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REORGANIZATION PLANS

(1279)

**REORGANIZATION PLAN NO. 001-2002
A PLAN FOR THE TRANSFER, CONSOLIDATION AND RE-
ORGANIZATION OF THE HISTORIC TRUST INTO THE
DEPARTMENT OF COMMUNITY AFFAIRS**

PLEASE TAKE NOTICE that on September 19, 2002, Governor James E. McGreevey hereby issues the following Reorganization Plan No.001-2002 to provide for the increased efficiency, coordination and integration of the State's grant making functions by the transfer of the functions, powers, duties and personnel of the Historic Trust from the Department of State to the Department of Community Affairs.

GENERAL STATEMENT OF PURPOSE

The purpose of this Reorganization Plan is to further centralize the State's local grant-making functions and services in one executive department, the Department of Community Affairs (Department). That Department long has had broad responsibility for making grants to local government entities and private entities, and has developed substantial expertise in the administration of such grants. The Historic Trust, established by P.L.1976, c.124, as amended (C.13:1B-15.111 et seq.) is currently located in but not of the Department of State. Its purpose is to assist in the preservation, improvement, restoration, rehabilitation or acquisition of historic properties in the State.

To that end, the Trust is authorized to accept gifts, bequests and legacies, to acquire and hold real and personal property and to apply for and accept grants of monies from the federal government for historic site preservation. It may cooperate with State and local government entities to further the purposes of the Trust.

Since the passage of the New Jersey Green Acres, Cultural Centers and Historic Preservation Bond Act of 1987, P.L.1987, c.265, the Trust has been involved in making grants for the preservation of historic sites to State, county or municipal governments or non-profit organizations. These grants funded the actual construction activities at the historic sites. These projects also included funds for any work related to providing access for handicapped or disabled persons in accord with the Americans with Disabilities Act, 42 U.S.C.ss.12101 through 12213. In later years the Trust was given additional funds for historic preservation grants with the passage of the Green Acres, Clean Water, Farmland and Historic Preservation Bond Act of 1992, P.L.1992, c.88, and the Green Acres, Farmland and Historic

Preservation, and Blue Acres Bond Act of 1995, P.L.1995, c.204. These bond acts provided grants to State, county and municipal government entities or non-profit organizations for historic preservation construction projects. In 1987, pursuant to P.L.1987, c.265, the State also established the Historic Preservation Revolving Loan Fund which authorized the Trust to make loans to county and municipal governments and nonprofit corporations for the purpose of historic preservation. Finally, in 1999 the State enacted the Garden State Preservation Trust Act, P.L.1999, c.152 (C.13:8C-1 et seq.), for the purpose of providing funds to acquire and preserve open space, farmland and historic properties in New Jersey. As stated in N.J.S.A.13:8C-2, "a significant number of these historic properties are located in urban centers, where their restoration and preservation with advance urban revitalization efforts of the State and local governments." In 2000, the Garden State Historic Preservation Trust Fund Grants program was established at N.J.A.C.15:34-1 et seq., which provides both construction and planning grants to local government units or nonprofit organizations for historic preservation.

Based on the above, it is clear that the Trust's main purpose now is to administer grant programs that make grants to local governmental units and nonprofit organizations for the preservation of historic properties. Most of the grants are for construction activities and even the planning grants made ultimately lead to construction activities. Grants are awarded to local governments and nonprofit organizations by the Trust on a competitive basis. All applicants are evaluated in accord with the rules and regulations adopted by the Trust. The applicants that score the highest in each grant round receive grants.

Once an applicant receives a grant, the applicant must enter into an agreement with the Trust. These grant agreements contain the terms and conditions grantees must comply with in order to be reimbursed for the construction or planning activities. Most of the construction standards that all grantees must meet are contained within the Uniform Construction Code, N.J.A.C.5:23-1 et seq. ("UCC") administered by the Department of Community Affairs. The U.C.C. contains standards for construction and preservation of historic property at N.J.A.C.5:23-6 and construction standards that meet the requirements of the Americans with Disabilities Act at N.J.A.C.5:23-7. Placing the Historic Trust in but not of the Department of Community Affairs would improve the ability of both the Trust and it's grantees to interact with the divisions and bureaus in the Department responsible for establishing and interpreting the construction standards for the State of New Jersey.

Many local government units have found it difficult to compete with well-funded nonprofit organizations for grant funds because they must comply with the public contracting requirements. The Department of Community Affairs is responsible for assisting local governments in fulfilling their governmental responsibilities and achieve their community goals, N.J.S.A.52:27D-9. Placing the Trust in but not of the Department, which is responsible for overseeing the finances of local public units, should make it possible for the local public units to better access the Department's expertise in financial matters. The transfer of the Trust to the Department will also increase the efficiency and coordination of the State's grant-making functions by improving the interaction between the Trust, its grantees, and the Department which oversees the construction standards grantees must comply with when implementing their grant. This greater access to financial and construction expertise will make it possible for local government units to better compete for grants in the first instance and will make it more likely that they will be able to successfully implement the grants once they have obtained them.

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

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

PROVISIONS OF THE REORGANIZATION PLAN

1. The New Jersey Historic Trust, created in the Department of Environmental Protection pursuant to P.L.1967, c.124, as amended (C.13:1B-15.111), and allocated in but not of the Department of Environmental Protection pursuant to P.L.1995, c.217, and transferred to the Department of State pursuant to Reorganization Plan No. 004-1998, and its functions, powers and duties as set forth in P.L.1967, c.124, as amended (C.13:1B-15.114, -115) and P.L.1999, c.152 (C.13:8C-1 et seq.), and personnel are continued and transferred to and established in but not of the Department of Community Affairs. A proportionate share of those support services or funds to purchase such services utilized for the support of the Historic Trust within the Department of State shall be transferred to the Department of Community Affairs. These transfers shall be made as determined by agreement between the Secretary of State and the Commissioner of the Department of Community Affairs after considering the number and type of positions presently utilized for support of the Historic Trust and the appropriateness of transferring personnel, positions or funding.

2. All records, property, revolving funds, including, but not limited to the Historic Preservation Revolving Loan FUND, created pursuant to P.L.1991, c.41 (C.13:1B-15.115a), appropriations and any unexpended balance of funds appropriated or otherwise available to the Department of State in connection with the administration of the Historic Trust shall be transferred to the Department of Community Affairs pursuant to the "State Agency Transfer Act," P.L.1971, c.375 (C.52:14D-1 et seq.).

3. Monies collected or received by the Department of Community Affairs shall be deposited in such accounts or funds as may be provided by law for deposit of such monies.

4. Whenever in any law, rule, regulation, order, contract, tariff, document, judicial or administrative proceeding or otherwise relating to the Historic Trust reference is made to the Department of State or the Secretary of State, the same shall mean the Department of Community Affairs or the Commissioner of the Department of Community Affairs, respectively.

GENERAL PROVISIONS

1. I find that this reorganization is necessary to accomplish the purposes set forth in section 2 of P.L.1969, c.203. Specifically, this reorganization

will promote the more effective management of the Executive Branch and its agencies, and it will promote economy to the fullest extent consistent with the efficient operation of the Executive Branch according to major purposes. It will group, coordinate and consolidate functions in a more consistent and practical manner and eliminate overlapping and duplication of functions.

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

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

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

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

A copy of this Reorganization Plan was filed on September 19, 2002 with the Secretary of State and the Office of Administrative Law for publication in the New Jersey Register. This Plan shall become effective in 60 days on November 18, 2002 unless disapproved by each House of the Legislature by the passage of a concurrent resolution stating in substance that the Legislature does not favor this Reorganization Plan, or at a date later than November 18, 2002, should the Governor establish such a later date for the effective date of the Plan, or any part thereof, by Executive Order.

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

Filed September 19, 2002.

Effective November 18, 2002.

**REORGANIZATION PLAN NO.002-2002
A PLAN TO PROVIDE FOR THE TRANSFER, CONSOLIDA-
TION AND REORGANIZATION OF CERTAIN FUNCTIONS
RELATED TO THE SAFE CONSTRUCTION AND MAINTEN-
ANCE OF BUILDINGS AND STRUCTURES FROM THE
DEPARTMENT OF COMMUNITY AFFAIRS TO THE DE-
PARTMENT OF LABOR**

PLEASE TAKE NOTICE that on November 18, 2002, Governor James E. McGreevey hereby issues the following Reorganization Plan No. 002-2002 to provide for the transfer, consolidation and reorganization of certain functions from the Department of Community Affairs to the Department of Labor. The Plan reverses two aspects of Reorganization Plan 002-1998: (1) the transfer of enforcement of the Asbestos Control and Licensing Act from the Department of Labor to the Department of Community Affairs and (2) the transfer of the Mechanical Inspection Bureau, which is responsible for the licensing and safety inspection of all engineers' and firemen's licenses, steam boilers, pressure vessels and refrigeration plants along with long boom crane operators from the Department of Labor to the Department of Community Affairs. Thus, under the Plan, the functions, powers, duties and personnel, as described herein, shall be returned to the Department of Labor.

GENERAL STATEMENT OF PURPOSE

This Plan transfers crucial licensing and safety oversight responsibilities from the Department of Community Affairs to the Department of Labor, which traditionally was responsible for these services and which is better situated to undertake them.

The Mechanical Inspection Bureau, which is approaching its centennial, is the licensing agency for long boom crane operators, pressure vessels and refrigeration equipment. Since its inception, the Mechanical Inspection Bureau was part of the Department of Labor, until it was transferred to the Department of Community Affairs in May 1998 by Reorganization Plan 002-1998. The Department of Labor is better equipped to oversee the Mechanical Inspection Bureau because one of the Department's historic central responsibilities has been the safety and inspection of equipment and the job performance of workers that handle this machinery. Indeed, a central focus of the Department of Labor is worker and workplace safety. Transferring the Mechanical Inspection Bureau back to the Department of Labor will enhance governmental efficiency and oversight for the benefit of

the men and women who operate these machines and also for those people that come within the machines' vicinity. Oversight and inspection of these machines is important to prevent dangerous occurrences such as leaks of hazardous substances and explosions that can injure the operators of the machines and the public located in the nearby area.

Similarly, asbestos worker licensing is an historic responsibility of the Department of Labor. At the present time, responsibility for licensing asbestos abatement contractors, issuing asbestos worker permits, receiving 10-day notices on pending asbestos abatement work and inspecting job sites for safety compliance is under the control of the Department of Community Affairs. Transferring this responsibility to the Department of Labor, which focuses on worker and job site safety, will provide for greater efficiency and, more importantly, greater safety for workers and the public at large.

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

1. promote the more effective management of the Executive Branch by consolidating similar functions and activities within one agency;
2. promote better and more efficient execution of the laws and expeditious administration of the public business by consolidating and integrating within one agency similar functions;
3. group, coordinate and consolidate functions in a more consistent and practical manner according to major purposes;
4. promote economy to the fullest extent consistent with the efficient operations of the Executive Branch;
5. increase the efficiency of the operations of the Executive Branch to the fullest extent practicable;
6. increase the safety goals of services rendered by the Executive Branch; and
7. eliminate overlapping and duplication in effort.

PROVISIONS OF THE REORGANIZATION PLAN

Therefore, I hereby order the following reorganization:

1.a. All of the powers, functions and duties exercised by the Commissioner of the Department of Community Affairs, or any division, bureau or office therein, pursuant to P.L.1984, c.173, as amended, to enforce the "Asbestos Control and Licensing Act of 1984," P.L.1984, c.173, as amended (C.34:5A-32 et seq.), or pursuant to Reorganization Plan 002-1998, are continued, transferred to, established within the Department of Labor and shall henceforth be exercised by the Commissioner of the Department of Labor.

b. All of the powers, functions and duties exercised by the Commissioner of the Department of Community Affairs, the Department of Community Affairs, or any division, bureau or office therein, pursuant to P.L.1913, c.363, as amended and P.L.1918, c.213, as amended (C.34:7-1 et seq. and 34:7-14 et seq.), to license engineers and firemen and to regulate and inspect steam boilers, pressure vessels and refrigeration plants, in accordance with section 7 of Title 34 of the Revised Statutes, are continued, transferred to, established within the Department of Labor and shall henceforth be exercised by the Commissioner of the Department of Labor.

c. The Mechanical Inspection Bureau, the Examining Board of the Mechanical Inspection Bureau and the Board of Boiler, Pressure Vessel and Refrigeration Rules established pursuant to section 1 of P.L.1960, c.134 (C.34:1-38.1) and section 1 of P.L.1917, c.185, as amended (C.34:1-47), are continued and are transferred to the Department of Labor. All the powers, functions, and duties exercised by the Commissioner of the Department of Community Affairs, the Mechanical Inspection Bureau, the Examining Board of the Mechanical Inspection Bureau and the Board of Boiler, Pressure Vessel and Refrigeration Rules pursuant to sections 1 and 2 of P.L.1960, c.134 (C.34:1-38.1 and 38.2), sections 2 and 9 of P.L.1913, c.363, as amended (C.34:1-40 and 41), sections 3, 4 and 5 of P.L.1918, c.213, as amended (C.34:1-44 and 45), section 1 of P.L.1917, c.185, as amended (C.34:1-47), are continued, transferred to, established within the Department of Labor and shall henceforth be exercised by the Commissioner of the Department of Labor.

d. A proportionate share of those support services or funds to purchase such services utilized for the support of the units transferred under this section and for the enforcement of the powers, functions and duties transferred under this section with the Department of Community Affairs

shall be transferred to the Department of Labor. These transfers shall be made as determined by agreement between the Commissioners of the Departments of Community Affairs and Labor after considering the number and type of positions presently utilized for support of the units transferred and the enforcement of the powers, functions and duties transferred, and the appropriateness of transferring personnel, positions or funding.

e. The powers, functions and duties hereby transferred shall be organized and implemented within the Department of Labor as determined by the Commissioner of the Department of Labor.

f. All employees of the Department of Community Affairs who are employed in the programs hereby transferred shall be employees of the Department of Labor and shall be transferred to that Department pursuant to the "State Agency Transfer Act," P.L.1971, c.375 (C.52:14D-1 et seq.). Additionally, all records, property, appropriations and any unexpended balance of funds appropriated or otherwise available to the Department of Community Affairs for purposes of the programs hereby transferred, including, without limitation, any fees, penalties or other monies authorized to be collected and applied to the enforcement and administration costs of the Department of Community Affairs for any of the programs hereby transferred, are transferred to the Department of Labor pursuant to the "State Agency Transfer Act," P.L.1971, c.375 (C.52:14D-1 et seq.).

g. Whenever, in any law, rule, regulation, order, contract, tariff, document, judicial or administrative proceeding or otherwise, that involves the programs hereby transferred, there shall be any reference to the Department of Community Affairs, the same shall mean the Department of Labor, except where the context clearly requires otherwise.

h. The Commissioner of Labor shall confer with the Commissioner of the Department of Community Affairs to ensure that the highest degree of safety is provided with regard to inspections.

GENERAL PROVISIONS

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

functions in a more consistent and practical manner and eliminate overlapping and duplication of functions. The Plan will provide greater safety for workers and the public at large.

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

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

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

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

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

7. A copy of this Reorganization Plan was filed on November 18, 2002 with the Secretary of State and the Office of Administrative Law for publication in the New Jersey Register. This Plan shall become effective in 60 days on January 17, 2003 unless disapproved by each House of the Legislature by the passage of a concurrent resolution stating in substance that the Legislature does not favor this Reorganization Plan, or at a date later than January 17, 2003, should the Governor establish such a later date for the effective date of the Plan, or any part thereof, by Executive Order.

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

Filed November 18, 2002.
Effective January 17, 2003.

**REORGANIZATION PLAN NO. 003-2002
A PLAN FOR THE REORGANIZATION OF THE
DEPARTMENT OF AGRICULTURE**

PLEASE TAKE NOTICE that on November 25, 2002, Governor James E. McGreevey hereby issues the following Reorganization Plan No.003-2002; (the "Plan"), to provide for the reorganization of four of six divisions within the Department of Agriculture. This Plan represents an ongoing effort to more properly align the structure and functions of the Department of Agriculture in the interests of greater efficiency, without loss of service delivery to the public.

GENERAL STATEMENT OF PURPOSE

Pursuant to its present statutory authority, the Department of Agriculture is a regulatory, service and promotion agency which conducts programs in support of agriculture and agribusiness as well as natural and renewable resources associated with open lands, for the benefit of all New Jersey citizens. Under current statutes, the Department of Agriculture consists of six divisions, each headed by a Division Director. This Plan would consolidate the Division of Markets, created by N.J.S.A.4:1-17 and the Division of Dairy and Commodity Regulation, created pursuant to Reorganization Plan No. 003-1995, issued March 13, 1995.

The Division of Dairy and Commodity Regulation conducts onsite inspections and grading services at agribusiness plants, farms, packers, processors, and wholesale and retail markets to assure a supply of the highest quality fresh fruits and vegetables, fish, shell eggs and egg and poultry products. The Division also operates the agricultural chemistry program which determines compliance with stated contents of animal feeds, fertilizers and liming materials offered for sale for farm and non-farm use. The dairy program licenses dealers that purchase milk from New Jersey farmers or who sell fluid dairy products to other dealers and retail outlets. Such licensing helps foster a stable and competitive dairy industry. In order to be licensed, dealers must post a bond with the Secretary of Agriculture conditioned upon the payment of all amounts due and owing to New Jersey Dairy farmers.

The Division of Markets conducts advertising, market development and promotion programs to increase the sale and use of New Jersey produced agricultural commodities both domestically and abroad. The Division's equine programs focus on promoting the State's equine industry, creating

incentives to help the industry thrive. A vibrant equine industry makes significant economic contribution to the State economy while retaining thousands of acres of scenic, taxpaying open space. Among its other responsibilities, the Division works with the not-for-profit group of equine interests which operate the Horse Park of New Jersey in Stone Tavern, Monmouth County, to oversee the continuing development of this 147-acre facility for horse shows and competitions. The Division also runs the New Jersey Sire Stakes program to encourage excellence in the breeding of harness racing standardbred horses. The Division completes its diverse mission by coordinating the State's commodity distribution, child nutrition and emergency feeding assistance programs. The commodity distribution and emergency feeding program assistance programs receive, store and distribute federal surplus foods to schools, institutions, soup kitchens and pantries as well as New Jersey's neediest citizens. Child nutrition programs provide cash reimbursement to school districts and other providers for their participation in a variety of nutritional programs aimed at improving the diets of children and senior citizens.

The purpose of the Plan is to create a structure that will foster an improved service delivery function for New Jersey's farmers and the State's citizens. The Plan accomplishes this by:

1. Consolidating the functions of the Division of Dairy and Commodity Regulation into a new Division named the Division of Marketing and Development. Consolidating these functions into the Division of Marketing and Development will increase the efficiency and effect of commodity inspection and grading efforts related to the development of specific promotion and advertising programs targeted to New Jersey produced agricultural products. Inasmuch as the inspection and grading of agricultural products relates to the establishment of prices in the marketplace as well as sales and marketing efforts, the consolidation of these inspection and marketing functions into one Division will promote a more effective, consistent and practical marketing and regulatory effort by the Department.
2. The renaming of the Division of Markets to the Division of Marketing and Development. This name change more accurately reflects the mission of this organizational unit.

NOW, THEREFORE, in accordance with the provisions of the Executive Reorganization Act of 1969, P.L.1969, c.203 (C.52:14C-1 et seq.), I find with respect to the transfers and reorganization provided for in

this Plan, that each aspect is necessary to accomplish the purposes set forth in section 2 of the act and that each aspect will:

1. promote more effective management of the Executive Branch and more efficient execution of the law by consolidating similar programs;
2. group, coordinate and consolidate functions in a more consistent and practical manner according to major purposes;
3. promote economy to the fullest extent consistent with the efficient operation of the Executive Branch;
4. increase the efficiency of the Executive Branch to the fullest extent practicable;
5. reduce the number of agencies by consolidating those having similar functions;
6. eliminate duplication and overlapping of effort, thereby better utilizing State resources.

PROVISIONS OF THE REORGANIZATION PLAN

1. The Division of Markets, including the functions, powers and duties assigned to it pursuant to P.L.1916, c.268 (C.4:1-1 et seq.), as amended and supplemented, is hereby continued and renamed the Division of Marketing and Development.
2. The functions, powers and duties assigned to the Division of Dairy and Commodity Regulation, including the functions, powers and duties pursuant to P.L.1916, c.268 (C.4:1-1 et seq.), as amended and supplemented, are hereby continued and transferred to the Division of Marketing and Development.
3. The powers, functions and duties hereby transferred shall be organized and implemented within the Department of Agriculture as determined by the State Board of Agriculture.
4. All employees who serve the Division of Dairy and Commodity Regulation shall be transferred to the Division of Marketing and Development pursuant to the "State Agency Transfer Act," P.L.1971, c.375 (C.52:14D-1 et seq.). In addition, all records, property, appropriations and any unexpended balance of funds appropriated or otherwise available to the

Division of Dairy and Commodity Regulation shall be transferred to the Division of Marketing and Development, pursuant to the "State Agency Transfer Act," P.L.1971, c.375 (C.52:14D-1 et seq.).

5. Whenever in any law, rule, regulation, order, contract, tariff, document, judicial or administrative proceeding or otherwise thereunder, reference is made to the Division of Dairy and Commodity Regulation, the same shall mean and refer to the Division of Marketing and Development.

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

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

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

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

A copy of this Reorganization Plan was filed on November 25, 2002 with the Secretary of State and the Office of Administrative Law for publication in the New Jersey Register. This Plan shall become effective in 60 days on January 24, 2003 unless disapproved by each House of the Legislature by the passage of a concurrent resolution stating in substance that the Legislature does not favor this Reorganization Plan, or at a date later than January 24, 2003, should the Governor establish such a later date for the effective date of the Plan, or any part thereof, by Executive Order.

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

Filed November 25, 2002.
Effective January 24, 2003.