAS, These conditions continue to endanger the safety, welfare and resources of the residents of this State; and

WHEREAS, The scope of this crisis prevents local governments from safeguarding the people, property and resources of the State; and

WHEREAS, Executive Order No. 78 (Kean) of July 20, 1984 expires January 20, 1985; and

WHEREAS, The conditions specified in Executive Order No. 106 (Byrne) of June 19, 1981, continue to present a substantial likelihood of disaster;

Now, THEREFORE, I, Thomas H. Kean, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and statutes of this State, do hereby declare a continuing state of emergency and ORDER and DIRECT as follows:

1. Executive Orders No. 106 (Byrne) of June 19, 1981, No. 108 (Byrne) of September 11, 1981, No. 1 (Kean) of January 20, 1982, No. 8 (Kean) of May 20, 1982, No. 27 (Kean) of January 10, 1983, No. 43 (Kean) of July 15, 1983, No. 60 (Kean) of January 20, 1984, and No. 78 (Kean) of July 20, 1984 shall remain in effect until January 20, 1986, notwithstanding any sections in them stating otherwise.

2. This Order shall take effect immediately.

Issued January 18, 1985.

EXECUTIVE ORDER No. 90

WHEREAS, An effective and efficient Child Support Enforcement Program will help assure the proper financial support of children and may be instrumental in decreasing welfare costs through increased support collections; and

WHEREAS, The existing New Jersey Child Support Program may benefit from an objective overview and data collection, reflecting program operations, and the development of a Statewide awareness of program needs may serve to consolidate program efforts; and

WHEREAS, The Child Support Amendments of 1984 (P. L. 98-378), which amend Title IV-D of the Social Security Act, require, as a condition of a state's eligibility for federal payments under the Act, that the governor of each state, on or before December 1, 1984, appoint a State Commission on Child Support to examine, investigate and study the state's child support system; and

WHEREAS, A New Jersey Commission on Child Support was established by letter to the Secretary of State on November 27, 1984; and

WHEREAS, The adoption and reaffirmation of this Commission by Executive Order is appropriate in order to set forth the composition and organization of the Commission, its powers and duties;

Now, THEREFORE, I, Thomas H. Kean, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and statutes of this State, do hereby ORDER and DIRECT:

1. There is hereby created a State Commission on Child Support (hereinafter referred to as the Commission).

- a. The Commission shall consist of 29 members appointed by the Governor. The members of the Commission shall be one custodial and one noncustodial parent, five representatives of the State IV-D agency, one representative of the State Judiciary, five

members from the Executive Branch, two State Senators and two Assemblymen, four representatives of child welfare and social services agencies, two members from the Family Law and two members from the Women's Rights sections of the New Jersey State Bar Association and a maximum of four public members representing diversified aspects of the State child support system.

b. Commission vacancies shall be filled by appointment by the Governor.

c. The Governor shall designate the Chairperson of the Commission from among the members of the Commission, who shall serve at the pleasure of the Governor. The Commission members shall choose a Vice-Chairperson from among their membership.

d. The Commission may organize itself as it deems appropriate to carry out its responsibilities.

2. The Commission shall meet regularly during the life of the Commission.

3. The Commission shall examine, investigate and study the operations of the State's child support system to determine:

a. The extent to which the State's system has been successful in securing support and parental involvement both for children who are eligible for aid under a State plan approved under Part A of Title IV of the Social Security Act and for children who are not eligible for such aid.

b. The problems pertaining to visitation rights, appropriate objective standards of support, the enforcement of interstate obligations and the availability, cost and effectiveness of services both to children who are eligible for aid under a State IV-A or IV-D plan and those who are not.

c. The need for legislation at the federal and State levels to obtain support for all children.

4. The Commission shall submit to the Governor and make available to the public, no later than October 1, 1985, a full and complete report of its findings and recommendations resulting from the examination, investigation and study of the State's child support system.

5. The Department of Human Services is directed to cooperate with the Commission, to the extent not inconsistent with the law, to furnish such staff, office space and supplies as necessary for the Commission to carry out this Order. The Commission is also

authorized to consult with any other department, office, division or agency of the State for data, program reports and any other information deemed necessary to satisfy this Order. Each such department, office, agency or division is authorized, and hereby directed, to the extent not inconsistent with the law, to cooperate with the Commission, as necessary, for the fulfillment of this Order.

6. This Order shall take effect immediately.

Issued January 28, 1985.

EXECUTIVE ORDER No. 91

WHEREAS, Executive Order No. 35 created the Governor's Committee on Children's Services Planning and Executive Order No. 77 extended its term; and

WHEREAS, The purpose of this Committee was to review the findings of the Commission on Children's Services and make recommendations to improve the quality of services for the children and youth of this State; and

WHEREAS, The coming together of these talented individuals has focused attention on the problems of children and youth in New Jersey, and fostered improved planning and coordination of services for children; and

WHEREAS, The Governor's Committee on Children's Services Planning has prepared specific recommendations to improve services for children and youth; and

WHEREAS, There is a need for the Committee to work with the State departments and the community in order to help implement its recommendations and facilitate efforts to improve the quality of services for children and youth;

Now, THEREFORE, I, Thomas H. Kean, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and statutes of this State, do hereby ORDER and DIRECT:

1. The Governor's Committee on Children's Services Planning shall continue in existence until January 1, 1986.

2. The Committee shall work with the various State departments, the Administrative Office of the Courts, local public and private agencies, and community groups to:

(a) Facilitate implementation of the recommendations made by the Committee;

(b) Continue to foster improved planning and coordination of services for children;

(c) Foster increased private sector involvement in developing programs and services to benefit New Jersey's children; and

(d) Provide such information on children's services issues as the Governor may request.

3. The Committee shall work with the Administration in developing legislation to establish an ongoing mechanism to cooperatively work with State government agencies and the community in the planning and coordination of services for children.

4. The current members of the Committee shall continue to serve in their capacity until January 1, 1986.

5. This Order shall take effect immediately.

Issued February 1, 1985.

EXECUTIVE ORDER No. 92

WHEREAS, The acquisition, storage, retrieval, analysis and dissemination of health care related statistics is instrumental in protecting the well-being of the residents of the State of New Jersey; and

WHEREAS, The New Jersey State Department of Health, Center for Health Statistics, is presently engaged in developing programs which will provide uniform health care data to all State Health Department programs as well as various State and national users; and

WHEREAS, Recent federal legislation establishing the Cooperative Health Statistics System requires that each state designate a

New Jersey State Library

state agency to administer or be responsible for the statistical activities under the System; and

WHEREAS, The New Jersey State Department of Health now participates under federal contracts in the Cooperative Health Statistics System;

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

1. The New Jersey State Department of Health, Center for Health Statistics, is hereby designated as the sole State agency responsible for administering health related statistical activities within the State under the Cooperative Health Statistics System, National Center for Health Statistics.

2. This Order shall take effect immediately.

Issued February 23, 1985.

EXECUTIVE ORDER No. 93

WHEREAS, Executive Order No. 54 of Governor Brendan Byrne created a program for departmental review of boards, commissions, committees and councils, which program has become defunct; and

WHEREAS, Executive Order No. 7 created a Pension Systems Review Commission, which Commission has issued its report and completed its function; and

WHEREAS, Executive Order No. 9 amended Executive Order No. 7 creating a Pension Systems Review Commission, which Commission has now completed its work; and

WHEREAS, Executive Order No. 13 created the Governor's Management Improvement Commission, which Commission has now completed its work; and

WHEREAS, Executive Order No. 15 regulating the administration of State-owned employee housing has been superseded by P. L. 1983, c. 468; and

WHEREAS, Executive Order No. 38 created a Governor's Committee on the Office of Administrative Law, which Committee has issued its report and completed its functions; and

WHEREAS, Executive Order No. 45 created a Governor's Commission on Unemployment Insurance, which Commission has issued its report and completed its function; and

WHEREAS, Executive Order No. 48 amended Executive Order No. 7 to allow the Pension Systems Review Commission to submit its report by March 15, 1984, which Commission has submitted its report and completed its function; and

WHEREAS, Executive Order No. 58 created a Task Force on State Compensation Equity, which Task Force has since been replaced by the Task Force of Equitable Compensation established by P. L. 1984, c. 166; and

WHEREAS, Executive Order No. 64 amended Executive Order No. 38 which created the Governor's Committee on the Office of Administrative Law to require it to submit its report before July 7, 1984, which Committee has submitted its final report; and

WHEREAS, Executive Order No. 68 declared a State of Emergency in April, 1984, due to flooding in various counties in the State, which flooding has subsided;

Now, THEREFORE, I, Thomas H. Kean, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and statutes of this State, do hereby ORDER and DIRECT that: Executive Order No. 54 of Governor Brendan Byrne and my Executives Orders No. 7, 9, 13, 15, 38, 45, 48, 58, 64 and 68 are terminated and revoked and any regulations adopted and promulgated thereunder shall be null and void.

Issued March 7, 1985.

EXECUTIVE ORDER No. 94

WHEREAS, Executive Order No. 83 created a Martin Luther King, Jr. Commemorative Commission in the State of New Jersey; and

WHEREAS, The purpose of the Martin Luther King, Jr. Commemorative Commission is to develop, coordinate and advise the Governor of Statewide activities in honor of Martin Luther King, Jr.'s birthday and to create programs designed to educate the people of New Jersey about Martin Luther King, Jr. and the Civil Rights Movement; and

WHEREAS, The Martin Luther King, Jr. Federal Holiday Commission created by the United States Congress stipulates that membership on that Commission be bipartisan; and

WHEREAS, This State's Martin Luther King, Jr. Commemorative Commission is based upon the federal Commission but differs from that Commission in that it lacks bipartisan representation; and

WHEREAS, It is fitting and proper that the Martin Luther King, Jr. Commemorative Commission have membership representative of both political parties;

Now, THEREFORE, I, Thomas H. Kean, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and statutes of this State, do hereby ORDER and DIRECT:

1. Section 2 of Executive Order No. 83 is hereby amended as follows:

2. The Commission shall consist of 44 members to be appointed by the Governor.

a. A representative from the Martin Luther King, Jr. Center for Nonviolent Social Change;

b. A representative of the Governor's office;

c. Eight members of the Legislature, four Senators, no more than two of whom shall be of the same political party, and four Assemblypersons, no more than two of whom shall be of the same

political party, appointed by the Governor upon the recommendations of the President of the Senate and the Speaker of the General Assembly;

d. 34 representatives of the various civic and social organizations, including the clergy, education, the business sector and the arts. The members shall represent all major geographical segments of the State. These members shall be committed to resolving conflict and to the humanitarian philosophy of Dr. King.

2. This Order shall take effect immediately.

Issued March 14, 1985.

EXECUTIVE ORDER No. 95

WHEREAS, The farming community in this State is currently experiencing great difficulty in securing financing from traditional agricultural lending sources due to a nationwide decrease in land values and a decrease in the availability of funding on the federal level; and

WHEREAS, The farming community is dependent upon the availability of a continuous source of financing in order to insure the continued viability of agriculture in this State; and

WHEREAS, Alternative sources for the financing of agricultural activities in this State must be identified, developed and made available to those in need of such financing;

Now, THEREFORE, I, Thomas H. Kean, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and statutes of this State, do hereby ORDER and DIRECT:

1. There is created an Agricultural Financing Task Force for the purpose of studying and developing alternative methods for the financing of agricultural activities in this State.

2. The members of the Task Force, to be appointed by the Governor, shall be a representative of the State Rural Advisory Council, a Professor of Agricultural Economics from Cook College,

a representative from the agricultural lending industry and four public members. The State Secretary of Agriculture and the State Treasurer shall also serve ex officio.

3. Upon completion of its study and investigation, the Task Force shall, within six months of the effective date of this Order, render to the Governor a report of its findings and recommendations.

4. The State Department of Agriculture is directed to cooperate with the Task Force to the extent not inconsistent with the law, and to furnish such information, data, staff, office space and supplies as necessary for the Task Force to carry out this Order. The Task Force is also authorized to consult with any other department, office, division or agency of the State for data and any other information deemed necessary to satisfy this Order. Each such department, office, agency or division is authorized, to the extent not inconsistent with the law, to cooperate with the Task Force, as necessary for the fulfillment of this Order.

5. This Order shall take effect immediately.

Issued March 27, 1985.

EXECUTIVE ORDER No. 96

WHEREAS, The Division of Criminal Justice in the Department of Law and Public Safety has concluded an investigation into the activities of a New Jersey attorney, resulting in the attorney being charged by accusation and is presently completing his participation in the Pre-Trial Intervention Program;

WHEREAS, During the course of the investigation, the Division of Criminal Justice was assisted by the New Jersey State Police, and in addition to documents generated by various other agencies, their file now contains investigative reports and documents prepared by the New Jersey State Police;

WHEREAS, The Division of Criminal Justice has received a request from the Office of Attorney Ethics to obtain the investigative materials in order to facilitate an ethical inquiry;

WHEREAS, Executive Order No. 48 signed by Governor Richard J. Hughes on December 18, 1968 prohibits the disclosure of infor-

mation contained in State Police investigative files unless ordered by a court of competent jurisdiction or by the Governor; and

WHEREAS, The Division of Criminal Justice has attempted to obtain a court order allowing the release of the information; however, the court held it is without jurisdiction to enter such an order because there is no action pending to which the Office of Attorney Ethics is a party;

Now, THEREFORE, I, Thomas H. Kean, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and statutes of this State, do hereby issue the following Executive Order:

The Division of Criminal Justice in the Department of Law and Public Safety is hereby ordered to release any and all information in their possession obtained as a result of their investigation contained in file DCJ # 82-273 to the Office of Attorney Ethics solely for the purpose of assisting the Office of Attorney Ethics to conduct an ethical inquiry into the attorney's conduct.

Issued April 4, 1985.

EXECUTIVE ORDER No. 97

WHEREAS, Northern New Jersey has suffered from unusually dry weather conditions in late 1984 and 1985; and

WHEREAS, During the past eight-month period rainfall has been the lowest on record; and

WHEREAS, The reservoir systems servicing portions of the Counties of Bergen, Essex, Hudson, Morris, Passaic and Union have been seriously depleted and in particular the reservoir systems of the Newark Water Department, the Hackensack Water Company and the North Jersey District Water Supply Commission, including the Passaic Valley Water Commission, have been especially depleted; and

WHEREAS, Although the Boonton Reservoir of the Jersey City Water System is at a normal level for this time of year, its interconnections with the above-noted systems require its inclusion in the water emergency area; and

WHEREAS, Voluntary efforts to curtail nonessential consumption of water resources have not succeeded in maintaining adequate levels of existing water supplies; and

WHEREAS, The consumption of water in Northern New Jersey must be reduced in order to preserve an adequate and dependable supply of water for the region; and

WHEREAS, The threatened shortage of water resulting from the natural cause of a prolonged drought endangers the health, safety and resources of the residents and industry of the region and has created a problem too large in scope to be handled in its entirety by regular municipal operating services; and

WHEREAS, Without the full cooperation of every person, business and political subdivision in this State and without an unprecedented amount of precipitation over the next two months, large areas of the State face the prospect of drastic cutbacks in water use, requiring curtailment of production and operations in industrial and commercial establishments, thereby causing loss of jobs and other severe economic dislocations; and

WHEREAS, It is essential that steps be taken immediately to insure the maximum conservation of all water resources in the affected areas and to provide for the equitable distribution of the existing water supply; and

WHEREAS, The Commissioner of Environmental Protection, the Water Emergency Task Force and the Drought Coordinator have the authority pursuant to C. 58:1A-1 et seq., N. J. A. C. 7:19A-1 et seq., and N. J. A. C. 7:19B-1 et seq. to adopt such rules, regulations, orders and directives as deemed necessary to help alleviate a water emergency;

Now, THEREFORE, I, Thomas H. Kean, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and statutes of this State and in accordance with the recommendation of Robert E. Hughey, Commissioner of Environ-

mental Protection, made pursuant to the Emergency Water Supply Allocation Plan Rules set forth at N. J. A. C. 7:19-1 et seq., do hereby declare a state of emergency in the hereinafter designated municipalities in portions of the Counties of Bergen, Essex, Hudson, Morris, Passaic and Union as specified in Exhibit A annexed hereto and do hereby DECLARE, ORDER and DIRECT as follows:

1. I declare that a state of emergency exists in the area described, by reason of the facts and circumstances set forth above.

2. I invoke such emergency powers as are conferred upon me by the Laws of 1981, chapter 262 (C. 58:1A-1 et seq.); the Laws of 1942, chapter 251 (C. App. A:9-33 et seq.); and all amendments and supplements thereto.

3. The Commissioner of Environmental Protection, the Water Emergency Task Force and the Drought Coordinator are directed, pursuant to C. 58:1A-1 et seq., N. J. A. C. 7:19A-1 et seq., and N. J. A. C. 7:19B-1 et seq., and other relevant laws, to take whatever steps are necessary and proper to alleviate the water supply emergency and to effectuate this Order.

4. It shall be the duty of every person in this State or doing business in this State, and the members of the governing body, and of each and every official, agent or employee of every political subdivision in this State and of each member of all other governmental bodies, agencies and authorities in this State of any nature whatsoever, to fully cooperate in all matters concerning this water supply emergency.

5. All citizens in nonemergency areas are urged now to voluntarily conserve water and to comply with water use restrictions imposed by municipalities and the water purveyor servicing their areas.

6. Any person who shall violate any of the provisions of this Order or shall impede or interfere with any action ordered or taken pursuant to this Order shall be subject to the penalties provided by law under C. 58:1A-1 et seq. and C. App. A:9-49 et seq.

7. This Order shall remain in effect until terminated by action of the Governor.

8. This Order shall take effect immediately.

Issued April 17, 1985.

EXHIBIT A

Schedule of Municipalities Covered by
Executive Order No. 97

| | |
|----------------------|-----------------------|
| <i>Bergen County</i> | Teaneck |
| Alpine | Tenafly |
| Bergenfield | Teterboro |
| Bogota | Upper Saddle River |
| Carlstadt | Wallington |
| Cliffside Park | Washington Township |
| Closter | Westwood |
| Cresskill | Woodcliff Lake |
| Demarest | Wood Ridge |
| Dumont | <i>Essex County</i> |
| East Rutherford | Belleville |
| Edgewater | Bloomfield |
| Elmwood Park | Cedar Grove |
| Emerson | Fairfield |
| Englewood | Glen Ridge |
| Englewood Cliffs | Montclair |
| Fair Lawn | Newark |
| Fairview | North Caldwell |
| Fort Lee | Nutley |
| Garfield | Verona |
| Hackensack | <i>Hudson County</i> |
| Harrington | Bayonne |
| Hasbrouck Heights | East Newark |
| Haworth | Guttenberg |
| Hillsdale | Harrison |
| Leonia | Hoboken |
| Little Ferry | Jersey City |
| Lodi | Kearny |
| Lyndhurst | North Bergen |
| Maywood | Secaucus |
| Montvale | Union City |
| Moonachie | Weehawken |
| New Milford | West New York |
| North Arlington | <i>Morris County</i> |
| Northvale | Lincoln Park |
| Norwood | Pequannock Township |
| Old Tappan | <i>Passaic County</i> |

| | |
|------------------|---------------------|
| Oradell | Clifton City |
| Palisades Park | Haledon |
| Paramus | Little Falls |
| Ridgefield | North Haledon |
| Ridgefield Park | Passaic City |
| River Edge | Paterson |
| River Vale | Prospect Park |
| Rochelle Park | Totowa |
| Rockleigh | Wayne |
| Rutherford | West Paterson |
| Saddle Brook | <i>Union County</i> |
| South Hackensack | Elizabeth City |

EXECUTIVE ORDER No. 98

WHEREAS, I have issued Executive Order No. 97 of 1985, which declares a state of water supply emergency in certain portions of this State; and

WHEREAS, The Department of Environmental Protection is currently implementing an Emergency Water Supply Allocation Plan for meeting such water supply emergency; and

WHEREAS, There exists the need to coordinate the efforts of the public and private sectors in responding to this water supply emergency; and

WHEREAS, It is appropriate to call upon the experience and expertise of the private sector in such implementation of the Emergency Water Supply Allocation Plan;

Now, THEREFORE, I, Thomas H. Kean, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and statutes of this State, do hereby ORDER and DIRECT:

1. There is hereby established a Citizens' Advisory Committee. The Citizens' Advisory Committee shall consist of 15 individuals from the public and private sectors, to be appointed by the Governor. The Governor shall also appoint two individuals to

serve as Co-Chairpersons of the Advisory Committee. All Advisory Committee members shall serve without compensation.

2. This Citizens' Advisory Committee shall provide advice and assistance to the Commissioner of Environmental Protection for the duration of the water supply emergency declared by Executive Order No. 97 of 1985.

3. This Order shall take effect immediately.

Issued April 17, 1985.

EXECUTIVE ORDER No. 99

WHEREAS, Executive Order No. 11, dated July 23, 1982, created an Ethnic Advisory Council to advise the Governor regarding the needs of the ethnic communities in New Jersey; and

WHEREAS, Through Executive Order No. 11, the Executive Branch of government has recognized that the State of New Jersey is one of the most ethnically and culturally diverse states in the country; and

WHEREAS, The wide variety of customs, languages and histories of these varied ethnic groups has significantly enhanced and enriched the quality of the State's cultural and social life; and

WHEREAS, The continued influx of new ethnic groups into New Jersey has precipitated the need to increase our awareness, appreciation and understanding of each of these new ethnic groups; and

WHEREAS, Increasing the membership of the Ethnic Advisory Council to include representatives from these new groups will allow for a better understanding of their contributions and needs;

Now, THEREFORE, I, Thomas H. Kean, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and statutes of this State, do hereby ORDER and DIRECT that:

1. Section 2(a) of Executive Order No. 11 is hereby amended as follows:

2(a) The Council shall consist of 23 members appointed by the Governor. At least 14 of these appointees shall be representatives of ethnic communities within the State of New Jersey. In selecting the Council membership, consideration shall be given to appointing as broad a representative sample as possible of New Jersey's ethnic communities. All new members of the Ethnic Advisory Council who are appointed upon the effective date of this Order shall serve a full two-year term from the date of this Order.

3. This Order shall take effect immediately.

Issued May 7, 1985.

EXECUTIVE ORDER No. 100

WHEREAS, The support of new construction in New Jersey is a continuing and important need vital to the public health, safety and welfare; and

WHEREAS, The promotion of new construction requires prompt and efficient administration by the State and local governments of permit application and review procedures; and

WHEREAS, The objective of State government should be to consolidate and simplify identification and application procedures and forms in order to serve the public interest; and

WHEREAS, The State has successfully implemented programs for the review of construction permits within 90 days of submission of the application; and

WHEREAS, A Cabinet Committee on Permit Coordination advised by a Citizens' Committee and established by Executive Order No. 57 of Governor Byrne has successfully initiated programs to improve permit application processing by State government; and

WHEREAS, The ever-changing construction-related regulatory framework merits ongoing attention of its impact on State permit systems and continued efforts to seek innovative solutions to further improve the permitting process; and

WHEREAS, Previously implemented improvements must serve as the foundation for an expanded and strengthened effort at simplifying and expediting the State permit process;

NOW, THEREFORE, I, Thomas H. Kean, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and statutes of this State, do hereby ORDER and DIRECT that:

1. There is hereby reconstituted a Cabinet Committee on Permit Coordination (“the Committee”). The members of the Committee shall be the Commissioners of the Departments of Commerce and Economic Development, Community Affairs, Environmental Protection, Transportation and Treasury, the Director of the Office of Management and Budget, Department of the Treasury, and the Chief of the Office of Business Advocacy, Department of Commerce and Economic Development, or their designees. The Commissioner of Commerce and Economic Development shall serve as chairperson. The Chief of the Office of Business Advocacy, Department of Commerce and Economic Development, shall serve as Executive Director to the Committee, and shall provide staff from his office to assist the Committee at its request. The Committee may also obtain the assistance of other personnel of State departments and agencies. All departments and agencies are authorized and directed to cooperate with the Committee’s request for personnel.

2. Any person proposing to commence a construction project may request the Committee to coordinate the review of the project. The Committee or its representative may meet with the applicant to discuss methods to assist the prompt and efficient processing of permit applications. After review of the nature of the project, the Executive Director shall designate a Permit Coordination Officer from the Office of Business Advocacy as the expeditor for the project. The expeditor shall (a) advise the applicant of State permits necessary for the construction of the project, (b) coordinate contacts with relevant State agencies reviewing the permits, (c) discuss with State departments and agencies the feasibility of

consolidating hearings, documentation or other matters pertaining to the project, (d) advise the Committee of problems or delays experienced in the review and (e) assist the applicant and the Committee in completing the expeditious review of permit applications.

3. The Committee shall actively encourage the construction industry to utilize the now-developed "One Stop" Permit Identification System. The Office of Business Advocacy, reacting to information provided by the applicant, will identify each department with a potential review interest in the project. These departments shall determine required permits and report those findings in accordance with established procedures. The Office of Business Advocacy shall summarize these findings and respond to each qualified applicant with a complete listing of required State permits within 15 working days of receipt of the application. The Committee shall continue to refine and update the "One Stop" Permit Identification System as conditions warrant.

4. Priority processing status may be granted to a specific permit application by the Chairperson of the Committee if all of the following conditions are met: (a) the project was processed through the Permit Identification System and a permit requirement was not identified; (b) the failure to identify a permit requirement was not due to omission or misinformation by the applicant, or a consequence of substantive revisions to the project following identification; and (c) permit review has been completed or substantially completed on the permits identified by the Office of Business Advocacy. Upon granting priority status to a construction application, the Executive Director shall notify the commissioner of the appropriate State department. The State department shall approve, condition or disapprove an application with priority status in a period not to exceed 10 working days of notification. If the department is unable to comply with this time frame, the commissioner shall notify the Chairman in writing of the schedule that can be met for the specific application.

5. A State department shall use its best efforts to approve, condition or disapprove an application for a construction permit within 90 days following the date the application is complete. Each State department shall file a periodic report as the Committee may direct, which identifies those construction permit applications which are pending review for periods in excess of 90 days from submission. The report shall provide (a) the status

of the permit review, (b) the type of project, (c) the reasons for delays or extensions in the time for review, (d) the estimated additional time needed to complete review of the application and (e) any additional information requested by the Committee. The Committee may request additional information from the department of particular applications which in its judgment are pending for excessive periods of time, or which require special review or procedures. At the request of a commissioner of a department, the Committee may exempt for good cause types of permits or individual permit applications from any of the provisions of this Order. The Committee shall advise the Governor of types of permit reviews which are consistently exceeding 90 days, and recommend any appropriate actions.

6. The Committee shall update the handbook, "Directory of State Programs for Regulating Construction," on a regular basis, with the cooperation of all agencies and departments which administer construction permits.

7. The Committee shall review relevant legislation and regulatory proposals concerning construction permit applications and review requirements and procedures. The Committee shall advise the Governor on possible legislative or administrative revisions which would consolidate, simplify or expedite present procedures.

8. The Committee or its representatives shall meet with county and local government officials and other interested public and private persons to discuss possible coordination and consolidation of State and local permit application and review procedures. The Committee shall advise the Governor of possible legislative or other actions required to implement its recommendations.

9. The Committee is authorized to adopt standards or establish procedures necessary to achieve the purposes of this Order. The Committee may adopt other criteria for projects eligible for the assistance provided in this Order.

10. There is hereby reconstituted a Citizens' Committee on Permit Coordination composed of nine citizens of the State, appointed by and serving at the pleasure of the Governor. Each member shall serve a term of four years. The Citizens' Committee may include persons from the construction industry, labor union representatives, developers, real estate interests, environmental organizations, academic community and others interested in construction in the State and the efficient administration of permit

procedures. The Citizens' Committee shall advise the Committee on any matter relevant to the purposes of this Order, and may advise the Committee and applicants for construction permits of methods and procedures for the most expeditious processing of permits.

11. This Order shall take effect immediately.

Issued May 10, 1985.

EXECUTIVE ORDER No. 101

WHEREAS, Bicycling is a pollution-free, healthful, energy-efficient means of transportation and recreation; and

WHEREAS, Bicycling is recognized by both the State and federal law and the policies and programs of federal, State and local transportation agencies as a legitimate mode of personal transportation; and

WHEREAS, According to the State Outdoor Recreation Plan, bicycling currently is and is projected to continue to be the most popular form of outdoor recreation through the year 2000, when it is estimated that over 282 million recreational bicycle trips will be made annually; and

WHEREAS, New Jersey has a reputation nationwide as a prime area for bicycle touring, as exhibited by the thousands of people attracted to annual invitational rides; and

WHEREAS, There are over 20 bicycle clubs in the State, which indicates the popularity of the sport; and

WHEREAS, It is in the public interest of the State of New Jersey to encourage residents to bicycle to save energy, improve the environment, improve public health and to establish facilities and regulations for the safety of participants therein; and

WHEREAS, It is in the economic interest of the State of New Jersey to encourage nonresidents to visit New Jersey for bicycling tours, races and other leisure activities;

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

1. There is hereby established a New Jersey Bicycle Advisory Council.

2. The Advisory Council shall be comprised of the Commissioner of Transportation, the Chairman of the Board of New Jersey Transit, the Commissioner of Environmental Protection, the Director of the Division of Motor Vehicles, the Director of the Division of Travel and Tourism, the Commissioner of Education, the Commissioner of Community Affairs, or their designees, and a representative of the Governor's office and eight (8) public members with a demonstrated active interest in bicycling and representing the various aspects of bicycling from the private sector, to be appointed by me. The Commissioners of Health and Energy and the State Treasurer, or their designees, shall serve in a consultant capacity. The chairperson shall be the Commissioner of Transportation, or his designee, and the Department of Transportation shall serve as the lead agency.

3. The Advisory Council shall have the following responsibilities:

a. Examine the status of bicycling in the State of New Jersey and make recommendations regarding the promotion of the use of the bicycle as a safe and viable mode of transportation and the development or expansion of programs leading to an improved bicycling environment.

b. Study and make recommendations regarding other potential uses and aspects of the bicycle, such as bicycle touring, recreation trails and maps, safety, education, health and fitness, law enforcement, competitive racing, potential funding sources and the promotion of tourism from outside the State.

4. In order to carry out its functions, the Council is authorized to call upon any department, office, division or agency of the State to supply such data, reports, or other information it deems necessary. Each department, office, division or agency of the State is authorized and directed, to the extent not inconsistent with law, to cooperate with the Advisory Council and to furnish it with such information, personnel and assistance as necessary to accomplish the purpose of this Order.

5. The Advisory Council shall render its findings and recommendations to the Governor within one year after its first meeting.

6. The Advisory Council shall remain in existence until its final report has been issued.

7. This Order shall take effect immediately.

Issued May 14, 1985.

EXECUTIVE ORDER No. 102

WHEREAS, Executive Order No. 97 declared a state of emergency in certain communities of Northeast New Jersey in response to the unusually dry weather conditions this State has experienced since August of 1984; and

WHEREAS, Drought conditions have continued unabated in Northeast New Jersey and there continues to be a lack of adequate rainfall throughout the State, thereby aggravating existing water shortages in all areas of the State; and

WHEREAS, This unusual incident resulting from natural causes endangers the health, safety and resources of the residents and industry of the State and is too large in scope to be handled in its entirety by regular municipal operating services; and

WHEREAS, Surface and ground waters throughout the State are integrally interconnected and the increasing shortage of one resource will lead to the rapid depletion of the other; and

WHEREAS, It is vital to conserve and husband the available surface and ground water resources of the State; and

WHEREAS, The Commissioner of Environmental Protection, the Water Emergency Task Force and the Drought Coordinator have the authority pursuant to C. 58:1A-1 et seq., N. J. A. C. 7:19A-1 et seq., and N. J. A. C. 7:19B-1 et seq. to adopt such rules and regulations, orders and directives as deemed necessary to help alleviate a water emergency;

Now, THEREFORE, I, Thomas H. Kean, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and statutes of this State and in accordance with the recommendation of Robert E. Hughey, Commissioner of Environmental Protection, made pursuant to the Emergency Water Supply Allocation Plan Rules set forth at N. J. A. C. 7:19-1 et seq., do hereby extend the declaration of a state of emergency to include all municipalities of this State and do hereby DECLARE, ORDER and DIRECT as follows:

1. I declare that a state of emergency exists throughout this State by reason of the facts and circumstances set forth above.

2. I invoke such emergency powers as are conferred upon me by the Laws of 1981, chapter 262 (C. 58:1A-1 et seq.); the Laws of 1942, chapter 251 (C. App. A :9-33 et seq.); and all amendments and supplements thereto.

3. The Commissioner of Environmental Protection, the Water Emergency Task Force and the Drought Coordinator are directed, pursuant to C. 58:1A-1 et seq., N. J. A. C. 7:19A-1 et seq., and N. J. A. C. 7:19B-1 et seq., and other relevant laws, to take whatever steps are necessary and proper to alleviate the water emergency and to effectuate this Order. An administrative order to be issued by the Commissioner of Environmental Protection shall set forth with specificity the particular phase of the drought and the appropriate restrictions which apply in the various regions of the State.

4. It shall be the duty of every person in this State or doing business in this State, and the members of the governing body, and of each and every official, agent or employee of every political subdivision in this State and of each member of all other governmental bodies, agencies and authorities in this State of any nature whatsoever, to fully cooperate in all matters concerning this water emergency.

5. It is essential that all citizens of this State realize that water conservation efforts are essential. Water saved now could help to save someone's job in the near future since the imposition of more drastic water restrictions could require curtailment of industrial and commercial establishments.

6. Any person who shall violate any of the provisions of this Order or shall impede or interfere with any action ordered or

taken pursuant to this Order shall be subject to the penalties provided by law under C. 58:1A-1 et seq. and C. App. A:9-49 et seq.

7. This Order supersedes Executive Order No. 97 and shall remain in effect until terminated by action of the Governor.

8. This Order shall take effect immediately.

Issued May 16, 1985.

EXECUTIVE ORDER No. 103

WHEREAS, It is the policy of the State of New Jersey to develop a coordinated and unified strategy for effective implementation of a program to attempt to eliminate elderly abuse and to offer assistance to the victims of such abuse; and

WHEREAS, The United States House of Representatives Select Committee on Aging has reported that it estimates only one case in six of elderly abuse is reported; and it is estimated that the number of elderly abuse cases may number as high as one million a year nationally; and

WHEREAS, The most vulnerable of the elderly, especially older women, are most frequently the victims of abuse, ranging from financial extortion to physical violence; and

WHEREAS, No accurate accounting of the number or degree of acts of crime against the elderly is available, nor is a coordinated approach to understanding and combating such crimes in operation in the State;

Now, THEREFORE, I, Thomas H. Kean, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and statutes of this State, do hereby ORDER and DIRECT:

1. There is hereby created a New Jersey Advisory Council on Elderly Abuse. The New Jersey Advisory Council on Elderly Abuse shall continue in existence until March 1, 1986. The Advisory Council shall be composed of 21 members, consisting of the following 19 organizational representatives or their respective

designees, and two citizen representatives to be appointed by the Governor:

- (1) Commissioner of the Department of Community Affairs;
- (2) Attorney General;
- (3) Commissioner of the Department of Health;
- (4) Commissioner of the Department of Human Services;
- (5) Director of the Division on Aging, Department of Community Affairs;
- (6) Director of the Division on Women, Department of Community Affairs;
- (7) Ombudsman for the Institutionalized Elderly;
- (8) Public Advocate;
- (9) Chair of the Violent Crimes Compensation Board;
- (10) Representative of the Association of County Prosecutors;
- (11) Representative of the New Jersey Association of Chiefs of Police;
- (12) Executive Directors of the New Jersey Association of Social Workers;
- (13) Chair of the New Jersey Chapter of the National Caucus and Center for Black Aging;
- (14) Chair of the New Jersey Coalition for Protection of Vulnerable Adults;
- (15) Chair of the State Commission on Aging;
- (16) Representative of Family Counseling Services;
- (17) Executive Director of the Legal Services Corporation of New Jersey;
- (18) President of the New Jersey Association of Area Agencies on Aging;
- (19) Director of the Division of Youth and Family Services.

2. The Commissioner of the Department of Community Affairs or his designee shall serve as chair of the Advisory Council, and staff of the New Jersey Division on Aging shall supply staff services to the Advisory Council.

3. The objective of the Advisory Council shall be to investigate the degree of elderly abuse in the State and the number of types of incidents, suggest methods to combat the problem, and develop coordinated programs to alleviate the suffering of those involved and methods of prevention of such criminal acts.

4. A report on the activities of the Advisory Council, together with recommendations, shall be due in 240 days.

5. The report shall include: (a) a description of the problem of elderly abuse in New Jersey; (b) a description of the victims and perpetrators; (c) a listing of programs and services needed by victims and perpetrators; and (d) recommendations for appropriate actions by the State and other agencies.

6. (a) The Advisory Council is authorized to call upon any department, office, division or agency of the State to supply such data, reports, and other information, personnel and assistance as it deems necessary to discharge its responsibilities under this Order.

(b) All departments and their subdivisions and other agencies are authorized and directed, to the extent possible and not inconsistent with law, to cooperate with the advisory Council and to furnish it with such information, personnel and assistance as may be necessary to accomplish the purposes of this Order.

7. The Advisory Council shall meet at the call of the chairperson.

8. This Order shall take effect immediately.

Issued May 28, 1985.

EXECUTIVE ORDER No. 104

I, Thomas H. Kean, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and statutes of this State, do hereby ORDER and DIRECT that:

1. July 5, 1985, the day following Independence Day, 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 or other funds made available to the State, whose functions, in the opinion of their appointing authority, permit such absence.

2. An alternative day off shall be granted to the aforementioned category of employees whose functions, in the opinion of their appointing authority, preclude such absence on July 5, 1985.

Issued June 6, 1985.

EXECUTIVE ORDER No. 105

WHEREAS, Executive Order No. 40 was signed on June 2, 1983, to declare an emergency relating to the dioxin contamination of a site located at 80 Lister Avenue, in the City of Newark; and

WHEREAS, That emergency was extended by Executive Order No. 40A, signed on June 14, 1983, to cover the dioxin contamination of another site, located at 30 Whitman Avenue, in the Township of Edison, County of Middlesex; and

WHEREAS, That emergency was further extended by Executive Order No. 40B, signed on June 17, 1983, to cover the dioxin contamination of another site, located at 125 Delawanna Avenue, in the City of Clifton, County of Passaic; and

WHEREAS, That emergency was further extended by Executive Order No. 40C, signed on June 29, 1983, to cover the dioxin contamination of another site, located at 100 West Main Street, in the Borough of Bound Brook, County of Somerset; and

WHEREAS, That emergency was further extended by Executive Order No. 40D, signed on October 19, 1983, to cover the dioxin contamination in the general vicinity of 80 Lister Avenue, in the City of Newark, including the premises of Brady Iron and Metals, Inc., at 55 Lockwood Street, in the City of Newark; and

WHEREAS, The preliminary investigation, sampling and analysis of soil samples at certain property located at 338 Wilson Avenue (Block 5038, Lot 70), in the City of Newark has indicated detectable levels of dioxin present at certain areas on that property; and

WHEREAS, Further investigations, sampling and analyses are necessary in order to determine definite information as to the nature and extent of the contamination and any danger which may be posed by the possible dioxin contamination at the above-described premises and in the immediate vicinity thereof in order to determine what action, if any, will be required to safeguard the public health and welfare; and

WHEREAS, This situation warrants an extension of the declaration of emergency as set forth in Executive Order No. 40; and

WHEREAS, The scope of the efforts necessary to protect the public health and welfare is beyond the capacity of regular municipal operating services, or any State agency acting singly;

Now, THEREFORE, I, Thomas H. Kean, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and statutes of this State, do hereby ORDER and DIRECT:

1. Executive Order No. 40 is amended to include the property at 338 Wilson Avenue, in the City of Newark and the area in the immediate vicinity thereof.

2. Executive Order No. 40, and all terms and provisions thereof and amendments thereto, is continued in full force and effect and shall remain in effect until terminated by action of the Governor.

3. This Order shall take effect immediately.

Issued June 10, 1985.

EXECUTIVE ORDER No. 106

WHEREAS, Executive Order No. 40 was signed on June 2, 1983, to declare an emergency relating to the dioxin contamination of a site located at 80 Lister Avenue, in the City of Newark; and

WHEREAS, That emergency was extended by Executive Order No. 40A, signed on June 14, 1983, to cover the dioxin contamination of another site, located at 30 Whitman Avenue, in the Township of Edison, County of Middlesex; and

WHEREAS, That emergency was further extended by Executive Order No. 40B, signed on June 17, 1983, to cover the dioxin contamination of another site, located at 125 Delawanna Avenue, in the City of Clifton, County of Passaic; and

WHEREAS, That emergency was further extended by Executive Order No. 40C, signed on June 29, 1983, to cover the dioxin contamination of another site, located at 100 West Main Street, in the Borough of Bound Brook, County of Somerset; and

WHEREAS, That emergency was further extended by Executive Order No. 40D, signed on October 19, 1983, to cover the dioxin contamination of another site in the general vicinity of 80 Lister Avenue, in the City of Newark, including the premises of Brady Iron and Metals, Inc., at 55 Lockwood Street, in the City of Newark, County of Essex; and

WHEREAS, That emergency was further extended by Executive Order No. 105, signed on June 10, 1985, to cover the dioxin contamination of another site, located at 338 Wilson Avenue, in the City of Newark, County of Essex; and

WHEREAS, The preliminary investigation, sampling and analysis of soil samples at certain property located at 204 21st Avenue (Block 1202, Lot 3), in the City of Paterson, County of Passaic has indicated detectable levels of dioxin present at certain areas on that property; and

WHEREAS, Further investigations, sampling and analyses are necessary in order to determine definite information as to the nature and extent of the contamination, any danger which may be posed by the possible dioxin contamination at the above-described premises and in the immediate vicinity thereof, and what action, if any, will be required to safeguard the public health and welfare; and

WHEREAS, This situation warrants an extension of the declaration of emergency as set forth in Executive Order No. 40; and

WHEREAS, The scope of the efforts necessary to protect the public health and welfare is beyond the capacity of regular municipal operating services, or any State agency acting singly;

Now, THEREFORE, I, Thomas H. Kean, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and statutes of this State, do hereby ORDER and DIRECT:

1. Executive Order No. 40 is amended to include the property at 204 21st Avenue, in the City of Paterson, County of Passaic and the area in the immediate vicinity thereof.

2. Executive Order No. 40, and all terms and provisions thereof and amendments thereto, is continued in full force and effect and shall remain in effect until terminated by action of the Governor.

3. This Order shall take effect immediately.

Issued June 12, 1985.

EXECUTIVE ORDER No. 107

WHEREAS, Executive Order No. 56 was signed on December 2, 1983, to declare an emergency relating to the presence of radium, radon, and other radioactive decay products in the Borough of Glen Ridge and the Township of Montclair in the County of Essex; and

WHEREAS, the New Jersey Department of Environmental Protection has undertaken the investigation, sampling and analysis of soil and air samples at certain properties located within the Township of West Orange, in the County of Essex; and

WHEREAS, On the basis of this investigation, the Department of Environmental Protection has reached the preliminary conclusion that certain properties in the municipality may be subject to levels of radon in excess of the standards established for the substance by the United States Environmental Protection Agency and the Nuclear Regulatory Commission; and

WHEREAS, Further investigations, sampling and analyses are necessary in order to obtain definite information as to the nature and extent of the contamination and any danger which may be posed by the presence of radium, radon and other radioactive decay products as certain properties in the Township of West Orange, which is needed to determine what action, if any, will be required to safeguard the public health and welfare; and

WHEREAS, This situation warrants an extension of the declaration of emergency as set forth in Executive Order No. 56; and

WHEREAS, The scope of the efforts necessary to protect the public health and welfare is beyond the capacity of regular municipal operating services, or any State agency acting singly;

Now, THEREFORE, I, Thomas H. Kean, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and statutes of this State, do hereby ORDER and DIRECT:

1. Executive Order No. 56 is amended to include the Township of West Orange in the County of Essex.

2. Executive Order No. 56, and all terms and provisions thereof and amendments thereto, is continued in full force and effect and shall remain in effect until terminated by action of the Governor.

3. This Order shall take effect immediately.

Issued June 25, 1985.

EXECUTIVE ORDER No. 108

WHEREAS, Executive Order No. 74 created the Governor's Advisory Commission on Diabetes; and

WHEREAS, This Commission is charged with the task of assessing the incidence and prevalence of diabetes in New Jersey, determining its economic and social impact, examining the effectiveness of health care facilities providing treatment for diabetics in this State and calculating the insurance requirements of New Jersey diabetics; and

WHEREAS, The Governor's Advisory Commission on Diabetes has met frequently during the past year and has held numerous public hearings in the State; and

WHEREAS, The Commission has determined that its work has not been completed and its mandate from the Governor has not been fully carried out; and

WHEREAS, The Commission plans to investigate the possibility of establishing insurance risk-sharing pools, hopes to expand and

improve health data collection efforts, plans to review diabetic education standards and wishes to initiate communication with major State insurance carriers;

Now, THEREFORE, I, Thomas H. Kean, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and statutes of this State, do hereby ORDER and DIRECT:

1. The Governor's Advisory Commission on Diabetes shall continue in existence until July 1, 1986.
2. The Commission shall submit its final recommendations to the Governor at that time.
3. The current members of the Commission shall continue to serve in their present capacity until July 1, 1986.
4. This Order shall take effect immediately.

Issued June 28, 1985.

EXECUTIVE ORDER No. 109

WHEREAS, Executive Order No. 40 was signed on June 2, 1983, to declare an emergency relating to the dioxin contamination of a site located at 80 Lister Avenue, in the City of Newark, County of Essex; and

WHEREAS, That emergency was extended by Executive Order No. 40A, signed on June 14, 1983, to cover the dioxin contamination of another site, located at 30 Whitman Avenue, in the Township of Edison, County of Middlesex; and

WHEREAS, That emergency was further extended by Executive Order No. 40B, signed on June 17, 1983, to cover the dioxin contamination of another site, located at 125 Delawanna Avenue, in the City of Clifton, County of Passaic; and

WHEREAS, That emergency was further extended by Executive Order No. 40C, signed on June 29, 1983, to cover the dioxin contamination of another site, located at 100 West Main Street, in the Borough of Bound Brook, County of Somerset; and

WHEREAS, That emergency was further extended by Executive Order No. 40D, signed on October 19, 1983, to cover the dioxin contamination of another site in the general vicinity of 80 Lister Avenue, in the City of Newark, including the premises of Brady Iron and Metals, Inc., at 55 Lockwood Street, in the City of Newark, County of Essex; and

WHEREAS, That emergency was further extended by Executive Order No. 105, signed on June 10, 1985, to cover the dioxin contamination of another site, located at 338 Wilson Avenue, in the City of Newark, County of Essex; and

WHEREAS, That emergency was further extended by Executive Order No. 106, signed on June 12, 1985, to cover dioxin contamination of another site, located at 204 21st Avenue, in the City of Paterson, County of Passaic; and

WHEREAS, The preliminary investigation, sampling and analysis of soil samples at certain property located at 1035 Belleville Turnpike, in the Town of Kearny, County of Hudson, has indicated detectable levels of dioxin present at certain areas on that property; and

WHEREAS, Further investigations, sampling and analyses are necessary in order to obtain definite information as to the nature and extent of the contamination, any danger which may be posed by possible dioxin contamination at the above-described premises and in the immediate vicinity thereof, and what action, if any, will be required to safeguard the public health and welfare; and

WHEREAS, This situation warrants an extension of the declaration of emergency as set forth in Executive Order No. 40; and

WHEREAS, the scope of the efforts necessary to protect the public health and welfare is beyond the capacity of regular municipal operating services, or any State agency acting singly;

Now, THEREFORE, I, Thomas H. Kean, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and statutes of this State, do hereby ORDER and DIRECT:

1. Executive Order No. 40 is amended to include the property at 1035 Belleville Turnpike, in the Town of Kearny, County of Hudson, and the area in the immediate vicinity thereof.

2. Executive Order No. 40, and all terms and provisions thereof and amendments thereto, is continued in full force and effect and shall remain in effect until terminated by action of the Governor.

3. This Order shall take effect immediately.

Issued July 2, 1985.

EXECUTIVE ORDER No. 110

WHEREAS, Executive Order No. 51 created the Governor's Task Force on Child Abuse (the "Task Force"); and

WHEREAS, The incidence of both child abuse and neglect in New Jersey is a critical public concern affecting not only children, but families and communities as well and, therefore, the problem of child neglect also warrants the attention of the Task Force; and

WHEREAS, The Task Force has found it appropriate to assume the name "Governor's Task Force on Child Abuse and Neglect"; and

WHEREAS, The Task Force has been:

- a. Studying the problems of both child abuse and neglect in New Jersey and making recommendations for corrective action;
- b. Mobilizing citizens and community agencies in a strong, prevention-oriented, proactive effort to address child abuse and neglect;
- c. Developing mechanisms to facilitate early detection and provide appropriate services for the victims of child abuse and neglect and their families, and fostering cooperative working relationships between responsible agencies; and

WHEREAS, Executive Order No. 51 expired on January 1, 1985; and

WHEREAS, The Task Force has determined that additional investigation and work remains to be done on the problems of child abuse and neglect and, accordingly, the Task Force has continued to meet monthly in an effort to adequately and appropriately fulfill its mandate;

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

1. Executive Order No. 51 is hereby reinstated and the powers and responsibilities of the Task Force pursuant to Executive Order No. 51 are continued in full force and effect.

2. The Task Force shall hereafter be referred to as the Governor's Task Force on Child Abuse and Neglect, and shall continue to study, make recommendations and take such other actions as are appropriate under the mandate given the Task Force pursuant to Executive Order No. 51 concerning the problem of child neglect as well as that of child abuse.

3. The Task Force shall continue in existence until January 1, 1987.

4. The Task Force shall annually submit its recommendations to the Governor for the improvement of current programs and the initiation of new programs which help to prevent child abuse and neglect.

4. The members of the Task Force appointed or otherwise designated pursuant to Executive Order No. 51 shall continue to serve as members of the Task Force until January 1, 1987.

5. This Order shall take effect immediately.

Issued July 19, 1985.

EXECUTIVE ORDER No. 111

WHEREAS, The Division of Criminal Justice in the Department of Law and Public Safety has concluded an investigation into complaints of suspected cheating on a civil service promotional examination administered in a New Jersey municipality; and

WHEREAS, During the course of the investigation, the Division of Criminal Justice was assisted by the New Jersey State Police, and in addition to documents generated by various other agencies, the Division's file now contains investigative reports and documents prepared by the New Jersey State Police; and

WHEREAS, The Division of Criminal Justice has received a request from the Department of Civil Service to obtain these reports and documents in order to pursue this matter at an investigative hearing before the Office of Administrative Law; and

WHEREAS, Executive Order No. 48, signed by Governor Richard J. Hughes on December 18, 1968, prohibits the disclosure of information contained in State Police investigative files unless ordered by a court of competent jurisdiction or by the Governor;

Now, THEREFORE, I, Thomas H. Kean, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and statutes of this State, do hereby ORDER and DIRECT that the Division of Criminal Justice in the Department of Law and Public Safety release any and all information obtained as a result of their investigation which is contained in file DCJ #85-499-I to the Department of Civil Service solely for the purpose of assisting the Department of Civil Service to investigate the subject matter of this case file at the administrative level. The information contained in said file may be used by the Department of Civil Service in any civil or disciplinary action or at any investigative or other hearing before the Office of Administrative Law or before any court of competent jurisdiction.

Issued July 30, 1985.

EXECUTIVE ORDER No. 112

WHEREAS, Over the past decade the tasks facing law enforcement in particular, and the criminal justice system as a whole, have grown dramatically in complexity and scope; and

WHEREAS, Innovative efforts over the past few years to address the problem of street crime have necessitated increased coordination between law enforcement and prosecutorial agencies; and

WHEREAS, The training and career preparation of those charged with insuring the public safety are essential to both address these growing demands and to continue the success of State and local agencies in combatting crime of all types; and

WHEREAS, The establishment of a State law enforcement training institute would constitute a major step in the professionalization of those involved in all aspects of the criminal justice system and would provide the latest training techniques and the most modern technology in the fight against crime; and

WHEREAS, The complexity and importance of the responsibilities of criminal justice professionals warrant both the highest quality preservice preparation and ongoing professionally relevant education and training;

Now, THEREFORE, I, Thomas H. Kean, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and statutes of this State, do hereby ORDER and DIRECT that:

- 1.. There is created a commission to be known as the Law Enforcement Training Academy Study Commission. The commission shall consist of 12 members: a former Attorney General; the Director of the Division of Criminal Justice; the Superintendent of the Division of State Police; the Commissioner of the Department of Corrections; the Director of the Office of Management and Budget; and seven public members. Four of the public members may be members of the Legislature; however, no more than two members of the Senate, who shall not be of the same political party, may be appointed after consultation with the

President of the Senate, and no more than two members of the General Assembly, who shall not be of the same political party, may be appointed after consultation with the Speaker of the General Assembly. Of the remaining public members, one shall be a member of the New Jersey State Association of Chiefs of Police; one shall be a police chief of a municipality that currently utilizes the Sea Girt facility for basic municipal police training; and one shall be a citizen who has either financial or management experience.

2. Members of the commission shall serve without compensation, but shall be reimbursed for their expenses actually incurred in the performance of their duties.

3. The Governor shall designate a member to be chairman of the commission. The commission shall organize as soon as may be possible after the appointment of its members and shall select a vice-chairman from among its members and a secretary, who need not be a member of the commission.

4. It shall be the duty of the commission to study the feasibility of constructing one facility to address the preservice and ongoing professional education needs of all components in the criminal justice system. As part of its study, the commission shall perform the following tasks:

a. Examine in detail the areas of common ground among each component of the law enforcement community where common education would be of benefit.

b. Examine the necessary and desirable features of a training institute and the projected construction cost of the facility.

c. Determine how a criminal justice academy conducting State-level training for law enforcement professionals will enhance the criminal justice system and provide cost savings to the public.

d. Make recommendations for the funding and operation of the academy.

5. The commission is entitled to receive the assistance and services of the employees of any State, county or municipal department, board, bureau, commission or agency which it may require and which may be available to it for these purposes, and may employ professional consultants, stenographic and clerical assistants and incur traveling and other miscellaneous expenses neces-

sary to perform its duties, within the limits of the funds previously set aside for this purpose by the Division of Criminal Justice, Division of State Police and Department of Corrections.

6. The commission may meet and hold hearings at the places it designates for these purposes, and shall report its findings and recommendations to the Governor no later than four months following the organization of the commission.

7. This Order shall take effect immediately.

Issued August 7, 1985.

EXECUTIVE ORDER No. 113

WHEREAS, The attraction and retention of jobs is of paramount concern to the economy and well-being of New Jersey; and

WHEREAS, Business transfers and terminations often cause undue hardship upon displaced workers and the surrounding communities; and

WHEREAS, The interests of government, labor and business are served by fostering an environment which encourages the growth and retention of jobs; and

WHEREAS, The State of New Jersey through several Executive Departments and independent authorities provides programs designed to encourage business location and expansion in the State, to assist struggling businesses in remaining viable, and to retrain and reemploy workers who are displaced as the result of business terminations in the State; and

WHEREAS, The effectiveness of these programs could be enhanced if coordinated on a Statewide basis and improved through the shared expertise of government, labor and business officials;

Now, THEREFORE, I, Thomas H. Kean, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and statutes of this State, do hereby ORDER and DIRECT:

1. There is hereby created a New Jersey Business Retention and Job Retraining Commission, hereinafter referred to as the Commission.

2. The Commission shall consist of 10 members, to be selected by the Governor as follows: the Commissioners of the Departments of Labor, and Commerce and Economic Development, or their designees; the Director of the Division of Employment Services in the Department of Labor; the Director of the Division of Economic Development in the Department of Commerce and Economic Development; two representatives of organized labor; two representatives of business trade associations; one representative of county government; and one representative of local government. All members, with the exception of the representatives of the Departments of Labor, and Commerce and Economic Development, shall serve for terms of three years and until their successors are appointed. Vacancies shall be filled by appointment to the unexpired portions of the terms. The Commissioner of Labor shall serve as chairman of the Commission.

3. It shall be the duty of the Commission to:

a. Survey all programs designed to encourage the growth or retention of jobs and to retrain or reemploy displaced workers and the chronically unemployed;

b. Coordinate the programs identified in the survey in a manner designed to most effectively and efficiently distribute available resources allocated for business retention and job training purposes;

c. Disseminate information regarding the availability of these programs to affected businesses, workers, counties and municipalities;

d. Utilize the collective expertise of government, labor, and business in evaluating the effectiveness of these programs;

e. Offer to the fullest extent possible a comprehensive program for the early detection of business terminations and the effective delivery of governmental services to affected businesses and employees.

4. Any employee, bargaining agent, business official, governmental official or concerned citizen may notify the Commission of any transfer or termination of business operations which will displace employees. Upon hearing of a potential business transfer

or termination from any source, the Commission shall arrange to advise the affected business of all available business retention programs and any potentially displaced employees of all job training and employment programs.

5. The Commission shall issue an annual report to the Governor, summarizing its activities and findings for the preceding year. The annual report shall include the Commission's recommendations for improving the State's business retention and job training programs in terms of better coordinating and publicizing these programs, making better use of available public or private sector resources, and adapting available programs to the specific needs of distressed businesses and displaced workers.

6. The Commission is authorized to call upon any department, office, division or agency of the State to supply such data, program reports and other information, personnel or assistance as it deems necessary to discharge its responsibilities under this order. Each department, office, division or agency of the State is authorized, to the extent not inconsistent with law, to cooperate with the Commission to furnish it with such information, personnel and assistance as necessary to accomplish the purposes of this Order.

7. This Order shall take effect immediately.

Issued August 28, 1985.

EXECUTIVE ORDER No. 114

WHEREAS, Executive Order No. 40 was signed on June 2, 1983, to declare an emergency relating to the dioxin contamination of a site located at 80 Lister Avenue, in the City of Newark, County of Essex; and

WHEREAS, That emergency was extended to Executive Order No. 40A, signed on June 14, 1983, to cover the dioxin contamination of another site, located at 30 Whitman Avenue, in the Township of Edison, County of Middlesex; and

WHEREAS, That emergency was further extended by Executive Order No. 40B, signed on June 17, 1983, to cover the dioxin contamination of another site, located at 125 Delawanna Avenue, in the City of Clifton, County of Passaic; and

WHEREAS, That emergency was further extended by Executive Order No. 40C, signed on June 29, 1983, to cover the dioxin contamination of another site, located at 100 West Main Street, in the Borough of Bound Brook, County of Somerset; and

WHEREAS, That emergency was further extended to Executive Order No. 40D, signed on October 19, 1983, to cover the dioxin contamination of another site in the general vicinity of 80 Lister Avenue, in the City of Newark, including the premises of Brady Iron and Metals, Inc., located at 55 Lockwood Street, in the City of Newark, County of Essex; and

WHEREAS, That emergency was further extended by Executive Order No. 105, signed on June 10, 1985, to cover the dioxin contamination of another site, located at 338 Wilson Avenue, in the City of Newark, County of Essex; and

WHEREAS, That emergency was further extended by Executive Order No. 106, signed on June 12, 1985, to cover the dioxin contamination of another site, located at 204 21st Avenue, in the City of Paterson, County of Passaic; and

WHEREAS, That emergency was further extended by Executive Order No. 109, signed on July 2, 1985, to cover the dioxin contamination of another site, located at 1035 Belleville Turnpike, in the Town of Kearny, County of Hudson; and

WHEREAS, The preliminary investigation, sampling and analysis of soil samples at certain property located at Horseshoe Road, in the Borough of Sayreville, County of Middlesex, has indicated detectable levels of dioxin present at certain areas on that property; and

WHEREAS, Further investigations, sampling and analyses are necessary in order to obtain definite information as to the nature and extent of the contamination, any danger which may be posed by possible dioxin contamination at the above-described premises and in the immediate vicinity thereof, and what action, if any, will be required to safeguard the public health and welfare; and

WHEREAS, This situation warrants an extension of the declaration of emergency as set forth in Executive Order No. 40; and

WHEREAS, The scope of the efforts necessary to protect the public health and welfare is beyond the capacity of regular municipal operating services, or any State agency acting singly;

Now, THEREFORE, I, Thomas H. Kean, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and statutes of this State, do hereby ORDER and DIRECT:

1. Executive Order No. 40 is amended to include the property at Horseshoe Road, in the Borough of Sayreville, County of Middlesex (Block 256, Lot 2C), and the area in the immediate vicinity thereof.

2. Executive Order No. 40, and all terms and provisions thereof and amendments thereto, is continued in full force and effect and shall remain in effect until terminated by action of the Governor.

3. This Order shall take effect immediately.

Issued September 4, 1985.

EXECUTIVE ORDER No. 115

WHEREAS, Hurricane Gloria has caused severe weather conditions, including heavy rains, winds and high tides which have created the potential for serious and substantial flooding, hazardous road conditions, threatens homes and other structures, as well as lives; and

WHEREAS, These weather conditions pose a threat and constitute a disaster from a natural cause which threatens and presently does endanger the health, safety or resources of the residents of more than one municipality and county of this State and which is too large in scope to be handled in its entirety 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 (C. App. A:9-33 et seq.), and the Laws of 1979, chapter 240 (C. 38A:3-6.1), and the Laws of 1963, chapter 109 (C. 38A:2-4) and all amendments and supplements thereto, confer upon the Governor of the State of New Jersey certain emergency powers;

NOW, THEREFORE, I, Thomas H. Kean, Governor of the State of New Jersey, in order to protect the health, safety and welfare of the people of the State of New Jersey do DECLARE and PROCLAIM that a State of Emergency presently exists in the State of New Jersey:

1. In accordance with the Laws of 1963, chapter 109 (C. 38A:2-4) and the Laws of 1979, chapter 240 (C. 38A:3-6.1) as supplemented and amended, I hereby authorize the Adjutant General of the Department of Defense and New Jersey National Guard to order to active duty such members of the New Jersey National Guard that, in his judgement, are necessary to provide aid to those localities where there is a threat or danger to the public health, safety and welfare. He may authorize the employment of any supporting vehicles, equipment, communications or supplies as may be necessary to support the members so ordered.

2. In accordance with the Laws of 1942, chapter 251 (C. App. A:9-33 et seq.) as supplemented and amended, I hereby empower the Superintendent of the Division of State Police, who is the State's Director of Emergency Management, 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 to prevent ingress or egress from any area that he, in his discretion, deems necessary for the protection of the health, safety and welfare of the public.

3. The Superintendent of the Division of State Police is hereby authorized to order the evacuation of all persons, except for those emergency and governmental personnel whose presence he 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.

4. The Superintendent of the Division of State Police is further authorized and empowered to utilize all facilities owned, rented, operated or maintained by the State of New Jersey to house and shelter persons who may need to be evacuated from their residences during the course of this emergency.

5. This proclamation shall remain in effect until such time as it is determined by the Governor that an emergency no longer exists.

Issued September 27, 1985.

EXECUTIVE ORDER No. 116

WHEREAS, An Executive Order declaring a State of Emergency was issued on September 27, 1985 because of the severe weather conditions created by Hurricane Gloria; and

WHEREAS, The severity of the weather conditions necessitating the declaration of the State of Emergency has ceased;

Now, THEREFORE, I, Thomas H. Kean, Governor of the State of New Jersey, announce that the State of Emergency is hereby terminated, effective 12:01 a.m., September 28, 1985.

I wish to express my appreciation to the people of New Jersey for the manner in which they cooperated during this emergency and to the law enforcement and other emergency response personnel of the State for their untiring efforts.

Issued September 28, 1985.

EXECUTIVE ORDER No. 117

WHEREAS, A comprehensive training and development program known as the Certified Public Manager (CPM) Program was established in New Jersey State government by Executive Order No. 28, which was signed on January 1, 1983; and

WHEREAS, The purpose of the CPM Program is to improve the professional quality of the State's managers and supervisors; and

WHEREAS, The representation of women and minorities in the CPM Program is reflective of an overall effort to attract and develop women and minority employees in State government; and

WHEREAS, The public interest of the State of New Jersey requires that such training and development be an ongoing process which does not end with the certification in public management provided by the CPM Program; and

WHEREAS, It is desirable to support a professional society of persons holding the certification in public management to contribute to the continued growth and success of the Certified Public Manager Program;

NOW, THEREFORE, I, Thomas H. Kean, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and statutes of the State, do hereby ORDER and DIRECT:

1. The State of New Jersey does hereby recognize the establishment of the Certified Public Manager Society of New Jersey, hereinafter referred to as the Society.

2. The Society, in order to be so recognized and maintain said status, shall:

a. Establish bylaws, establish criteria for membership and have a Board of Trustees of which no more than three members shall be from any one State department. The President of the Civil Service Commission, as Chief Administrator of the New Jersey Certified Public Manager Program, shall be an ex officio member of the Board and shall approve the Society's bylaws governing eligibility for membership.

b. Elect officers in accordance with its bylaws. The President of the Society shall be an ex officio member of the Board of Trustees of the New Jersey Certified Public Manager Program.

c. Promote improvement of the professional quality of supervisors and managers throughout State government and develop programs, seminars and other functions to further the purposes and objectives of the Certified Public Manager Program.

3. The President of the Civil Service Commission shall have veto power over the formal actions taken by the Society.

4. All State departments, divisions and agencies shall, at the direction of the President of the Civil Service Commission, assist the Society in pursuing and achieving its goals.

5. This Order shall take effect immediately.

Issued September 30, 1985.

EXECUTIVE ORDER No. 118

WHEREAS, On May 28, 1985, I created by Executive Order No. 103 a New Jersey Advisory Council on Elderly Abuse, a body composed of 21 members, including the Commissioner of the Department of Community Affairs, the Attorney General, the Commissioner of the Department of Health, and the Commissioner of the Department of Human Services, aimed at investigating the degree of elderly abuse in the State and developing programs to combat the problem; and

WHEREAS, This Council is charged with the task of investigating the degree of elderly abuse in the State, of suggesting methods to combat the problem, and of developing coordinative programs to alleviate the suffering of those involved and methods of prevention of such criminal acts; and

WHEREAS, The New Jersey Advisory Council on Elderly Abuse has been meeting regularly; and

WHEREAS, The Council has determined that it needs an extension of approximately three and one-half months to complete its work; and

WHEREAS, The Council intends to develop a coordinated and unified strategy for effective implementation of a program to attempt to eliminate elderly abuse and to offer assistance to the victims of such abuse as part of its report and recommendations;

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

1. The New Jersey Advisory Council on Elderly Abuse shall continue in existence until July 1, 1986.
2. A report on the activities of the Advisory Council, together with recommendations, shall be due by May 15, 1986.

3. The current members of the Advisory Council shall continue to serve in their present capacity until July 1, 1986.

4. This Order shall take effect immediately.

Issued October 22, 1985.

EXECUTIVE ORDER No. 119

WHEREAS, Executive Order No. 113, which was signed on August 28, 1985, created a New Jersey Business Retention and Job Retraining Commission to coordinate and improve the services provided to businesses and employees which have been adversely affected by plant closing situations; and

WHEREAS, The Commission members include State, county and local governmental officials involved in economic development and job retention efforts as well as representatives of organized labor and business trade associations; and

WHEREAS, The Director of the Division of Employment and Training in the Department of Labor has responsibility for job retraining as well as the dislocated worker program under the Job Training Partnership Act;

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

1. Section 2 of Executive Order No. 113 is amended to read as follows:

2. The Commission shall consist of 11 members, to be selected by the Governor as follows: the Commissioners of the Departments of Labor, and Commerce and Economic Development, or their designees; the Directors of the Division of Employment Services and the Division of Employment and Training in the Department of Labor; the Director of the Division of Economic Development in the Department of Commerce and Economic Development; two representatives of organized labor; two representatives of business trade associations; one representative of

county government; and one representative of local government. All members, with the exception of the representatives of the Departments of Labor, and Commerce and Economic Development, shall serve for terms of three years and until their successors are appointed. Vacancies shall be filled by appointment to the unexpired portions of the terms. The Commissioner of Labor shall serve as chairman of the Commission.

2. Section 1 and sections 3 through 7 of Executive Order No. 113 shall remain in effect as originally intended.

3. This Order shall take effect immediately.

Issued October 25, 1985.

EXECUTIVE ORDER No. 120

WHEREAS, The farming community in this State is currently experiencing great difficulty in securing financing from traditional agricultural lending sources due to a nationwide decrease in land values and a decrease in the availability of funding on the federal level; and

WHEREAS, The farming community is dependent upon the availability of a continuous source of financing in order to insure the continued viability of agriculture in this State; and

WHEREAS, Alternative sources for the financing of agricultural activities in this State must be identified, developed and made available to those in need of such financing; and

WHEREAS, Executive Order No. 95 created an Agricultural Financing Task Force; and

WHEREAS, This Task Force is charged with the responsibility of identifying and developing alternative methods for the financing of agricultural activities in this State; and

WHEREAS, The Agricultural Financing Task Force has met frequently during the past seven months and held numerous public hearings in the State; and

WHEREAS, The Task Force has determined that its work has not been completed and its mandate from the Governor has not been fully carried out; and

WHEREAS, The Task Force plans to continue to proceed with its charge as set forth in Executive Order No. 95:

NOW, THEREFORE, I, Thomas H. Kean, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and statutes of this State, do hereby ORDER and DIRECT that:

1. The Agricultural Financing Task Force shall continue in existence until January 1, 1986.
2. The Task Force shall submit its final recommendations to the Governor at that time, or as soon thereafter as practicable.
3. The current members of the Task Force shall continue to serve in their present capacity until January 1, 1986.
4. This Order shall take effect immediately.

EXECUTIVE ORDER No. 121

WHEREAS, It is the public policy of this State that all disabled persons have the right to pursue the objective of independent living if they desire and are able to; and

WHEREAS, All disabled persons in need of habilitation and rehabilitation services should have such services available; and

WHEREAS, Disabled persons have the right to equal access to these services in a timely and efficient manner; and

WHEREAS, The State has supported the growth and development of such services in response to identified needs; and

WHEREAS, There have been gaps in services, lack of coordination in planning and operations, conflicting eligibility criteria, and concerns about the efficient and effective allocation of fiscal resources;

Now, THEREFORE, I, Thomas H. Kean, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and statutes of this State, do hereby ORDER and DIRECT:

1. There is hereby created a Governor's Task Force on Services for Disabled Persons (hereinafter referred to as the "Task Force").

The Task Force shall consist of 28 members to be appointed by the Governor as follows: the Commissioners of the Departments of Corrections, Community Affairs, Education, Health, Higher Education, Human Services, Insurance, Labor, the Public Advocate, Transportation, and the Treasury, or their designees; and 17 public members to be appointed from among persons and organizations with distinguished records and expertise concerned with services for disabled persons, who shall include representatives of consumers, providers, business, labor, government and other individuals and groups. The members shall serve without compensation, but public members may be reimbursed for necessary expenses incurred in the performance of their duties, subject to the availability of funds.

The Governor shall designate from among the public members a Chairman, who shall serve at the pleasure of the Governor. The Task Force members shall choose a Vice-Chairman from among the members of the Task Force. Task Force vacancies shall be filled by appointment by the Governor for the remainders of any unexpired terms.

The Task Force shall organize itself into at least four (4) subcommittees reflecting the vocational, educational, medical and community living needs of disabled persons. All organizations and individuals interested in the mission of the Task Force shall be encouraged to participate and they may be called upon for subcommittee participation or for informational purposes.

2. The Task Force shall be established for a period of six months and shall hold formal meetings at least once a month.

3. The Task Force shall research and study the vast network of existing public and private services available to New Jersey's disabled population in the vocational, educational, community living and medical dimensions. In order to accomplish this, the Task Force shall:

- a. Identify the existing services and the problems experienced by disabled persons in utilizing these services.
 - b. Analyze the service delivery system to determine its effectiveness, possible duplication and unmet needs.
 - c. Recommend remedial action to address problems regarding the delivery of services.
 - d. Recommend a design and implementation plan for a State-wide model of complementary services supported by appropriate funding.
 - e. Issue a final report of its findings and recommendations to the Governor.
4. The Task Force shall, in performing its duty, recognize existing mechanisms for planning and coordinating services for disabled persons at the State, county, and local levels and shall consult with representatives of each of these levels.
5. The Governor shall designate an Executive Director of the Task Force, who shall serve at the pleasure of the Governor. The Departments of Education, Human Services, Labor, Transportation and the Public Advocate are authorized and directed, to the extent not inconsistent with the law, to cooperate with the Task Force and to furnish it with staff, office space and supplies as necessary to accomplish the purposes of this Order. The Task Force is authorized to call upon any department, office, division or agency of the State to supply such data, program reports and other information, personnel or assistance as it deems necessary to discharge its responsibilities under this Order.
6. This Order shall take effect immediately and expire six months after the organizational meeting of the Task Force.
- Issued October 29, 1985.

EXECUTIVE ORDER No. 122

WHEREAS, Executive Order No. 69, signed by Governor Thomas H. Kean on April 10, 1984, created a Governor's Commission on Eastern European and Captive Nation History to advise on the teaching of the history of the people of Eastern Europe in the State's schools; and

WHEREAS, The Governor's Commission on Eastern European and Captive Nation History is required to prepare a report to the Governor regarding its findings and recommendations concerning whether the history of these people is fairly and accurately presented in our public schools and their curricula; and

WHEREAS, The Governor's Commission on Eastern European and Captive Nation History passed a resolution requesting that the life of the Commission be extended because further work is necessary in order to fully complete its task;

Now, THEREFORE, I, Thomas H. Kean, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and statutes of this State, do hereby ORDER and DIRECT:

1. The Governor's Commission on Eastern European and Captive Nation History shall continue in existence until July 31, 1986.
2. The Commission shall submit its final recommendations to the Governor at that time.
3. The current members of the Commission shall continue to serve in their present capacity until July 31, 1986.
4. This Order shall take effect immediately.

Issued November 4, 1985.

EXECUTIVE ORDER No. 123

WHEREAS, Chapter 73, P. L. 1963, finds and declares it to be the public policy of this State that public records shall be readily accessible for examination by the citizens of this State for the protection of the public interest, except as otherwise provided in said law; and

WHEREAS, Said Chapter 73 provides that all records which are required by law to be made, maintained or kept on file by State and local governmental agencies are to be deemed to be public records, subject to inspection and examination and available for copying, pursuant to said law; and

WHEREAS, Chapter 73 represents a right supplemental to the existing right of the public to examine and copy public records, which right has been established under the common law and by statute and remains inviolate even without the benefit of the provisions of said Chapter 73; and

WHEREAS, Some limitation upon the otherwise unqualified and unrestricted right to examine and copy records provided by Chapter 73 is essential and not detrimental to the public interest since the existing common law and statutory right to examine records remains upon the satisfaction of the requirements imposed by such laws; and

WHEREAS, Said Chapter 73 provides that records which would otherwise be deemed to be public records, subject to inspection and examination and available for copying, pursuant to the provisions of said law, may be excluded therefrom by Executive Order of the Governor or by any regulation promulgated under the authority of any Executive Order of the Governor; and

WHEREAS, Section 3 (e) of Executive Order No. 9, issued by Governor Richard J. Hughes in 1963, states that fingerprint cards, plates and photographs and other similar criminal investigation records which are required to be made, maintained or kept by any State or local governmental agency shall not be deemed to be public records subject to inspection and examination and available for copying pursuant to the provisions of Chapter 73, P. L. 1963; and

WHEREAS, There has arisen confusion among the media and law enforcement personnel as to whether certain records of police departments are public records within the purview of Chapter 73, P. L. 1963, or are exempt under the purview of Executive Order No. 9 of Governor Richard J. Hughes;

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

1. Section 3 (e) of Executive Order No. 9 of Governor Richard J. Hughes is modified as hereinafter set forth and any regulations

adopted and promulgated thereunder shall be deemed null and void insofar as the same shall be consistent with the provisions thereof.

2. The following records shall not be deemed to be public records subject to inspection and examination and available for copying pursuant to the provisions of Chapter 73, P. L. 1963:

(a) Fingerprint cards, plates and photographs and similar criminal investigation records which are required to be made, maintained or kept by any State or local government agency, except that the following information shall be made available to the public as soon as practicable unless it shall appear that the release of such information will jeopardize the safety of any person or any investigation in progress or be otherwise inappropriate. For the purposes of this Order, the term "as soon as practicable" shall generally be understood to mean within 24 hours.

(i) Where a crime has been reported but no arrest yet made, information as to the type of crime, time, location and type of weapon, if any.

(ii) If an arrest has been made, information as to the name, address and age of any victims unless there has not been sufficient opportunity for notification of next of kin of any victim of injury and/or death to any such victim or where the release of the name of any victim would be contrary to existing law or court rule. In deciding on the release of information as to the identity of a victim, the safety of the victim and the victim's family, and the integrity of any ongoing investigation, shall be considered. These concerns are heightened when a crime has been reported but no arrest yet made.

(iii) If an arrest has been made, information as to the defendant's name, age, residence, occupation, marital status and similar background information, and the identity of the complaining party unless the release of such information is contrary to existing law or court rule.

(iv) Information as to the text of any charges, such as the complaint, information and indictment unless sealed by the court.

(v) Information as to the identity of the investigating and arresting personnel and agency and the length of the investigation.

(vi) Information on the circumstances immediately surrounding the arrest, including but not limited to the time and place of the

arrest, resistance, if any, pursuit, possession and nature and use of weapons and ammunition by the suspect and by the police.

(vii) Information as to circumstances surrounding bail, whether it was posted and amount thereof.

(b) The Attorney General, as chief law enforcement officer of the State, or his designee, or, where appropriate, the County Prosecutor, as chief law enforcement officer of the county, shall promptly resolve all disputes as to whether or not the release of records would be "otherwise inappropriate," between the custodian of any records referred to herein and any person seeking access thereto. Where the Attorney General or the County Prosecutor determines that the release of records would be "otherwise inappropriate," he shall issue a brief statement explaining his decision.

3. The terms of this Order shall be carried out in the spirit of Chapter 73, P. L. 1963, and keeping in mind the right of citizens to be aware of events occurring in their community.

Issued November 12, 1985.

EXECUTIVE ORDER No. 124

WHEREAS, Four years ago at the end of Governor Byrne's gubernatorial term the last adjustments were made to the statutorily and constitutionally controlled salaries of the Executive, Legislature and Judiciary; and

WHEREAS, These salary adjustments were based in part upon the recommendations of a special committee established by Governor Byrne; and

WHEREAS, The Legislature has not yet passed Assembly Bill No. 3933 of 1984 establishing a permanent commission to deal with this issue, which creates a need for a temporary commission to address salary changes; and

WHEREAS, Every four years at the end of the gubernatorial term is the appropriate time to consider salary changes for the Executive, Legislature and Judiciary; and

WHEREAS, The current gubernatorial term is coming to an end and recommendations are needed regarding appropriate salary changes for the executive, legislative and judicial branches;

Now, THEREFORE, I, Thomas H. Kean, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and statutes of this State, do hereby ORDER and DIRECT that:

1. There is created a commission to be known as the Commission on Executive, Legislative and Judicial Salaries. The commission shall consist of five members, who shall be appointed by the Governor and shall serve until the commission's report is submitted. The members of the commission shall serve without compensation. The Governor shall designate from among the members a chairperson, who shall serve at the pleasure of the Governor. The members shall choose a vice-chairperson from among the members of the commission.

2. It shall be the duty of the commission to study the current state of constitutionally and statutorily controlled executive, legislative and judicial salaries and to determine whether adjustments are necessary.

3. In its deliberations, the commission shall consider the following issues:

- a. The responsibilities of each office;
- b. The number of hours per week required to perform the responsibilities of each office;
- c. Comparable positions in the public and private sectors within and outside of the State;
- d. Current state of the national and State economies;
- e. Projections of further economic growth or decline; and
- f. Projections on the cost of living for the future.

4. The commission is authorized to call upon any department, office, division or agency of the State to supply such data, personnel or assistance as it deems necessary to discharge its responsibilities under this act. Each department, office, division or agency of the State is authorized, to the extent not inconsistent with law, to cooperate with the commission.

5. The commission shall submit a report to the Governor, containing its recommendations, by December 15, 1985 or sooner if practicable. The commission's report shall include recommended salary adjustments, if any, for executive, legislative and judicial officers.

6. This Order shall take effect immediately.

Issued November 12, 1985.

EXECUTIVE ORDER No. 125

I, Thomas H. Kean, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and statutes of this State, do hereby ORDER and DIRECT that:

1. November 29, 1985, 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 or other funds made available in the State, whose functions, in the opinion of their appointing authority, permit such absence.

2. An alternative day off shall be granted to the aforementioned category of employees whose functions, in the opinion of their appointing authority, preclude such absence on November 29, 1985.

Issued November 12, 1985.

EXECUTIVE ORDER No. 126

WHEREAS, On October 19, 1984, the 98th Congress of the United States enacted Amendments to the Vocational Education Act of 1963, which amendments are referred to as the Carl B. Perkins Act of 1984, Federal Public Law 98-524; and

WHEREAS, The public interest of citizens of the State of New Jersey requires that the State shall do all that is or may be required to secure for the State of New Jersey the benefits of Federal appropriations under the Perkins Act for all purposes specified therein; and

WHEREAS, The Perkins Act requires as a condition for receipt of Federal assistance for vocational education programs, services and activities in New Jersey, the abolition of State Vocational Education Advisory Council and the establishment of a State Council on Vocational Education with 13 members; and

WHEREAS, The Perkins Act does not set terms for the membership of the State Council nor fully define the duties of the State Council;

NOW, THEREFORE, I, Thomas H. Kean, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and statutes of this State and the Carl B. Perkins Act of 1984, do hereby ORDER and DIRECT:

1. There is hereby established in but not of the Department of Education the New Jersey State Council on Vocational Education, hereinafter referred to as the "State Council."

2. The State Council shall consist of 13 members, to be appointed by the Governor, who shall be broadly representative of citizens and groups within the State having an interest in vocational education. Members shall serve for terms of three years; except that, of the initial appointees, four shall serve for terms of one year, four shall serve for terms of two years, and five shall serve for terms of three years. Any individuals appointed to fill unexpired terms shall serve for the unexpired portions of the terms. The State Council members shall be appointed from among the following constituent groups, as required by the Perkins Act:

- (a) Seven individuals who are representative of the private sector in the State, five of whom shall be representative of business, industry and agriculture, and two of whom shall be representative of labor organizations. Of the representatives of business, industry and agriculture, one shall be representative of small business concerns and one shall be a private sector member of the State Job Training Coordinating Council established pursuant to Section 122 of the Job Training Partnership Act. Due consideration should be given to the appointment of individuals who serve on a private industry council under the Job Training Partnership Act or on State councils established under other related federal acts.

- (b) Six individuals who are representative of secondary and postsecondary vocational institutions (equitably distributed among such institutions), career guidance and counseling organizations

within the State, and those who have special knowledge and qualifications with respect to the special educational and career development needs of special populations (including women, the disadvantaged, the handicapped, individuals with limited English proficiency, and minorities), one of whom shall be representative of special education.

3. The State shall satisfy the establishment and membership of the State Council at least 90 days prior to the beginning of each planning period described in Section 113 (a) (1) of the Perkins Act.

4. For the purpose of securing the fullest implementation in New Jersey of the Perkins Act, the State Council shall do all that is or may be required to secure for the State of New Jersey the benefits of appropriations under such act, including specifically:

(a) Meet with the State Board of Education or its representatives during the planning year to advise on the development of the State plan;

(b) Advise the State Board of Education and make reports to the Governor, the business community and general public of the State concerning policies the State should pursue to strengthen vocational education (with particular attention to programs for the handicapped) and initiatives and methods the private sector could undertake to assist in the modernization of vocational education programs;

(c) Analyze and report on the distribution of spending for vocational education in the State and on the availability of vocational education activities and services within the State;

(d) Furnish consultation to the State Board of Education on the establishment of evaluation criteria for vocational education programs within the State;

(e) Submit recommendations to the State Board of Education on the conduct of vocational education programs conducted in the State which emphasize the use of business concerns and labor organizations;

(f) Assess the distribution of financial assistance furnished under the Perkins Act, particularly with the analysis of the distribution of financial assistance between secondary vocational education programs and postsecondary vocational education programs;

(g) Recommend procedures to the State Board of Education to ensure and enhance the participation of the public in the provision of vocational education at the local level within the State, particularly the participation of local labor organizations;

(h) Report to the State Board of Education on the extent to which the individuals described in Section 201 (b) of the Perkins Act are provided with equal access to quality vocational education programs; and

(i) Evaluate at least once every two years the vocational education program delivery systems assisted under the Perkins Act and under the Job Training Partnership Act in terms of their adequacy and effectiveness in achieving the purpose of each of the two Acts, make recommendations to the State Board of Education on the adequacy and effectiveness of the coordination that takes place between vocational education and the Jobs Training Partnership Act, and advise the Governor, the State Board of Education, the State Job Training Coordinating Council, and the Secretaries of Education and Labor of these findings and recommendations.

5. The State Council shall meet as soon as practicable after the appointment of members by the Governor has been made and certification of these appointments has been accepted by the United States Secretary of Education. The State Council shall select from among its membership a chairperson, who shall be representative of the private sector. The time, place, and manner of meetings as well as council operating procedures and staffing shall be as provided by the rules of the State Council, except that such rules must provide for not less than one public meeting each year at which the public is given an opportunity to express views concerning the vocational education program of the State.

6. The State Council is authorized to obtain the services of such professional, technical and clerical personnel as may be necessary to enable it to carry out its functions under the Perkins Act and to contract for such services as may be necessary to enable the State Council to carry out its evaluation functions independent of programmatic and administrative control by other State boards, agencies, and individuals.

7. The expenditure of the funds paid pursuant to the Perkins Act is to be determined solely by the State Council for carrying out its functions under the Federal Act, and may not be diverted or reprogrammed for any other purpose by any State board, agency

or individuals. The State Council shall designate an appropriate State agency or other public agency, eligible to receive funds under the Federal Act, to act as its fiscal agent for purposes of disbursement, accounting, and auditing.

8. The New Jersey State Vocational Education Advisory Council, as established by Federal law and Governor Hughes's Executive Order No. 52 (1969), and amended by Governor Cahill's Executive Order No. 23 (1981) and Governor Byrne's Executive Order No. 63 (1978), is hereby abolished.

9. This Executive Order shall take effect immediately.

Issued November 25, 1985.

EXECUTIVE ORDER No. 127

WHEREAS, The State prisons and other penalty and correctional institutions of the New Jersey Department of Corrections continue to house populations of inmates in excess of their capacities and remain seriously overcrowded; and

WHEREAS, These conditions continue to endanger the safety, welfare and resources of the residents of this State; and

WHEREAS, The scope of this crisis prevents local governments from safeguarding the people, property and resources of the State; and

WHEREAS, Executive Order No. 89 (Kean) of January 18, 1985 expires January 20, 1986; and

WHEREAS, The conditions specified in Executive Order No. 106 (Byrne) of June 19, 1981, continue to present a substantial likelihood of disaster;

Now, THEREFORE, I, Thomas H. Kean, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and statutes of this State, do hereby declare a continuing state of emergency and ORDER and DIRECT as follows:

1. Executive Orders No. 106 (Byrne) of June 19, 1981, No. 108 (Byrne) of September 11, 1981, No. 1 (Kean) of January 20, 1982, No. 8 (Kean) of May 20, 1982, No. 27 (Kean) of January 10, 1983, No. 43 (Kean) of July 15, 1983, No. 60 (Kean) of January 20, 1984, No. 78 (Kean) of July 20, 1984, and No. 89 (Kean) of January 18, 1985 shall remain in effect until January 20, 1987, notwithstanding any sections in them stating otherwise.

2. This Order shall take effect immediately.

Issued January 17, 1986.