

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



2008

New Jersey State Library

EXECUTIVE ORDERS

(1243)

EXECUTIVE ORDER No. 93

WHEREAS, Senator Walter J. Kavanaugh was a leader in public life, spending the majority of his career dedicated to serving the common good, and New Jersey is a better place today because of that service; and

WHEREAS, Senator Kavanaugh was a true son of New Jersey, born in Bound Brook, educated in Somerville public schools, and involved in public life in this State for four decades; and

WHEREAS, He was a graduate of his cherished alma mater, the University of Notre Dame; and

WHEREAS, He subsequently served this country as a lieutenant in the United States Air Force from 1955 to 1958 as a pilot; and

WHEREAS, Following his military service, he soon embarked on his life-long mission of working for the people of the State of New Jersey, initially serving from 1963 to 1975 on the Somerville Board of Education, five of those years as president; and

WHEREAS, Senator Kavanaugh was a life member of the Somerville First Aid and Rescue Squad, which he first joined in 1968 and also was a member of the Somerset County Board of Mental Health and the Somerset County Park Commission; and

WHEREAS, Senator Kavanaugh was first elected to the General Assembly in 1975 and reelected ten times, holding office from 1976 to 1997; and

WHEREAS, He was elected to the State Senate in 1997 and remained in office until January 8, 2008, such 32-year career in the Legislature making him the seventh-longest serving legislator in New Jersey history; and

WHEREAS, He was a key sponsor of the legislation creating the Transportation Trust Fund, an act that has proven vital to the State of New Jersey; and

WHEREAS, He also sponsored important measures reforming the State's divorce laws and creating a tax amnesty program; and

WHEREAS, Senator Kavanaugh was a member of the budget committees of both houses of the Legislature and was widely regarded as an expert on budget and fiscal matters; and

WHEREAS, Senator Kavanaugh also was a member of the State House Commission since 1998 and from 1990 to 1994; and

WHEREAS, While in the Legislature, the Senator held numerous leadership positions including Assistant Budget Officer, Majority Budget Officer, Deputy Speaker, Assistant Majority Leader, Assistant Minority

Leader, Deputy Assistant Minority Leader, Minority Whip, and Assistant Minority Whip; and

WHEREAS, The Senator, in addition to his duties as a public servant, also was appointed a board member of the Somerset Medical Center, the Somerset Council on Alcoholism, and the Board of Regents of St. Mary's College of Notre Dame and was a devoted supporter of organizations helping homeless men and women; and

WHEREAS, Senator Kavanaugh always sought, in his words, to "put people first," avoided excessive partisanship, and asked, again in his words, "Can we afford to do this" as well as "Can we not afford to do this" as he worked for the people of this State; and

WHEREAS, Senator Kavanaugh was devoted to policy and politics, was well-known for his sense of humor and quick wit and was widely admired by his colleagues and loved by his family and friends; and

WHEREAS, It is with deep sadness that we mourn the loss of Senator Kavanaugh and extend our sincere sympathy to his family and friends; and

WHEREAS, It is fitting and appropriate to honor the memory and the passing of Senator Kavanaugh;

NOW, THEREFORE, I, JON S. CORZINE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The flag of the United States of America and the flag of the State of New Jersey shall be flown at half-staff at all State departments, offices, agencies and instrumentalities during appropriate hours on Monday, January 14, 2008, in recognition and mourning of the passing of Senator Walter J. Kavanaugh.

2. This Order shall take effect immediately.

Dated January 11, 2008.

EXECUTIVE ORDER No. 94

WHEREAS, United States Marine Lance Corporal Curtis A. Christensen, Jr., was born at the Philadelphia Naval Hospital in Philadelphia, Pennsylvania, and was a resident of Collingswood, New Jersey; and

WHEREAS, Corporal Christensen was an avid photographer and outdoorsman; and

WHEREAS, Corporal Christensen enlisted in the United States Marine Corp and served in the 2nd Battalion, 8th Marine Regiment, 2nd Marine Division, II Marine Expeditionary Force based in Camp Lejeune, North Carolina; and

WHEREAS, Corporal Christensen was a dedicated soldier as well as a loving husband, son, brother, and friend, whose memory lives in the hearts of his family and fellow soldiers; and

WHEREAS, Corporal Christensen was killed in Iraq, during a time of war while serving as a member of the United States Marine Corp; and

WHEREAS, Corporal Christensen's patriotism and dedicated service to his country and his fellow soldiers make it appropriate and fitting for the State of New Jersey to remember him and his family, to mark his passing, and to honor his memory;

NOW, THEREFORE, I, JON S. CORZINE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The flag of the United States of America and the flag of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours on Friday, January 18, 2008, in recognition and mourning of a brave and loyal American, United States Marine Lance Corporal Curtis A. Christensen, Jr.

2. This Order shall take effect immediately.

Dated January 16, 2008.

EXECUTIVE ORDER No. 95

WHEREAS, United States Army Captain Thomas John Casey of Albuquerque, New Mexico, graduated from the University of New Mexico in 1996 and enlisted in the Army as a Spanish linguist; and

WHEREAS, Captain Casey was commissioned as a Second Lieutenant after graduating from Officer Candidate School and served as a Battlefield Intelligence Collection Controller after completing the Military Intelligence Officer Basic Course; and

WHEREAS, Captain Casey was assigned as the Executive Officer and Intelligence Officer for Military Transition Team 0511 advising 1st Battalion, 1st Brigade, 5th Iraqi Army Division; and

WHEREAS, Captain Casey was a dedicated soldier as well as a loving husband, father, son, brother, and friend, whose memory lives in the hearts of his family, including his mother, who lives in Cape May Point, New Jersey, and in the hearts of his fellow soldiers; and

WHEREAS, Captain Casey was killed in Iraq, during a time of war while serving as a member of the United States Army; and

WHEREAS, Captain Casey has received some of our nation's highest military honors, including the Bronze Star Medal, Purple Heart, two Army Commendation Medals, two Army Achievement Medals, Army Good Conduct Medal, National Defense Service Medal, Parachutist Badge, and the Combat Action Badge; and

WHEREAS, Captain Casey's patriotism and dedicated service to his country and his fellow soldiers make it appropriate and fitting for the State of New Jersey to remember him and his family, to mark his passing, and to honor his memory;

NOW, THEREFORE, I, JON S. CORZINE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The flag of the United States of America and the flag of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours on Wednesday, January 23, 2008, in recognition and mourning of a brave and loyal American, United States Army Captain Thomas John Casey.

2. This Order shall take effect immediately.

Dated January 18, 2008.

EXECUTIVE ORDER No. 96

WHEREAS, The practice of misclassifying workers as alleged independent contractors, rather than in accordance with their actual status as employees, causes serious negative repercussions to our State's economy; and

WHEREAS, Workers who are improperly classified suffer an economic disadvantage and are involuntary disenfranchised from the social insurance benefits and basic worker protections provided to individuals classified as employees, including unemployment and disability insurance, Social Security wage credits, and employee health and pension benefits offered by the employer to its workforce; and

WHEREAS, Employers who willfully misclassify workers as independent contractors realize an unfair competitive advantage over employers who properly identify their workers as employees; and

WHEREAS, The State has undertaken significant efforts to address these problems, including the enactment on August 21, 2006, of P.L.2006, c.85, requiring the use of a unified single definition of "employee" for purposes of withholding State income, unemployment insurance and disability insurance taxes, and the enactment on July 13, 2007, of the "Construction Industry Independent Contractor Act," P.L.2007, c.114; and

WHEREAS, The State's efforts to address the problem of employee misclassification in the construction industry and to ensure contractor compliance with the Construction Industry Independent Contractor Act will be enhanced through the creation of an advisory body comprised of government officials and private sector representatives with expertise in this subject;

NOW, THEREFORE, I, JON S. CORZINE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. There is hereby created, pursuant to Art. V, Sec. IV, par. I of the New Jersey Constitution, the Governor's Advisory Commission on Construction Industry Independent Contractor Reform (the "Advisory Commission"). The mission of the Advisory Commission is to develop recommendations for a comprehensive and strategic Statewide approach to addressing the problem of employee misclassification in the construction industry and to ensuring contractor compliance with the "Construction Industry Independent Contractor Act," P.L.2007, c.114.

2. The Advisory Commission shall be composed of the Commissioner of Labor and Workforce Development or a designee, serving ex officio; the Attorney General or a designee, serving ex officio; the State Treasurer or a designee, serving ex officio; and eight public members who shall be ap-

pointed by the Governor and shall serve at his pleasure as follows: three representatives from three different building trades unions; one representative of the New Jersey AFL-CIO; one representative of residential developers; one representative of residential construction contractors; one representative of commercial developers; and one representative of commercial construction contractors.

3. The Commissioner of Labor and Workforce Development shall serve as chair of the Advisory Commission. All public members of the Advisory Commission shall serve without compensation. Vacancies on the Advisory Commission shall be filled in the same manner as the original appointment.

4. In furtherance of its mission stated in paragraph one, above, the Advisory Commission shall be authorized to:

a. make recommendations to the Department of Labor and Workforce Development, the Office of the Attorney General, and the Department of the Treasury with respect to synchronizing each respective Department's regulations and policies regarding employee misclassification;

b. conduct public hearings to increase public awareness of the illegal nature and harms inflicted by employee misclassification in the construction industry and to highlight potential significant cases of misclassification that may warrant investigation by the appropriate government agency;

c. make recommendations to enhance mechanisms for identifying employee misclassification where it does occur;

d. work with business, labor and community groups to develop educational materials that distinguish the difference between an independent contractor and an employee; and

e. cooperate with State, federal and local social service agencies to identify ways to provide assistance to vulnerable populations that have been exploited by employee misclassification, including, but not limited to, immigrant workers.

5. The Advisory Commission shall issue a report annually to the Governor on the status of implementation of the Construction Industry Independent Contractor Act, to include publicly available information regarding: cases brought, wages and taxes recovered on behalf of the State, outcomes of cases, legal or administrative barriers to successful implementation, a review of the process used to adjudicate misclassification cases, and proposals for any additional legislative action that may be needed to en-

hance the State's efforts to address employee misclassification in the construction industry.

6. The Advisory Commission is authorized to call upon any department, office, division or agency of this State to supply it with data and other information, personnel or assistance available to such agency as the Advisory Commission deems necessary to discharge its duties under this Order. Each department, office, division or agency of this State is hereby required, to the extent not inconsistent with law, to cooperate fully with the Advisory Commission and to furnish the Advisory Commission such assistance on as timely a basis as is necessary to accomplish the purposes of this Order. The Advisory Commission may consult with experts or other knowledgeable individuals in the public or private sector on any aspect of its mission.

7. This Order shall take effect immediately.

Dated January 18, 2008.

EXECUTIVE ORDER No. 97

WHEREAS, Community care residential providers (CCRs) for adults with developmental disabilities in the State of New Jersey, as defined by N.J.A.C. 10:44B, provide an invaluable and essential service by providing care and/or training to adults with developmental disabilities; and

WHEREAS, The State of New Jersey, through the Department of Human Services, is vested with the regulatory authority, including but not limited to the establishment of reimbursement rates, and the administrative oversight responsibility for the licensing of facilities and operation of CCR homes; and

WHEREAS, Pursuant to its statutory and regulatory authority, the Department of Human Services is authorized to contract with a qualified third party agency or entity to provide oversight with respect to various administrative functions, including but not limited to the processing of board payments and/or cost-of-care payments to CCRs; and

WHEREAS, To ensure quality standards of care, it is in the public interest for New Jersey to maintain CCRs for adults with developmental disabilities and to encourage the recruitment and retention of CCRs that are delivering these vital services; and

WHEREAS, A majority of New Jersey's CCRs have authorized the Communications Workers of America, AFL-CIO (CWA) to be their exclusive representative through individually-signed authorizations, not more than twelve (12) months old; and

WHEREAS, The State Board of Mediation has certified the CWA as having presented to the Board of Mediation authorization cards representing a majority of CCRs;

NOW, THEREFORE, I, JON S. CORZINE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The Commissioner of the New Jersey Department of Human Services (DHS) or his/her designee, on behalf of the State of New Jersey, shall meet in good faith with the CWA, as the recognized exclusive majority representative of all CCRs, for the purpose of entering into a written agreement regarding reimbursement rates, payment procedures, benefits, health and safety conditions and any other matters that would improve recruitment and retention of qualified CCRs and the quality of the programs they provide, subject to the provisions of paragraph 6 below. Nothing in this Order shall require that an agreement be reached on any particular matter provided the parties act in good faith.

2. When an agreement is reached pursuant to paragraph 1 above, it shall be embodied in writing and shall be binding upon the State of New Jersey. Any agreement that requires rule making or statutory changes will be contingent upon the successful completion of such regulatory or legislative action. If any provisions of the agreement require legislative action, or require the appropriation of funds to be effective, the parties will jointly seek the enactment of such legislative action. If any provisions of the agreement require the adoption or modification of rules and regulations of any department or agency of State government to be effective, the department or agency shall seek the adoption or modification of such rules or regulations through appropriate regulatory action.

3. In affording CCRs the right to act through an exclusive majority representative and seek an agreement with the State per the terms of this Order, the State intends that the "State Action" exemption to federal anti-trust laws be fully available to the State, CCRs and their exclusive repre-

sentative and that exempt conduct shall be actively supervised by the Department of Human Services.

4. Nothing in this Order is intended to give to CCRs, or imply that CCRs have, any right to engage in a strike or collective cessation of the care for adults with developmental disabilities in their homes.

5. The agreement entered into between CWA and the Commissioner may provide for the payment of union dues and representation fees.

6. Nothing in the Order shall be construed to grant CCRs status as State employees for any purposes, including, but not limited to, the New Jersey Tort Claims Act (N.J.S.A. 59:1-1 et seq.), the New Jersey Temporary Disability Benefits Law (N.J.S.A. 43:21-25 et seq.), the New Jersey Unemployment Compensation Law (N.J.S.A. 43:21-1 et seq.), and the New Jersey Workers Compensation Law (N.J.S.A. 34:15-1 et seq.), or any other authority, law or regulations that govern or apply to State employees. Although CCRs are not State employees, the subjects to be included in an agreement shall be consistent with those areas that are considered negotiable pursuant to the New Jersey Employer-Employee Relations Act (N.J.S.A. 34:13A-1 et seq.).

7. Nothing in this Order shall be construed to interfere with the rights of the Department of Human Services to place or remove clients from the homes of CCRs.

8. Nothing in this Order shall be construed to interfere with the rights of individuals with developmental disabilities and/or their parents or guardians, including but not limited to the right to choose or change their placement with CCRs.

9. No action may be taken under this Order that would derogate from the status, functions or authority of the Department of Human Services in its capacity of Lead Agency, or in any other capacity, in the placement and care of persons with developmental disabilities.

10. Should any part of this Order be declared to be invalid or unenforceable, or shall the enforcement of or compliance with any part of this Order be suspended, restrained or barred, by the final judgment of a court

of competent jurisdiction, the remainder of this Order shall remain in full force and effect.

11. This Order shall take effect immediately.

Dated March 5, 2008.

EXECUTIVE ORDER No. 98

WHEREAS, United States Army Corporal Steven R. Koch, of Milltown, New Jersey, enlisted in the Army in March 2006; and

WHEREAS, Corporal Koch was a highly dedicated paratrooper; and

WHEREAS, Corporal Koch was assigned to the 1st Battalion, 508th Parachute Infantry Regiment, 4th Brigade Combat Team, 82nd Airborne Division out of Fort Bragg, North Carolina; and

WHEREAS, Corporal Koch was a dedicated soldier as well as a loving husband, father, son, brother, and friend, whose memory lives in the hearts of his family and fellow soldiers; and

WHEREAS, Corporal Koch died in Afghanistan from wounds suffered in combat operations while serving as a member of the United States Army; and

WHEREAS, Corporal Koch has received some of our nation's highest military honors, including the Bronze Star, Purple Heart, the Army Commendation Medal, the Army Good Conduct Medal, the National Defense Service Medal, the Afghanistan Campaign Medal, the Global War on Terrorism Service Medal, the Army Service Ribbon, the Overseas Service Ribbon, the NATO Medal, the Combat Infantryman's Badge and the Parachutist's Badge; and

WHEREAS, Corporal Koch's love for his family and friends, his patriotism and dedicated service to his country and his fellow soldiers make it appropriate and fitting for the State of New Jersey to mourn and remember him, to mark his passing, and to honor his memory;

NOW, THEREFORE, I, JON S. CORZINE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The flag of the United States of America and the flag of New Jersey shall be flown at half-staff at all State departments, offices, agencies,

and instrumentalities during appropriate hours on Thursday, March 13, 2008, in recognition and mourning for a son of New Jersey and a brave and loyal American, United States Army Corporal Steven R. Koch.

2. This Order shall take effect immediately.

Dated March 10, 2008.

EXECUTIVE ORDER No. 99

WHEREAS, United States Army Staff Sergeant William R. Neil, Jr., was born in Jersey City, New Jersey, and graduated from Hudson Catholic High School; and

WHEREAS, Staff Sergeant Neil enlisted in the United States Navy after graduation and served for four years before beginning a career on Wall Street; and

WHEREAS, Staff Sergeant Neil left his private sector career and returned to the Armed Forces to serve his country, re-enlisting in the United States Army as a supply specialist and serving with the 4th Ranger Training Battalion in Fort Benning, Georgia; and

WHEREAS, Staff Sergeant Neil successfully passed the Special Forces Qualification Course to become a Green Beret and was assigned to Company C, 3rd Battalion of the 3rd Special Forces Group (Airborne) out of Fort Bragg, North Carolina; and

WHEREAS, Staff Sergeant Neil was a dedicated soldier as well as a loving son, brother, uncle and friend, whose memory lives in the hearts of his friends, fellow soldiers, and family; and

WHEREAS, Staff Sergeant Neil died in Afghanistan from wounds suffered in combat operations while serving as a member of the United States Army; and

WHEREAS, Staff Sergeant Neil has received some of our nation's highest military honors, including the Army Commendation Medal and six Army Achievement Medals and is expected to receive the Bronze Star, the Purple Heart, the Meritorious Service Medal, and the Combat Infantryman's Badge posthumously; and

WHEREAS, Staff Sergeant Neil's love for his family and friends, his patriotism, and his dedicated service to his country and his fellow soldiers make it appropriate and fitting for the State of New Jersey to mourn and remember him, to mark his passing, and to honor his memory;

NOW, THEREFORE, I, JON S. CORZINE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The flag of the United States of America and the flag of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours on Monday, March 31, 2008 in recognition and mourning for a son of New Jersey and a brave and loyal American, United States Army Staff Sergeant William R. Neil, Jr.

2. This Order shall take effect immediately.

Dated March 28, 2008.

EXECUTIVE ORDER No. 100

WHEREAS, Protecting the health of our children is one of the most important tasks of New Jersey State government; and

WHEREAS, Lead poisoning is preventable and has irreversible effects on children and adults; and

WHEREAS, Environmental lead can cause developmental disabilities, neurological and behavioral problems, decreased I.Q., and, in extreme cases, coma and death to children; and

WHEREAS, Approximately two million houses in New Jersey were constructed prior to the prohibition of the sale of lead paint, and many children are therefore potentially exposed to dangerous levels of environmental lead; and

WHEREAS, Dangerous levels of lead can be found not only in paint, but also in soil, water, and consumer products, and there is a need to educate parents and caregivers about that risk; and

WHEREAS, The New Jersey Department of the Public Advocate ("Public Advocate") has undertaken a study assessing the programs in New Jersey State and local government designed to protect children from residential lead exposure, which study has recommended important improvements in these protective programs; and

WHEREAS, The Public Advocate's report describes that among 104 dwellings in five cities in New Jersey, a high proportion contain possibly harmful levels of lead contamination, that lead was present even in dwellings in which some lead abatement activities had ostensibly been

undertaken, and that the dangers of lead poisoning are most likely to affect families in the State's older urban areas; and
WHEREAS, I find the report of the Public Advocate to be thoughtful and compelling;

NOW, THEREFORE, I, JON S. CORZINE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The Department of Health and Senior Services ("DHSS") shall, within 60 days, review its current lead standards, codified at N.J.A.C. 8:51, for the level of concern at which a child is considered poisoned in New Jersey and determine whether the State should lower its current standard.

2. DHSS, which, as a result of the Public Advocate's Report, already has instructed the local health departments to re-inspect the 85 properties identified in that report as at risk for lead exposure, shall report on the results of the re-inspection within 90 days.

3. DHSS shall expand the use of its case management information database to all local health departments beginning with those local health departments in communities with the greatest magnitude of risk, and DHSS shall offer to all local health departments training in the use of the case management information database.

4. DHSS shall, within 60 days, convene stakeholders to undertake a review of the desirability and feasibility of recommending prenatal blood lead screening of all pregnant women and all post-natal children.

5. DHSS shall develop new, additional educational materials and make them available to local health departments, nonprofits, consortia, lead coalitions, primary care providers, and other lead education organizations.

6. DHSS shall develop a targeted blood lead screening plan for children based on geographic information system mapping results. DHSS shall require all local health department Childhood Lead Poisoning Prevention ("CLPP") program grantees to develop a neighborhood-level targeted blood lead screening strategy. DHSS shall provide mapping information on blood lead level rates to all counties so blood lead level screening objectives can be included in their community health improvement plans.

7. DHSS shall, within 60 days, create a one-page handout on the dangers of blood lead.

8. DHSS shall, within 90 days, review local health departments' current practices regarding the inspection of all units of a multi-unit dwelling where a child has been poisoned by lead in one such dwelling unit. DHSS shall propose rules, if appropriate, that will require local health departments to notify in writing all tenants in a multi-unit dwelling where a child has been poisoned by lead in one such dwelling unit. This writing would, if appropriate, notify tenants that dangerous levels of lead have been found in the building and provide: information on the dangers of lead poisoning; information that advises parents of children age six or under to have a child blood lead tested and where a child can be tested; and a one-page informational fact sheet developed by DHSS.

9. DHSS shall identify which local health departments are willing to perform lead inspections at the request of any resident in, or owner of, pre-1978 housing if such person is willing to pay the cost of the inspection and shall make this information available to the public. The Department of Community Affairs ("DCA") shall regularly review and identify other private firms or individual inspectors that will be able to perform lead inspections at the request of any resident at the resident's own expense and make this information available to the public.

10. DHSS shall review the current procedures for the inspection of lead poisoned children's homes and the abatement of the property and shall propose rules, as appropriate, to mandate time frames by which local health departments, abatement companies, and property owners must ensure that the inspection, abatement, and clearance functions for which they are respectively responsible are completed.

11. DHSS shall direct that all CLPP programs shall upload weekly to the New Jersey Immunization Information System the blood lead test results of all children screened.

12. DHSS shall develop new, additional educational materials to increase awareness of sources of lead poisoning in consumer products including food, jewelry, and toys, and shall develop a visual aide that can be used by home visitors and others to identify non-paint sources of lead that can be found in consumer products.

13. The Department of Education ("DOE") shall make available to school districts, charter schools, and nonpublic schools lead education materials made available by DHSS and/or the Public Advocate for distribution to teachers, administrators, guidance counselors, nurses, and parents of pupils attending that school.

14. To improve the timeliness, accuracy, and efficiency of the lead data match system, the Department of Human Services ("DHS") and DHSS shall work together to enhance data collection and, if appropriate, utilize the DHSS case management information database to include a medical insurance collection field.

15. DCA has published a proposed rule that would prohibit anyone affiliated with or paid by an abatement company from performing the clearance inspection function on the same project. After the close of the comment period, the DCA shall consider all comments received, and, if appropriate, expeditiously promulgate a final rule.

16. DCA shall, within 90 days, review its monitoring of all certified evaluation and abatement contractors and, if appropriate and feasible, propose amendments to the work practice regulations.

17. DCA shall review its standards for treatment of lead-based paint hazards and, if appropriate and feasible, propose rules that would allow for additional DCA-funded treatment options.

18. DCA shall review its list of Certified Lead Abatement Contractors and update this list at least twice each year to ensure that the list identifies those contractors still performing residential abatements.

19. DCA shall take steps to offer greater technical support to complete the application for the Lead Hazard Control Assistance Programs. DCA and the Public Advocate shall collaborate to examine the feasibility of simplifying the application.

20. DHSS and DCA shall collaborate to develop a Memorandum of Understanding that will allow the agencies to cross-match the addresses of lead poisoned children with the results of cyclical inspections of multiple dwelling units.

21. The Department of Children and Families (“DCF”) shall undertake a review of the current training for resource family and child care youth residential inspection staff regarding recognition of lead paint hazards in connection with their inspection of homes and residential facilities for licensing purposes. Following such review, DCF shall, if appropriate, implement in-service training or informational sessions to assist all DCF inspection staff in recognizing and identifying lead paint hazards during the licensing and inspection process.

22. DCF shall review, consider, and, if appropriate, implement additional in-service training for resource family parents on the topics of recognition of lead paint hazards, requirements regarding lead paint testing, and information regarding treatment of lead paint exposure.

23. This Order shall take effect immediately.

Dated April 29, 2008.

EXECUTIVE ORDER No. 101

WHEREAS, United States Army Private Ronald Ray Harrison, of Budd Lake, New Jersey, was raised in West Milford and attended Boonton High School; and

WHEREAS, Private Harrison joined the New Jersey Army National Guard in December 2003 and enlisted in the United States Army in April 2006; and

WHEREAS, Private Harrison was assigned to the 4th Battalion, 64th Armor Regiment, 4th Brigade Combat Team, of the 3rd Infantry Division, based out of Fort Stewart, Georgia; and

WHEREAS, Private Harrison was a dedicated soldier as well as a loving husband, step-father, son, brother, and friend, whose memory lives in the hearts of his family and fellow soldiers; and

WHEREAS, Private Harrison died near Baghdad, Iraq, during a time of war while serving as a member of the United States Army; and

WHEREAS, Private Harrison’s love for his family and friends, his patriotism, and dedicated service to his country and his fellow soldiers make it appropriate and fitting for the State of New Jersey to mourn and remember him, to mark his passing, and to honor his memory;

NOW, THEREFORE, I, JON S. CORZINE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The flag of the United States of America and the flag of the State of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours on Thursday, May 1, 2008, in recognition and mourning for a son of New Jersey and a brave and loyal American, United States Army Private Ronald Ray Harrison.

2. This Order shall take effect immediately.

Dated April 29, 2008.

EXECUTIVE ORDER No.102

WHEREAS, United States Army Captain Gregory Thomas Dalessio was born in Philadelphia, Pennsylvania and was raised in Cherry Hill, New Jersey; and

WHEREAS, Captain Dalessio enlisted in the Army after attending Seton Hall University's ROTC program; and

WHEREAS, Captain Dalessio was assigned to the HHC, 2nd Battalion, 6th Infantry Regiment, 2nd Brigade Combat Team, 1st Armored Division, based in Baumholder, Germany; and

WHEREAS, Captain Dalessio was a dedicated soldier as well as a loving son, brother, and friend, whose memory lives in the hearts of his family and fellow soldiers; and

WHEREAS, Captain Dalessio died near Salman Park, Iraq, during a time of war while serving as a member of the United States Army; and

WHEREAS, Captain Dalessio has made the ultimate sacrifice, giving his life in the line of duty, while fighting on behalf of his country; and

WHEREAS, Captain Dalessio has received some of our nation's highest military honors, including the Posthumous Bronze Star Medal, Posthumous Purple Heart Medal, National Defense Service Medal, Iraqi Campaign Medal with Bronze Star, Global War on Terrorism Expeditionary Medal, Global War on Terrorism Service Medal, Army Service Ribbon, Overseas Service Ribbon, Combat Infantryman Badge Posthumous, and Meritorious Unit Commendation; and

WHEREAS, Captain Dalessio's love for his family and friends, his patriotism, and dedicated service to his country and his fellow soldiers make it

appropriate and fitting for the State of New Jersey to mourn and remember him, to mark his passing, and to honor his memory;

NOW, THEREFORE, I, JON S. CORZINE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The flag of the United States of America and the flag of the State of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours on Wednesday, July 2, 2008, in recognition and mourning for a son of New Jersey and a brave and loyal American, United States Army Captain Gregory Thomas Dalessio.

2. This Order shall take effect immediately.

Dated June 30, 2008.

EXECUTIVE ORDER No. 103

WHEREAS, The State of New Jersey continues to confront a multi-billion dollar structural budget deficit caused by many years of bipartisan fiscal mismanagement and short-sightedness; and

WHEREAS, Despite the significant challenges posed by that continuing structural imbalance, this administration has succeeded, working cooperatively with the Legislature, in making great strides to reduce the State's reliance on non-recurring sources of revenue to fund recurring State expenses; and

WHEREAS, In past years, surplus funds generated by unanticipated revenue growth or savings achieved through operational efficiencies were immediately redirected to new or expanded programs, postponing hard but overdue choices on budget reductions; and

WHEREAS, Repeated past failures to make those difficult choices and reductions has resulted in funding gaps that further exacerbate the State's precarious structural budget imbalance; and

WHEREAS, New Jersey can no longer afford to merely get by, year after year, by focusing narrowly on the short-term finances of the State; and

WHEREAS, The temporary fixes and stopgap measures that have been relied upon in past fiscal years to manage the State's finances can no longer be tolerated; and

WHEREAS, From the outset of the administration, I have emphasized as one of my highest priorities that recurring revenues must meet or exceed recurring expenses; and

WHEREAS, Now more than ever, it is not only prudent, but imperative, that the State's finances be managed responsibly, with a focus on maximizing debt reduction and restricting State expenditures to levels matching or within recurring revenues; and

WHEREAS, As Governor, I have a responsibility to ensure a balanced budget, manage the operations of State Government effectively and efficiently, and maintain necessary government programs and assistance to the public; and

WHEREAS, Article VIII, Section II, paragraph 2 of the New Jersey State Constitution (1947) requires that State government expenditures do not exceed available State revenues; and

WHEREAS, N.J.S.A.52:27B-31 and -26 empower the Governor to prohibit the expenditure of existing or future appropriations, and to set aside necessary reserve funds, if necessary to avoid a budget deficit and to guard against extravagance, waste, or fiscal mismanagement in the administration of any State appropriations; and

WHEREAS, The time has come to build upon the foundation laid in the last three budgets and create a mechanism to help eliminate the practice of relying upon non-recurring revenues to fund recurring expenses of State government;

NOW, THEREFORE, I, JON S. CORZINE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. For purposes of this Order:
 - a. "Appropriations of the State" means the aggregate amounts appropriated from the certified revenue of the State in the general appropriation law and all other laws supplementing the general appropriation law that appropriate money for any purpose in a fiscal year.
 - b. "Certified revenue of the State" means the revenue certified by the Governor pursuant to Article VIII, Section II, paragraph 2 of the Constitution of the State of New Jersey.
 - c. "Recurring revenue of the State" means the portion of revenue determined by the State Treasurer in consultation with the Office of Management and Budget, and as set forth in a certification by the Governor separate from and in addition to the certification required pursuant to Article

VIII, Section II, paragraph 2 of the Constitution of the State of New Jersey, as recurring revenue of the State.

2. For fiscal years beginning on and after July 1, 2008, the State Treasurer, in consultation with the Office of Management and Budget, shall prepare an estimate of the recurring revenue of the State for each fiscal year. For fiscal years beginning on or after July 1, 2009, a certification setting forth such estimate shall be prepared for inclusion in the Governor's annual budget message to the Legislature for the year for which the Governor is making the budget recommendation.

3. In presenting the annual budget message, the Executive Branch of State Government shall not request or recommend appropriations of the State in an amount in excess of the certified amount of recurring revenue of the State for the fiscal year for which the budget recommendation is made, except as provided in this Order and in P.L.2008, c.22.

4. The certification of recurring revenue of the State required pursuant to section 2 of this Order shall be appended to the general appropriation law upon enactment thereof.

5. Recurring revenue of the State may be recalculated and recertified from time to time during the fiscal year, if appropriate.

6. For fiscal years beginning on and after July 1, 2009, it shall be the recommendation of the Executive Branch that any certified revenue of the State that is in excess of the amount of recurring revenue of the State shall not be available to support appropriations of the State, but rather shall be credited or appropriated to the "Long Term Obligation and Capital Expenditure Fund" for the purposes of paying for State capital improvements and the costs thereof, retiring and defeasing debt and the costs thereof, or making supplemental payments to reduce the unfunded post-retirement health benefits liability for members of and to reduce the unfunded pension liabilities of the Public Employees' Retirement System, the Teachers' Pension and Annuity Fund, the Police and Firemen's Retirement System, the State Police Retirement System, and the Judicial Retirement System, and the costs thereof, and making supplemental payments to reduce the unfunded post-retirement health benefits liability for members of the Alternative Benefit Program, and the costs thereof.

7. The provisions of this Order shall not be construed to render any balances in the "Long Term Obligation and Capital Expenditure Fund" or any other fund unavailable for meeting the costs of any emergency which requires an immediate response in the protection of the life, safety, or well-being of the citizens of this State, or to affect the Governor's constitutional obligations to take care that the laws be faithfully executed and otherwise to act in the best interests of the people of the State.

8. This Order shall take effect immediately and shall continue in full force and effect until rescinded or modified by the Governor, or superseded by statute.

Dated June 30, 2008.

EXECUTIVE ORDER No. 104

WHEREAS, United States Army Reserve Major Dwayne M. Kelley, of South Orange, New Jersey, graduated from John F. Kennedy High School in Willingboro, New Jersey; and

WHEREAS, Major Kelley entered the Army in 1978, initially serving for three years as a light wheel vehicle mechanic and then returning to Rutgers University to earn his bachelor's degree in Psychology and his commission as a U.S. Army Reserve second lieutenant in 1985; and

WHEREAS, Major Kelley was a Civil Affairs Officer assigned to the 432nd Civil Affairs Battalion, Headquarters and Headquarters Company, stationed in Green Bay, Wisconsin; and

WHEREAS, Major Kelley has received some of our nation's highest military honors, including two Army Reserve Components Achievement Medals, the National Defense Service Medal, the Armed Forces Service Medal, the Armed Forces Reserve Medal with bronze hourglass and with "M" (mobilization) device and the Army Service Ribbon; and

WHEREAS, Major Kelley also served the State of New Jersey as a Detective Sergeant First Class in the New Jersey State Police; and

WHEREAS, He began his career with the State Police on February 25, 1988, serving as a trooper and he then served in the Investigations Section; and

WHEREAS, He was promoted to Detective Sergeant in 2004 and then to Detective Sergeant First Class in 2008, serving in the Counter Terrorism Bureau; and

WHEREAS, During his law enforcement career, Detective Sergeant First Class Kelley received numerous commendations and awards, most notable the 2006 Essex County Executive Extraordinary Valor Award and a 200 Club of Essex County Valor Award for his role in interviewing terrorism detainees; and

WHEREAS, His career with the New Jersey State Police was characterized by loyalty, fearless performance of duty, and devotion to the highest principles of law enforcement; and

WHEREAS, Major Kelley died near Sadr City, Iraq, during a time of war while serving as a member of the United States Army Reserve; and

WHEREAS, Major Kelley has made the ultimate sacrifice, giving his life in the line of duty, while fighting for his country; and

WHEREAS, Major Kelley was a dedicated soldier as well as a loving husband, father, son, and friend, whose memory lives in the hearts of his family and fellow soldiers; and

WHEREAS, Major Kelley's love for his family and friends, his patriotism, and dedicated service to his country and his fellow soldiers make it appropriate and fitting for the State of New Jersey to mourn and remember him, to mark his passing, and to honor his memory;

NOW, THEREFORE, I, JON S. CORZINE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The flag of the United States of America and the flag of the State of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours on Thursday, July 3, 2008, in recognition and mourning for a son of New Jersey and a brave and loyal American, United States Army Reserve Major Dwayne M. Kelley.

2. This Order shall take effect immediately.

Dated July 1, 2008.

EXECUTIVE ORDER No. 105

WHEREAS, United States Army Private Anthony J. Sausto, of Somers Point, New Jersey, attended Oakcrest High School in Mays Landing, New Jersey; and

WHEREAS, Private Sausto enlisted in the Army in February 2006, a few months after moving from New Jersey to Arizona; and
WHEREAS, Private Sausto was assigned to the 1st Battalion, 38th Infantry Regiment, 4th Brigade Combat Team, 2nd Infantry Division out of Fort Lewis, Washington; and
WHEREAS, Private Sausto was a dedicated soldier as well as a loving son, brother, and friend, whose memory lives in the hearts of his family and fellow soldiers; and
WHEREAS, Private Sausto died near Baghdad, Iraq, during a time of war while serving as a member of the United States Army; and
WHEREAS, Private Sausto's love for his family and friends, his patriotism, and dedicated service to his country and his fellow soldiers make it appropriate and fitting for the State of New Jersey to mourn and remember him, to mark his passing, and to honor his memory;

NOW, THEREFORE, I, JON S. CORZINE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The flag of the United States of America and the flag of the State of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours on Monday, July 7, 2008, in recognition and mourning for a son of New Jersey and a brave and loyal American, United States Army Private Anthony J. Sausto.

2. This Order shall take effect immediately.

Dated July 2, 2008.

EXECUTIVE ORDER No. 106

WHEREAS, Assemblyman Arthur R. Albohn was a leader in public life, spending the majority of his career dedicated to serving the common good, and New Jersey is a better place today because of that service; and
WHEREAS, Assemblyman Albohn was born in Ridgewood, New York, educated in the New York City public school system, and graduated from Stuyvesant High School; and
WHEREAS, Assemblyman Albohn earned a B.A., B.S., and chemical engineering degrees from Columbia University; and

- WHEREAS, Assemblyman Albohn and his wife moved to Akron, Ohio, working for Goodyear Tire and Rubber Company during the Second World War; and
- WHEREAS, In 1950 Assemblyman Albohn and his wife relocated to Whippany, New Jersey, where they raised three children and where he was employed in research, management, and consulting positions in the chemical and engineering industries; and
- WHEREAS, Assemblyman Albohn was interested in helping his community grow and prosper, became involved in municipal government, and was elected to the Hanover Township Committee in 1954, serving for 33 years, including five as mayor; and
- WHEREAS, He was a member of the Planning Board, Chairman of the Sewerage Authority, President of the Board of Health, and Director of Finance; and
- WHEREAS, He was elected to the New Jersey General Assembly in 1980, where he served for 16 years; and
- WHEREAS, During his time in the Assembly he was a staunch fiscal conservative, earning the nickname “Dr. No” for voting against bills that contained unnecessary spending; and
- WHEREAS, During his time in the Assembly he was also known for his strong advocacy for the preservation of green space, his devotion, as a man of science, to environmental causes, and his sponsorship of mandatory recycling legislation, leading the State into the era of recycling; and
- WHEREAS, Upon Assemblyman Albohn’s retirement from the Assembly, he had served his town and State for 43 years and his Assembly colleagues recognized his integrity, intellectual rigor, and dedication; and
- WHEREAS, Assemblyman Albohn’s professional associations included the American Institute of Chemical Engineers, the American Chemical Society, the American Society of Mechanical Engineers, and Theta Tau engineering fraternity; and
- WHEREAS, Assemblyman Albohn served as trustee of the Masterwork’s Musical Arts Foundation, Chairman of the Birch Hill Association, president of the Hanover Township Republican Club, and advisory board member for Security National Bank; and
- WHEREAS, He was recently inducted into the Elected Officials Hall of Fame of the New Jersey State League of Municipalities for his many years of public service; and
- WHEREAS, It is with deep sadness that we mourn the loss of Assemblyman Albohn and extend our sincere sympathy to his wife, his children, his family, and friends; and

WHEREAS, It is fitting and appropriate to honor the memory and the passing of Assemblyman Albohn;

NOW, THEREFORE, I, JON S. CORZINE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The flag of the United States of America and the flag of the State of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours on Tuesday, July 8, 2008, in recognition and mourning of the passing of Assemblyman Arthur R. Albohn.

2. This Order shall take effect immediately.

Dated July 3, 2008.

EXECUTIVE ORDER No. 107

WHEREAS, United States Marine Corps Lance Corporal Jeffery S. Stevenson was born in Stroudsburg, Pennsylvania, and resided in Stillwater, New Jersey; and

WHEREAS, Lance Corporal Stevenson graduated from Kittatinny Regional High School in Newton, New Jersey; and

WHEREAS, Lance Corporal Stevenson joined the Marine Corps in 2006, six months after his high school graduation, and served as a machinist; and

WHEREAS, Lance Corporal Stevenson was known for his unwavering support of the military; and

WHEREAS, Lance Corporal Stevenson was assigned to the 7th Engineer Support Battalion, 1st Marine Logistics Group, I Marine Expeditionary Force, Camp Pendleton, California; and

WHEREAS, Lance Corporal Stevenson died in Al Anbar province, Iraq, during a time of war while serving as a member of the United States Marine Corps; and

WHEREAS, Lance Corporal Stevenson was a dedicated Marine as well as a loving son, brother, cousin, grandson, and friend, whose memory lives in the hearts of his family, friends and fellow Marines; and

WHEREAS, Lance Corporal Stevenson's love for his family and friends, his patriotism, and dedicated service to his country and his fellow Marines make it appropriate and fitting for the State of New Jersey to

mourn and remember him, to mark his passing, and to honor his memory;

NOW, THEREFORE, I, JON S. CORZINE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The flag of the United States of America and the flag of the State of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours on Tuesday, July 22, 2008, in recognition and mourning for a son of New Jersey and a brave and loyal American, United States Marine Corps Lance Corporal Jeffery S. Stevenson.

2. This Order shall take effect immediately.

Dated July 18, 2008.

EXECUTIVE ORDER No. 108

WHEREAS, United States Marine Corps First Lieutenant Jason D. Mann was born and raised in Woodlynne, New Jersey; and

WHEREAS, First Lieutenant Mann graduated from Collingswood High School in Collingswood, New Jersey, and enlisted in the Marine Corps on November 3, 1997; and

WHEREAS, He attained the rank of staff sergeant before receiving a commission as a second lieutenant; and

WHEREAS, First Lieutenant Mann graduated from the University of South Carolina in 2005 with a degree in finance; and

WHEREAS, First Lieutenant Mann joined the officer ranks on May 6, 2005, graduated from his Marine Corps officer's training class with top honors, and was trained as an intelligence officer; and

WHEREAS, He was assigned to the 1st Battalion, 6th Marines, 24th Marine Expeditionary Unit, II Marine Expeditionary Force, headquartered in Camp Lejeune, North Carolina; and

WHEREAS, First Lieutenant Mann's life took new shape in the Marine Corps, where he became more athletic and outgoing, a student of Arabic, a recognized leader, and devoted to the troops in his command; and

WHEREAS, He served in Iraq from September 2006 to May 2007; and

WHEREAS, First Lieutenant Mann returned to the Mideast to serve a second tour of duty and died in Helmand Province, Afghanistan, during a time of war; and

WHEREAS, First Lieutenant Mann was a decorated member of this Nation's armed forces, having been awarded the Navy and Marine Corps Achievement Medal, two Good Conduct Medals, the Iraq Campaign Medal, the National Defense Service Medal, the Global War on Terrorism Service Medal, the Navy Meritorious Unit Commendation, and two Sea Service Deployment Ribbons; and

WHEREAS, First Lieutenant Mann was a patriotic American and a dedicated Marine as well as a loving husband, father, son, brother, and friend, whose memory lives in the hearts of his family, friends, and fellow Marines; and

WHEREAS, First Lieutenant Mann's love for his family and friends, his patriotism, and dedicated service to his country and his fellow Marines make it appropriate and fitting for the State of New Jersey to mourn and remember him, to mark his passing, and to honor his memory;

NOW, THEREFORE, I, JOSEPH J. ROBERTS, JR., Acting Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The flag of the United States of America and the flag of the State of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours on Friday, July 25, 2008, in recognition and mourning for a son of New Jersey and a brave and loyal American, United States Marine Corps First Lieutenant Jason D. Mann.

2. This Order shall take effect immediately.

Dated July 23, 2008.

EXECUTIVE ORDER No. 109

WHEREAS, The New Jersey State Legislature has recognized that the closure and revitalization of Fort Monmouth is a matter of great concern for the host communities of Eatontown, Oceanport, and Tinton Falls, as

well as for Monmouth County, and for the entire State of New Jersey; and has established the Fort Monmouth Economic Revitalization Planning Authority (the "Authority") pursuant to P.L.2006, c.16, as amended by P.L.2008, c.28 (the "FMERPA Act") to create a comprehensive conversion and revitalization plan (the "Plan") for the facility; and

WHEREAS, The FMERPA Act grants the Authority the power to enter into legally binding agreements with representatives of the homeless that are necessary to comply with and implement the requirements established by the federal government set forth at 32 C.F.R. 176.30 and 24 C.F.R. 586.30; and

WHEREAS, The FMERPA Act requires the Governor, prior to the submission of the Plan to the appropriate federal agency or agencies, to designate an agency (the "Designated Agency") with appropriate expertise and experience to assume the responsibility for the homeless assistance submission required under the Defense Base Closure and Realignment Act of 1990, Pub. L. 101-510 (10 U.S.C. s.2687) (the "Defense Base Closure and Realignment Act"); and

WHEREAS, The FMERPA Act provides that the Designated Agency shall have the same power as the Authority to enter into legally binding agreements with representatives of the homeless that are necessary in order to comply with and implement the requirements of 32 C.F.R. 176.30 and 24 C.F.R. 586.30; and

WHEREAS, The FMERPA Act further provides that the Designated Agency shall have the same rights and responsibilities of the Authority under any legally binding agreements with representatives of the homeless to which the Authority and the Designated Agency are parties; and

WHEREAS, The FMERPA Act further provides that the Designated Agency is authorized, after the submission of the comprehensive conversion and revitalization plan, to comply with and implement the requirements of 32 C.F.R. 176.30 and 24 C.F.R. 586.30; and

WHEREAS, The FMERPA Act further provides that if the Authority is dissolved pursuant to the FMERPA Act, and the Designated Agency is not proposed and recognized as the successor local redevelopment authority, the Designated Agency is authorized to assume all rights, responsibilities, and powers of the Authority pursuant to Section 1 of P.L. 2008, c. 28, until a successor local redevelopment authority is recognized by the Secretary of Defense as the entity responsible for directing the implementation of the Plan; and

WHEREAS, The New Jersey State Legislature has declared, pursuant to N.J.S.A.55:14K-1 et seq. that the New Jersey Housing and Mortgage

Finance Agency shall be one of the advocates for the State of New Jersey for housing production, finance and improvement; and
WHEREAS, Within the New Jersey Housing and Mortgage Finance Agency is the Division of Supported Housing and Special Needs, the purpose of which is to coordinate a range of supportive housing programs, including but not limited to, the Statewide Homeless Management Information System and Programs designed to serve homeless families and individuals; and
WHEREAS, In light of its statutory and regulatory authority and its expertise, the New Jersey Housing and Mortgage Finance Agency is best suited to assume responsibilities required pursuant to the FMERPA Act and under the Defense Base Closure and Realignment Act;

NOW, THEREFORE, I, JON S. CORZINE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The New Jersey Housing and Mortgage Finance Agency is hereby designated, pursuant to Section 2 of P.L.2008, c.28, as the agency that shall assume the rights, responsibilities, and powers necessary to implement the homeless assistance requirement of the Defense Base Closure and Realignment Act.

2. This Order shall take effect immediately.

Dated August 20, 2008.

EXECUTIVE ORDER No. 110

WHEREAS, Perth Amboy Police Officer Thomas E. Raji was born and raised in Perth Amboy, New Jersey, graduated from the Middlesex County Vocational and Technical School in 1994, and graduated with an associates degree from Middlesex County College in 1998; and
WHEREAS, Officer Raji was 31 years old and a loving son, devoted husband and beloved family man who resided with his wife and children in Monroe, New Jersey; and
WHEREAS, Officer Raji joined the Perth Amboy Police Department in 1999, served with exceptional courage, dedication, and professionalism as a police officer, and received numerous commendations from the De-

partment, as well as the citizens of Perth Amboy, for his service in the line of duty; and

WHEREAS, Officer Raji was beloved and respected by his fellow officers, and personified the finest traditions and principles of law enforcement; and

WHEREAS, Officer Raji tragically lost his life on August 22, 2008, while in the line of duty serving the citizens of Perth Amboy and this State as a Police Officer; and

WHEREAS, Officer Raji's selfless devotion to public service and protection of others makes him a hero and a true role model for all New Jerseyans and, therefore, it is fitting and appropriate for the State of New Jersey where he served so proudly to recognize his true commitment to the welfare and safety of others, the mark his untimely passing, to remember his family as they mourn their tragic loss, and to honor his memory;

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

1. The flag of the United States of America and the flag of New Jersey shall be flown at half-staff at all State departments, offices, agencies and instrumentalities during the appropriate hours on Thursday, August 28, 2008, in recognition of the life and in mourning of the passing of Perth Amboy Police Officer Thomas E. Raji.

2. This Order shall take effect immediately.

Dated August 25, 2008.

EXECUTIVE ORDER No. 111

WHEREAS, There is an imminent threat of destruction and loss of life in the Gulf States, including the States of Louisiana and Mississippi, arising from the approach of Hurricane Gustav; and

WHEREAS, The States of Louisiana and Mississippi along with the State of New Jersey are members of the Emergency Management Assistance Compact (EMAC) (N.J.S.A.38A:20-4) which requires New Jersey to provide assistance to any other Compact member who has suffered a disaster and requests such aid; and

WHEREAS, The States of Louisiana and Mississippi have declared that Emergencies exist and have requested aid from New Jersey under the provisions of EMAC; and

WHEREAS, In order to respond to such requests it may be necessary to employ the resources of State, County and local government and the private sector; and

WHEREAS, The provisions of this Order will prevent the uncoordinated deployment of emergency personnel and delivery of emergency resources that could endanger the health, safety and resources of the citizens of New Jersey by dangerously depleting the supply of essential materials and services; and

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

NOW, THEREFORE, I, RICHARD J. CODEY, Acting 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 for the specific purpose of activating the Emergency Management Assistance Compact to coordinate multi-state mutual aid to the states of Louisiana and Mississippi, and do hereby ORDER and DIRECT:

1. The State Director of Emergency Management shall implement the State Emergency Operations Plan and shall direct the activation of county and municipal emergency operations plans as necessary to identify resources that are available for response to EMAC requests as authorized by and coordinated through the State Director of Emergency Management.

2. In accordance with the Laws of 1942, Chapter 251 (N.J.S.A. App. A:9-34), as supplemented and amended, I reserve the right to utilize and employ all available resources of the State government and of each and every political subdivision of the State, whether of persons, properties or instrumentalities, and to commandeer and utilize any personal services and any privately owned property necessary to provide a full, prompt and effective utilization of resources to respond to requests from disaster-stricken states.

3. It shall be the duty of every person or entity in this State or doing business in this State and of the members of the governing body and every

official, employee or agent of every political subdivision in this State and of each member of all other governmental bodies, agencies authorities in this State of any nature whatsoever, to cooperate fully with the State Director of Emergency Management in all matters.

4. Pursuant to the Laws of 1942, Chapter 251, as supplemented and amended (N.J.S.A. App. A:9-40), no municipality, county or any other agency or political subdivision of this State shall enact or enforce any order, rule, regulation, ordinance or resolution which will or might in any way conflict with any of the provisions of this Order, or which will in any way interfere with or impede the achievement of the purposes of this Order.

5. In accordance with the Laws of 1942, Chapter 251 (N.J.S.A. App. A:9-34), as supplemented and amended, the Governor reserves the right to utilize and employ all available resources of the State government and of each and every political subdivision of the State, whether of persons, properties or instrumentalities, and to commandeer and utilize any personal services and any privately owned property necessary to provide a full, prompt and effective utilization of resources to respond to requests from disaster-stricken States to protect against this emergency.

6. All persons participating in a response authorized by the State Director of Emergency Management to an EMAC request shall be considered State emergency forces for the purposes of EMAC.

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

Dated August 31, 2008.

EXECUTIVE ORDER No. 112

WHEREAS, United States Army Specialist Michael L. Gonzalez was born and raised in Spotswood, New Jersey; and

WHEREAS, Specialist Gonzalez enlisted in the United States Army after graduating from Spotswood High School in 2006; and

WHEREAS, He completed basic and advanced individual training at Fort Leonard Wood, Missouri, in July 2006 and graduated from the Military Police School in December 2006; and

WHEREAS, Specialist Gonzalez was assigned to the 18th MP Brigade, 95th MP Battalion, 340th MP Company, Fort Totten, New York; and
WHEREAS, Specialist Gonzalez was a dedicated soldier as well as a loving son, grandson, brother, and friend, whose memory lives in the hearts of his family and fellow soldiers; and
WHEREAS, Specialist Gonzalez died near Baghdad, Iraq, during a time of war while serving as a member of the United States Army; and
WHEREAS, Specialist Gonzalez's love for his family and friends, his patriotism, and dedicated service to his country and his fellow soldiers make it appropriate and fitting for the State of New Jersey to mourn and remember him, to mark his passing, and to honor his memory;

NOW, THEREFORE, I, JON S. CORZINE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The flag of the United States of America and the flag of the State of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours on Wednesday, September 10, 2008, in recognition and mourning for a son of New Jersey and a brave and loyal American, United States Army Specialist Michael L. Gonzalez.

2. This Order shall take effect immediately.

Dated September 4, 2008.

EXECUTIVE ORDER No. 113

WHEREAS, Executive Order No. 111 (2008) was issued on August 31, 2008, declaring a State of Emergency for the specific purpose of activating the Emergency Management Assistance Compact ("EMAC") (N.J.S.A. 38A:20-4) to coordinate multi-state mutual aid to the states of Louisiana and Mississippi to assist in responding to Hurricane Gustav [and to prevent the uncoordinated deployment of emergency personnel and delivery of emergency services that could endanger the health, safety, and resources of the citizens of New Jersey by dangerously depleting the supply of essential materials and services]; and
WHEREAS, The severity of conditions necessitating such assistance under EMAC has eased; and

WHEREAS, The New Jersey Office of Emergency Management has advised that the emergency personnel provided by the State in response to an EMAC request from the State of Louisiana have returned to the State;

NOW, THEREFORE, I, JON S. CORZINE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The State of Emergency declared in Executive Order No. 111 (2008) is terminated effective immediately.

Dated September 4, 2008.

EXECUTIVE ORDER No. 114

WHEREAS, Safeguarding the clean drinking water supply for New Jersey's residents and preserving the quality of our environment are among the most important responsibilities of State government; and,

WHEREAS, The legislative and executive branches of State government have demonstrated a strong commitment to protecting New Jersey's natural resources, water supply, and quality of life from the negative effects of unrestrained and haphazard sprawl, while at the same time providing reasonable opportunities for growth and development in the State; and

WHEREAS, The New Jersey Highlands is an essential source of clean drinking water for one-half of the State's population, including communities beyond the Highlands, and contains other exceptional natural resources such as clean air, contiguous forest lands, wetlands, pristine watersheds, and habitat for fauna and flora, as well as many sites of historic significance, while also providing abundant recreational opportunities; and

WHEREAS, In 2004, the Highlands Water Protection and Planning Act, P.L.2004, c.120 ("Highlands Act"), was enacted to provide for the protection and enhancement of the Highlands Region through the creation of the Highlands Water Protection and Planning Council ("Highlands Council") and the enhancement of the statutory authority of numerous State agencies; and

WHEREAS, The Highlands Act required the Highlands Council to adopt a Regional Master Plan with a goal to protect and enhance the significant

value of the resources of the Highlands Region, and on July 17, 2008, the Highlands Council, after careful analysis of the best available scientific and planning materials, and after completing a thorough public review process, adopted the Highlands Regional Master Plan ("Highlands Plan"); and

WHEREAS, The Highlands Plan is an important planning tool to establish broad goals and criteria for each of the municipalities and counties within the Highlands Region; and

WHEREAS, In accordance with the Highlands Act, for lands in the Highlands Preservation Area, local governments are required, and for lands in the Highlands Planning Area, local governments are authorized, to update their local master plans and development regulations to conform to the Highlands Plan, and to adopt ordinances to effectuate those plans; and

WHEREAS, In further accordance with the Highlands Act, the master plans and development regulations of conforming municipalities must be submitted to the Highlands Council for approval, and the Governor retains veto authority over the actions taken at each Highlands Council meeting; and

WHEREAS, The Highlands Act encourages appropriate patterns of compatible residential, commercial, and industrial development, redevelopment, and economic growth in or adjacent to areas already utilized for such purposes, and discourages piecemeal, scattered, and inappropriate development, in order to accommodate local and regional growth and economic development in an orderly way while protecting the Highlands environment from the individual and cumulative adverse impacts thereof; and

WHEREAS, The Highlands Act also states that the maintenance of agricultural production and a positive agricultural business climate should be encouraged to the maximum extent possible wherever appropriate in the Highlands; and

WHEREAS, Regionally planned, compact, mixed-use communities can be consistent with agricultural, environmental, water, and historic resource protections, while sprawling development, whether under conventional zoning or in unplanned isolated clusters, may contribute to the degradation of the natural environment as well as regional and local quality of life; and

WHEREAS, In enacting the Highlands Act, the Legislature found and declared that, as a matter of wise public policy and fairness to property

owners, a strong and significant commitment by the State is necessary to fund the acquisition of exceptional natural resource value lands; and

WHEREAS, It is vital that the Garden State Preservation Trust be reauthorized and that a statewide transfer of development rights program be considered to meet the open space and agricultural preservation needs of the Highlands Region and the State, and, in part, to address landowner equity issues in the Highlands Region; and

WHEREAS, Landowner equity issues also should be addressed through enactment of a reasonable extension, of at least five years, beyond the June 30, 2009, expiration of the period set forth in the Highlands Act during which dual appraisals are required for open space and agricultural preservation acquisitions; and

WHEREAS, The Supreme Court of New Jersey, in *South Burlington County v. Mount Laurel*, 67 N.J. 151 (1975), and *South Burlington County NAACP v. Mount Laurel*, 92 N.J. 158 (1983), determined that every municipality in a growth area has a constitutional obligation to provide a realistic opportunity for a fair share of its region's needs for housing for low and moderate income families, which constitutional obligation must always be balanced with the protection of natural resources, and particularly, the quality and quantity of drinking water originating in the Highlands Region; and

WHEREAS, The Highlands Act directs that the Council on Affordable Housing shall take into consideration the Highlands Plan prior to making any determination regarding the allocation of the prospective fair share of the housing need in any municipality in the Highlands Region under the Fair Housing Act, P.L.1985, c.222 (C.52:27D-301 et al.) ("Fair Housing Act"), for the fair share period subsequent to 1999; and

WHEREAS, On July 17, 2008, the Fair Housing Act was amended by P.L.2008, c.46 to create a responsibility for the Highlands Council to plan for and create opportunities for affordable housing on a regional basis with consideration for infrastructure and transportation and to require a 20 percent affordable housing set-aside in residential developments;

NOW, THEREFORE, I, JON S. CORZINE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The Highlands Council shall work in cooperation with the Council on Affordable Housing ("COAH"), the Department of Environmental Protection ("DEP"), and the Department of Community Affairs to:

a. review COAH's third round growth projections for consistency with the Highlands Plan and assist COAH in developing adjusted growth projections within the Highlands Region, consistent with the Highlands Plan, to be utilized by municipalities that conform to the Highlands Plan;

b. create realistic opportunities for municipalities to address the actual growth share obligation resulting from residential and non-residential development between January 1, 2004, and December 31, 2018, in the Highlands Region based on a growth share methodology under which affordable housing must be built when growth occurs, including the actual obligation accrued to date of approximately 3,000 affordable units, with consideration for innovative affordable housing mechanisms that further the resource protection standards of the Highlands Plan;

c. ensure that municipalities that voluntarily conform to the Highlands Plan support redevelopment and development pursuant to the Highlands Plan to maximize affordable housing opportunities while preserving critical environmental resources;

d. identify sites and opportunities for affordable housing within the Highlands Region, including, in accordance with P.L.2008, c.46, the creation of a realistic opportunity for at least 20 percent affordable housing set-asides in all new residential developments, with consideration for economic feasibility, and the coordination of regional affordable housing opportunities in areas with convenient access to infrastructure, employment opportunities, and public transportation;

e. identify additional sites, opportunities, and funding sources for 100 percent affordable housing developments that could aid in addressing the Highlands Region's affordable housing needs while preserving its critical resources;

f. coordinate the deadlines for revision of municipal master plans and third round fair share plans to be in conformance with both the Highlands Act and the Fair Housing Act, including reasonable extensions of deadlines;

g. preserve scarce land, water, and sewer resources and dedicate these resources on a priority basis for the production of affordable housing consistent with the Highlands Plan, and provide priority review for proposed affordable housing projects; and

h. provide that conforming municipalities adopt Housing Elements and Fair Share Plans consistent with the Fair Housing Act.

2. The Highlands Council and COAH shall enter into a joint Memorandum of Understanding (MOU) as soon as practicable but no later than

60 days from the effective date of this Order to implement the provisions of Paragraph One of this Order.

3. In accordance with the Court's recognition in the Mt. Laurel cases of the clear obligation to preserve open space and natural resources, in implementing Paragraph One of this Order the relevant State agencies shall give priority to the protection of the critical water resources in the Highlands Region that provide drinking water to over five million people in New Jersey.

4. The Highlands Council and COAH, with appropriate input from DEP and the Department of Community Affairs, shall provide to the Governor quarterly written reports on the status of the coordinated efforts required pursuant to Paragraph One of this Order.

5. The State Transfer of Development Rights Bank shall reserve and make available to the Highlands Development Credit Bank, upon its establishment as authorized by N.J.S.A. 4:1C-52, an amount not less than \$10 million.

6. The Highlands Council, in implementing its Land Use Capability Map Adjustment program, making any modifications to Highlands Open Water buffer standards, and designating Highlands Redevelopment Areas, shall:

a. ensure that a public process is in place allowing the public to review and comment on any map adjustments, modifications to Highlands Open Water buffer standards, or designation of redevelopment areas proposed to the Council, prior to adoption; and

b. ensure that there is no net natural resource loss or degradation of surface or ground water quality resulting from any map adjustments or modification to Highlands Open Water buffer standards.

7. In approving any plan or permit application or in issuing any other approval for a project located in the Protection Zone, the Conservation Zone, or the Environmentally-Constrained Sub-Zones, as delineated in the Highlands Plan, the DEP shall, to the maximum extent feasible, require that development proposals designed to meet the clustering provisions of the Highlands Plan, as necessary, be (i) part of a center-based, transit-oriented, or mixed-use development or a development that is consistent with the State's smart growth policies, and (ii) municipally or regionally planned

through Plan Conformance with the Highlands Plan and not isolated clusters. Furthermore, the DEP shall ensure that any such approval is conditioned upon the establishment of, and availability of funding for, the Highlands Development Credit Bank.

8. The DEP shall adopt and enforce strict standards for water deficit mitigation projects, consistent with the water deficit mitigation policies of the Highlands Plan, as part of the forthcoming update to the Statewide Water Supply Master Plan.

9. The DEP shall take appropriate action to ensure that no water allocation permit is issued for any development project located in the Protection Zone, the Conservation Zone, or the Environmentally-Constrained Sub-Zones, as delineated in the Highlands Plan, within a HUC14 subwatershed that is in, or anticipated to be in, a deficit of net water availability, as identified by the Highlands Plan, until such time that a Municipal Water Use and Conservation Management Plan, consistent with the policies in the Highlands Plan, has been approved by the Highlands Council and has been fully implemented.

10. The DEP shall take appropriate action to ensure that no approval is given to any portion of a Water Quality Management Plan amendment in the Protection Zone, the Conservation Zone, or the Environmentally-Constrained Sub-Zones, as delineated in the Highlands Plan, within a HUC14 subwatershed that is in, or anticipated to be in, a deficit of net water availability, as identified by the Highlands Plan, unless the approval is conditioned on a Municipal Water Use and Conservation Management Plan, consistent with the policies in the Highlands Plan, having been approved by the Highlands Council and having been fully implemented.

11. Nothing in this Order shall prohibit the issuance or granting of an approval if the denial or conditioning of such approval would adversely affect public health or safety or cause a taking of property without just compensation.

12. This Order shall take effect immediately.

Dated September 5, 2008.

EXECUTIVE ORDER No. 115

WHEREAS, On September 11, 2001, unprecedented terrorist attacks were launched on New York, Washington, D.C., and Pennsylvania; and
WHEREAS, More than one quarter of the victims of the September 11, 2001, attacks were New Jerseyans, with nearly 700 of our residents killed in the attacks, and numerous others injured; and
WHEREAS, Many New Jerseyans, including thousands of police, fire, military, emergency, and construction personnel, responded to this tragedy; and
WHEREAS, Hundreds of New Jersey families have been drastically affected by these events, through the loss of a parent, spouse, child, or other loved one; and
WHEREAS, This tragic event will be remembered by all New Jerseyans, both privately as well as in public remembrances and memorial ceremonies; and
WHEREAS, It is fitting that this day be observed with full solemnity, in tribute to the thousands of innocent victims who perished in the attacks;

NOW, THEREFORE, I, JON S. CORZINE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The flag of the United States of America and the flag of the State of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours on September 11, 2008, in recognition and mourning of all of those lost in the September 11th attacks and, particularly, those lost from our home State.

2. This Order shall take effect immediately.

Dated September 9, 2008.

EXECUTIVE ORDER No. 116

WHEREAS, Belleville Police Officer Kenneth A. Santucci was raised in Belleville, New Jersey, and graduated from Queen of Peace High School, and Mountainside Hospital School of Nursing; and
WHEREAS, Officer Santucci was 32 years old, a loving and devoted husband and father, and resided in Belleville, New Jersey; and

WHEREAS, Officer Santucci graduated from the Newark Police Academy in 2006, served as a Newark police officer, and then in 2008, joined the Belleville Police Department to serve and protect the public in his home community; and

WHEREAS, In addition to serving as a police officer, Officer Santucci also had worked as a registered nurse at the Summit Oaks Hospital, Summit, New Jersey; and

WHEREAS, Officer Santucci was a dedicated and skilled officer, who was known for his optimistic attitude, and who received many commendations and citations for his police work; and

WHEREAS, On September 6, 2008, while Officer Santucci was on duty and responding to a call for assistance, he tragically lost his life in an automobile accident; and

WHEREAS, Officer Santucci's selfless devotion to public service and the protection of others makes him a hero and a true role model for all New Jerseyans and, therefore, it is appropriate and fitting for the State where he was raised and where he served so proudly as a Police Officer to recognize his true commitment to the welfare and safety of others, to mark his untimely passing, to remember his family as they mourn their tragic loss, and to honor his memory;

NOW, THEREFORE, I, JON S. CORZINE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The flag of the United States of America and the flag of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during the appropriate hours on Friday, September 12, 2008, in recognition of the life and in mourning of the passing of Police Officer Kenneth A. Santucci.

2. This Order shall take effect immediately.

Dated September 10, 2008.

EXECUTIVE ORDER No. 117

WHEREAS, The residents of New Jersey are entitled to a government that is effective, efficient, and free from corruption, favoritism, and waste; and

WHEREAS, In pursuit of those goals, a series of actions have been taken in New Jersey since 2004 – through legislation, executive order, and regulation – to protect the integrity of government contractual decisions and increase the public’s confidence in government by prohibiting the awarding of government contracts to business entities that also are contributors to certain candidates and political parties; and

WHEREAS, Among those actions were the issuance of Executive Order No. 134 (2004) and the codification of its provisions into statute in P.L.2005, c.51 (C.19:44A-20.13 et seq.) (“Chapter 51”); and

WHEREAS, Since its adoption, Chapter 51 has significantly reduced the influence of contractor contributions in the process of awarding State government contracts and has proven to be an effective method of ensuring that merit and cost-effectiveness drive the government contracting process; and

WHEREAS, This administration is committed to ensuring the highest ethical standards in government contracting and rooting out corruption, favoritism, and waste; and

WHEREAS, Experience has shown that additional measures are needed to ensure there is no dilution of the protections provided by Chapter 51 against the improper influence of political contributions on the process of awarding State government contracts and to ensure compliance with the provisions of Chapter 51; and

WHEREAS, Many State government contractors, particularly those that provide professional services, are business entities whose form of business organization and ownership structure are such that the political contribution limits in Chapter 51 apply to few if any of the individuals who own or control the entity; and

WHEREAS, The strong public interest in limiting political contributions by businesses that contract with the State requires that the contribution limits in Chapter 51 be applied to such individuals and that those limits otherwise be applied in such a way that the purposes of Chapter 51 will be served regardless of the form of business organization of the State government contractor; and

WHEREAS, Because New Jersey’s campaign finance laws permit large, and in some cases unlimited, political contributions to flow between and among various types of political committees and State officeholders, the effectiveness of the restrictions in Chapter 51 can be, and have been, undermined by the current ability of State government contractors to make large contributions to legislative leadership committees and municipal political party committees; and

WHEREAS, The Constitution of this State requires the Governor to manage the operations of State government effectively and fairly, uphold the law to ensure public order and prosperity, and confront and uproot malfeasance in whatever form it may take; and

WHEREAS, It is the Governor's responsibility to safeguard the integrity of the State government procurement process by ensuring that there is no dilution of the protections provided by Chapter 51 against the improper influence of political contributions on the process of awarding and overseeing the performance of State government contracts and that there be full compliance with the provisions of Chapter 51;

NOW, THEREFORE, I, JON S. CORZINE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. For the purposes of this Order:
 - a. "Business entity" means:
 - i. a for-profit entity as follows:
 - A. in the case of a corporation: the corporation, any officer of the corporation, and any person or business entity that owns or controls 10% or more of the stock of the corporation;
 - B. in the case of a general partnership: the partnership and any partner;
 - C. in the case of a limited partnership: the limited partnership and any partner;
 - D. in the case of a professional corporation: the professional corporation and any shareholder or officer;
 - E. in the case of a limited liability company: the limited liability company and any member;
 - F. in the case of a limited liability partnership: the limited liability partnership and any partner;
 - G. in the case of a sole proprietorship: the proprietor; and
 - H. in the case of any other form of entity organized under the laws of this State or any other state or foreign jurisdiction: the entity and any principal, officer, or partner thereof;
 - ii. any subsidiary directly or indirectly controlled by the business entity;
 - iii. any political organization organized under section 527 of the Internal Revenue Code that is directly or indirectly controlled by the business

entity, other than a candidate committee, election fund, or political party committee; and

iv. with respect to an individual who is included within the definition of business entity, that individual's spouse or civil union partner, and any child residing with the individual, provided, however, that, this Order shall not apply to a contribution made by such spouse, civil union partner, or child to a candidate for whom the contributor is entitled to vote or to a political party committee within whose jurisdiction the contributor resides unless such contribution is in violation of section 9 of P.L.2005, c.51 (C.19:44A-20.13 et seq.) ("Chapter 51").

b. "Contribution" means a contribution reportable by the recipient under "The New Jersey Campaign Contributions and Expenditures Reporting Act," P.L.1973, c.83 (C.19:44A-1 et seq.) made on or after the effective date of this Order.

2. Any Executive Branch department, agency, authority, or independent State authority charged with implementing and enforcing Chapter 51 shall apply its provisions to a "business entity" as defined in Paragraph 1(a) of this Order in the same manner as those provisions apply to a "business entity" as defined in section 5 of Chapter 51.

3. Any Executive Branch department, agency, authority, or independent State authority charged with implementing and enforcing Chapter 51 shall apply its provisions to a contribution made to a legislative leadership committee or a municipal political party committee in the same manner as those provisions apply to a contribution to any candidate committee, election fund, or political party committee identified in Chapter 51.

4. Any Executive Branch department, agency, authority, or independent State authority charged with implementing and enforcing Chapter 51 shall apply its provisions to a contribution made to a candidate committee or election fund of any candidate for or holder of the office of Lieutenant Governor in the same manner as those provisions apply pursuant to Chapter 51 to a contribution to any candidate committee or election fund of any candidate for or holder of the office of Governor.

5. This Order shall take effect on November 15, 2008, and is intended to have prospective effect only. This Order shall not apply to any contribution made prior to November 15, 2008.

Dated September 24, 2008.

EXECUTIVE ORDER No. 118

WHEREAS, The residents of New Jersey are entitled to a government that is effective, efficient, and free from corruption, favoritism, and waste; and

WHEREAS, In pursuit of those goals, a series of actions have been taken in New Jersey since 2004 – through legislation, executive order, and regulation – to protect the integrity of government contractual decisions and increase the public’s confidence in government by prohibiting the awarding of government contracts to business entities that also are contributors to certain candidates and political parties; and

WHEREAS, Government decisions regarding redevelopment projects often involve substantial sums of money, and the procedures regarding such decisions can be less rigorous than those governing other types of procurement activities; and

WHEREAS, As demonstrated in the recent report of the Inspector General regarding the Encap redevelopment project, the integrity of government decisions regarding a redevelopment project can be called into question by virtue of the timing of political contributions and the nature of government actions benefiting or relating to a redevelopment project; and

WHEREAS, The Constitution of this State requires the Governor to manage the operations of State government effectively and fairly, uphold the law to ensure public order and prosperity, and confront and uproot malfeasance in whatever form it may take; and

WHEREAS, It is the Governor’s responsibility to safeguard the integrity of decision-making regarding State redevelopment projects by imposing restrictions on State agencies and independent authorities to insulate such decision-making from political contributions that pose the risk of improper influence, purchase of access, or the appearance thereof;

NOW, THEREFORE, I, JON S. CORZINE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. For the purposes of this Order:
 - a. “Business entity” means:
 - i. a for-profit entity as follows:
 - A. in the case of a corporation: the corporation, any officer of the corporation, and any person or business entity that owns or controls 10% or more of the stock of the corporation;

B. in the case of a general partnership: the partnership and any partner;

C. in the case of a limited partnership: the limited partnership and any partner;

D. in the case of a professional corporation: the professional corporation and any shareholder or officer;

E. in the case of a limited liability company: the limited liability company and any member;

F. in the case of a limited liability partnership: the limited liability partnership and any partner;

G. in the case of a sole proprietorship: the proprietor; and

H. in the case of any other form of entity organized under the laws of this State or any other state or foreign jurisdiction: the entity and any principal, officer, or partner thereof;

ii. any subsidiary directly or indirectly controlled by the business entity;

iii. any political organization organized under section 527 of the Internal Revenue Code that is directly or indirectly controlled by the business entity, other than a candidate committee, election fund, or political party committee; and

iv. with respect to an individual who is included within the definition of business entity, that individual's spouse or civil union partner, and any child residing with the individual, provided, however, that this Order shall not apply to a contribution made by such spouse, civil union partner, or child to a candidate for whom the contributor is entitled to vote or to a political party committee within whose jurisdiction the contributor resides unless such contribution is in violation of Paragraph 7 of this Order.

b. "Contribution" means a contribution reportable by the recipient under "The New Jersey Campaign Contributions and Expenditures Reporting Act," P.L.1973, c.83 (C.19:44A-1 et seq.) made on or after the effective date of this Order.

c. "Redeveloper" means any business entity that enters into or proposes to enter into a redevelopment agreement, and includes (i) a subsidiary business entity directly or indirectly controlled by the redeveloper; and (ii) a business entity that contracts with the redeveloper to perform professional, consulting, or lobbying services in connection with the redevelopment project.

d. "Redevelopment agreement" means an agreement or contract with a State redevelopment entity for the redevelopment or rehabilitation of an area in need of redevelopment, or an area in need of rehabilitation, or any

part thereof, or other work forming a part of a redevelopment or rehabilitation project.

e. "State redevelopment entity" means any State agency, including any principal department in the Executive Branch and any division, board, bureau, office, commission, or other instrumentality within or created by such department, and any independent State authority, board, commission, instrumentality, or agency that is authorized by law to implement a redevelopment project and carry out a redevelopment plan. The State Treasurer shall prepare and publish a list of the State entities included under this definition.

2. State redevelopment entities shall use a competitive process, to include public issuance of a request for proposal, a request for qualifications, or similar solicitation, for selecting a redeveloper.

3. A State redevelopment entity shall not enter into or propose to enter into a redevelopment agreement with any redeveloper if, beginning after the public issuance of a request for proposal, a request for qualifications, or similar solicitation in accordance with Paragraph 2 of this Order, that redeveloper has made a contribution to (i) a candidate committee or election fund of any candidate for or holder of the public office of Governor or Lieutenant Governor, (ii) a State, county, or municipal political party committee or a legislative leadership committee, or (iii) a candidate committee or election fund of any candidate for or holder of a State legislative, county, or municipal elective public office in a State legislative district, county, or municipality in which any property subject to the redevelopment agreement is situated.

4. A redeveloper that enters into a redevelopment agreement with a State redevelopment entity shall not make a contribution during the term of the redevelopment agreement to any committee or election fund identified in Paragraph 3 of this Order.

5. Prior to entering into a redevelopment agreement a State redevelopment entity shall require the redeveloper to report all contributions the redeveloper made during the preceding four years to any political organization organized under section 527 of the Internal Revenue Code that also meets the definition of a "continuing political committee" within the meaning of section 3 of P.L.1973, c.83 (C.19:44A-3), and, in the event the redeveloper enters into a contract with a business entity to perform professional,

consulting, or lobbying services in connection with the redevelopment project after entering into the redevelopment agreement, the redeveloper shall supplement its report to include such contributions by that business entity. Such reports shall be subject to review by the State Treasurer. If the State Treasurer determines that any such contribution or any other act by the redeveloper would constitute a violation of this Order, the State Treasurer shall disqualify the redeveloper from being awarded the redevelopment agreement.

6. Prior to entering into a redevelopment agreement a State redevelopment entity shall require the redeveloper to provide a written certification that it has not made a contribution that would bar the award of the redevelopment agreement pursuant to this Order. The redeveloper shall have a continuing duty to report any contribution it makes during the term of the redevelopment agreement. Such reports shall be subject to review by the State Treasurer

7. A redeveloper shall not: (i) make a contribution in violation of this Order, unless such violation is remedied in accordance with Paragraph 8 of this Order; (ii) conceal or misrepresent a contribution given or received; (iii) make a contribution through an intermediary for the purpose of concealing or misrepresenting the source of the contribution; (iv) make a contribution on the condition or with the agreement that the recipient will in turn make a contribution that if made by the redeveloper itself would subject the redeveloper to the restrictions of this Order; (v) engage or employ a lobbyist, governmental affairs agent, or consultant with the intent or understanding that the lobbyist, governmental affairs agent, or consultant would make a contribution that if made by the redeveloper itself would subject the redeveloper to the restrictions of this Order; (vi) fund or direct contributions made by third parties, including consultants, attorneys, family members, and employees; (vii) engage in any exchange or contributions to circumvent the intent of this Order; or (viii) directly or indirectly, through or by any other person or means, do any act which would subject the redeveloper to the restrictions of this Order. A violation of the provisions of this Order shall be considered a material breach of the redevelopment agreement unless remedied in accordance with Paragraph 8 of this Order.

8. Except for contributions made within 60 days of a June primary election or a general election, if a redeveloper makes a contribution that would otherwise bar it from entering into a redevelopment agreement with

a State redevelopment entity or makes a contribution during the term of a redevelopment agreement in violation of this Order, the redeveloper may request a full reimbursement from the recipient and, if such reimbursement is received within 30 days after the date on which the contribution was made, the redeveloper would again be eligible to enter into the redevelopment agreement or would no longer be in violation, as appropriate.

9. Every request for qualifications, request for proposals, or any similar solicitation issued by a State redevelopment entity in connection with a redevelopment project shall contain a provision describing the requirements of this Order and a statement that compliance with this Order shall be a material term and condition of any redevelopment agreement with the State redevelopment entity and binding upon the parties thereto upon the execution of the redevelopment agreement.

10. To the extent that a term that is used in this Order requires interpretation or definition, resort shall be made to the relevant definition of the term in the "New Jersey Campaign Contributions and Expenditures Reporting Act," P.L.1973, c.83 (C.19:44A-1, et seq.) or to section 3 of P.L.1992, c.79 (C.40A:12A-3), as may be appropriate.

11. This Order shall take effect on November 15, 2008, and is intended to have prospective effect only. This Order shall apply to all redevelopment agreements entered into after November 15, 2008, but shall not affect any contribution made prior to November 15, 2008.

Dated September 24, 2008.

EXECUTIVE ORDER No. 119

WHEREAS, It is a priority of this administration to restore public trust and confidence in government; and

WHEREAS, It is imperative that public officials at all levels of government earn and maintain the confidence of the people they represent; and

WHEREAS, Those serving in State, county, municipal, and other local government units hold positions of public trust that require adherence to the highest ethical standards of honesty and integrity; and

WHEREAS, Public officials should not engage in any conduct that violates the public trust or creates an appearance of impropriety; and

WHEREAS, The current local government ethics laws were first adopted in 1991, and since that time there has not been a thorough review of the efficacy of those laws, nor any comprehensive study of the need for amendments thereto; and

WHEREAS, To the extent appropriate, ethical standards should be applied consistently to similarly situated officials in order to promote respect for those standards and provide for their enforcement; and

WHEREAS, Persons serving in government should have the benefit of clear and consistent standards, ample training opportunities, and an effective compliance program to assist in guiding their conduct; and

WHEREAS, It is appropriate to create a body with experience and expertise in local governance, local government ethics, and the procurement of goods and services by local units to study the experience of local units under the local government ethics laws and make recommendations regarding amendments to those laws, including whether enforcement responsibility should be shifted from the Local Finance Board to a different body solely focused on government ethics;

NOW, THEREFORE, I, JON S. CORZINE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. There is hereby established the Governor's Local Government Ethics Task Force ("Task Force").

2. The Task Force shall be composed of 11 individuals with expertise in local governance, local government ethics, and the procurement of goods and services by local units. Members will be appointed by and serve at the pleasure of the Governor. The Task Force membership shall include one individual who shall be appointed by the Governor upon the recommendation of the President of the Senate, one individual who shall be appointed by the Governor upon the recommendation of the Senate Minority Leader, one individual who shall be appointed by the Governor upon the recommendation of the Speaker of the Assembly, and one individual who shall be appointed by the Governor upon the recommendation of the Assembly Minority Leader. The Governor shall select from among all of the members the chairperson of the Task Force. The members shall serve without compensation.

3. The Task Force shall organize as soon as practicable after the appointment of a majority of its members.

4. The Task Force is charged with studying and making recommendations regarding the need for amendments to the local government ethics laws and whether enforcement responsibility should be shifted from the Local Finance Board to a different body that is solely focused on government ethics. The Task Force also shall consider and make recommendations concerning how to implement a training and compliance program for local government ethics.

5. The Task Force shall be authorized to call upon any department, office, division, or agency of this State to supply it with any information or other assistance available as the Task Force deems necessary to discharge its duties under this Order. Each department, office, division, or agency of this State is hereby required, to the extent not inconsistent with law, to cooperate fully with the Task Force within the limits of its statutory authority and to furnish the Task Force with such assistance on as timely a basis as is necessary to accomplish the purposes of this Order. The Task Force may consult with experts or other knowledgeable individuals in the public or private sector on any aspect of its mission.

6. The Task Force may report to the Governor from time to time and shall issue a final report to the Governor no later than 10 months from the date of the first organizational meeting. The final report shall include the Task Force's recommendations. The Task Force shall expire upon the issuance of its final report.

7. Any reports of the Task Force shall be provided to the Legislature and shall be made available to the public.

8. This Order shall take effect immediately.

Dated September 24, 2008.

EXECUTIVE ORDER No. 120

WHEREAS, I am committed to maintaining an administration that adheres to the highest ethical standards and enhances public trust in government, and

WHEREAS, Public officials should not engage in conduct that violates the public trust or creates an appearance of impropriety; and

WHEREAS, Persons serving in government should have the benefit of specific standards to guide their conduct; and

WHEREAS, Ethical standards should be applied consistently to similarly situated officials in order to promote respect for those standards and provide for their enforcement; and

WHEREAS, Public disclosure of the personal financial interests of public officials serves to maintain the public's faith and confidence in its governmental representatives and guards against conduct violative of the public trust; and

WHEREAS, My first Executive Order strengthened and expanded previously established financial disclosure processes to ensure that financial disclosure requirements are applied to government officials and to members of all State government boards, commissions, and other bodies that perform important governmental functions in areas such as regulation, policy-making, and the expenditure of public funds; and

WHEREAS, Executive Order No. 1 (2006) included expansive definitions of the terms "public employee" and "public officer" that specifically provided for periodic future updates to include newly created offices, as determined by the Governor; and

WHEREAS, Since the issuance of Executive Order No. 1 in January 2006, new State government positions and entities that perform important governmental functions in areas such as regulation, policy-making, and the expenditure of public funds have been established; and

NOW, THEREFORE, I, JON S. CORZINE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. Paragraph 6 of Executive Order No. 1 (2006) is hereby amended to include the State Comptroller, established pursuant to P.L.2007, c.52, within the definition of "public employee," and to include within the definition of "public officer" the members of the New Jersey Marine Sciences Consortium, established pursuant to P.L.2007, c.206, and the New Jersey Technology Governing Board, established pursuant to Executive Order No. 42 (2006).

2. Except as herein modified, all of the provisions of Executive Order No. 1 (2006) shall remain in full force and effect.

Dated September 24, 2008.

EXECUTIVE ORDER No. 121

WHEREAS, A key component of this Administration's efforts to close New Jersey's structural budget deficit and restore balance and integrity to the State's finances has been a strategy to substantially reduce the size and cost of State government; and

WHEREAS, An aggressive attrition program over the past two years already has resulted in an overall reduction of nearly 2,000 Executive Branch employees; and

WHEREAS, The recently enacted budget for Fiscal Year 2009 further reduces the cost of State government by nearly \$300 million and the number of State Executive Branch employees by between 2,000 and 3,000 through a combination of the Early Retirement Incentive (ERI) program established in P.L.2008, c.21, and the continuation of this Administration's aggressive attrition program; and

WHEREAS, The significant reduction of Executive Branch employees to be achieved through the ERI initiative and the attrition program will require each department and agency to re-evaluate its priorities and adjust to the reduced workforce, leading to additional savings over time as departments and agencies do more with less and in some cases simply do less; and

WHEREAS, The public interest requires assurance that the workforce reduction to be obtained as a result of the ERI and attrition programs be maintained over time by a cap on the total number of Executive Branch employees to be administered through coordinated workforce reduction planning; and

WHEREAS, A coordinated workforce reduction planning effort also will help ensure that departments and agencies appropriately identify the programs and functions they will no longer be able to administer while retaining the ability to meet critical needs;

NOW, THEREFORE, I, JON S. CORZINE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. There is hereby established a Workforce Reduction Planning Board ("Board") to provide advice and recommendations to the Governor regarding implementation of a workforce reduction in the executive branch of State government.

2. The Board shall be composed of five members as follows: the State Treasurer; the Director of the Division of Budget and Accounting in the Department of the Treasury; either the chair of the Civil Service Commission, or a person designated by the Governor; and two persons designated by the Governor. Persons designated by the Governor shall serve at the pleasure of the Governor. The Governor shall select the chair and the vice-chair of the Board.

3. As soon as practicable after this Order takes effect, the State Treasurer shall certify the number of employees employed in each department, excluding seasonal employees and employees of independent authorities, as of the final pay period in Fiscal Year 2008.

4. Based on consultation with and recommendations from the Board, the Governor shall establish for each department and each agency that is to be treated for purposes of this Order separately from a department ("separate agency") the maximum number of employees that will be permitted to be on the department's or separate agency's payroll as of the final pay period in Fiscal Year 2009.

5. The aggregate maximum number of employees permitted to be on the payroll for all departments and separate agencies combined as of the final pay period in Fiscal Year 2009 shall not exceed the number of employees as certified by the State Treasurer pursuant to Paragraph 3 of this Order, less 90% of the number of employees who elect to retire and receive a benefit pursuant to section 1 of P.L.2008, c.21.

6. The aggregate maximum number of employees permitted to be on the payroll for all departments and separate agencies combined as of the final pay period in Fiscal Year 2009 shall remain as the aggregate maximum number of employees permitted to be on the payroll for all departments and separate agencies combined for subsequent fiscal years unless changed by subsequent Executive Order or action by the Legislature.

7. Following receipt of its maximum employee count, each department and separate agency shall submit to the Board a plan demonstrating how the department or separate agency intends to achieve and operate within its maximum employee count.

8. The Board shall review each plan and make recommendations to the Governor regarding approval or modification of each plan. The Gover-

nor shall then make a final decision regarding each plan. The Board shall monitor implementation of each approved plan and advise the Governor.

9. Departments and separate agencies shall not use temporary employee service (TES) employees or persons employed by contractors as permanent replacements for full-time employment positions that have been reduced pursuant to this Order.

10. Each department and separate agency shall provide the Board with information as requested by the Board, including but not limited to preliminary employee counts, plans, and any other requested information that may assist in the implementation of this Order. The Board and the departments and separate agencies shall interact as necessary in advance of the various deadlines set forth in this Order.

11. The Board shall provide to the State Treasurer necessary information to be included with the State Treasurer's reports to the Legislature pursuant to subsection (b) of section 2 of P.L.2008, c.21.

12. This Order shall take effect immediately and shall continue in full force and effect until rescinded or modified by the Governor, or superseded by statute.

Dated September 26, 2008.

EXECUTIVE ORDER No. 122

WHEREAS, On August 4, 2006, the New Jersey Committee on Native American Community Affairs was created by Executive Order in the wake of a tragic shooting of a member of the Ramapough Lenape Nation and in recognition of the imperative that all citizens be treated fairly and have equal opportunity and access to State government and services and that the rights of all citizens be protected; and

WHEREAS, This Committee was charged to "evaluate the current social and economic conditions of Native Americans in New Jersey, namely civil rights issues and the community's access to education, fair housing, infrastructure, employment, and health care"; and

WHEREAS, On December 14, 2007, the New Jersey Committee on Native American Community Affairs issued its final report (the "2007 Report"); and

WHEREAS, The 2007 Report contained 28 recommendations, among them that the State of New Jersey should: affirm its respect for and recognition of its three tribes; protect Native American open air worship sites and tribal burial grounds; resolve the long-standing environmental problems at the Ringwood Superfund Site and address the impact of those problems on local families; expand State government's awareness of and outreach to the Native American community; increase educational opportunities for Native Americans by creating a revised, culturally accurate, elementary school curriculum and a scholarship assistance program and by eliminating school-based discrimination; provide additional employment and housing opportunities; upgrade access to health care services; and broaden inter-State, State, county, and municipal relations with Native American communities; and

WHEREAS, The recommendations set forth in the 2007 Report should be implemented across all levels of government and among the State's Native American community as appropriate and that implementation needs to be monitored with particular care and diligence, given the indifference and neglect that Native American groups and individuals within the State have often confronted; and

WHEREAS, In 1995 the New Jersey Legislature created the New Jersey Commission on American Indian Affairs (the "Commission") and charged it with, among other duties, supporting the development of the State's American Indian Communities and acting as a liaison among those communities, the State and federal governments, and educational, social, and cultural institutions; and

WHEREAS, The 2007 Report recommended that the Commission's structure be modified and its membership be expanded, which changes would help it fulfill its mission but which also necessitate legislative action; and

WHEREAS, The 2007 Report concluded that State-only recognition was a major issue for a broad cross-section of the Native American community, summarized the history of New Jersey's three Native American tribes, and disavowed any intent to assist efforts at federal recognition for any tribe(s);

NOW, THEREFORE, I, JON S. CORZINE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. This administration affirms, endorses, and supports the New Jersey Legislature's acknowledgement in 1995 of the major role of the Nanticoke Lenni Lenape Indians, the Ramapough Mountain Indians, and the Powhatan

Renape Nation in the history of the State and those tribes' unique and continuing importance in New Jersey's political, social, and cultural life. Additionally, with the 2007 Report having reported that recognition is a major issue for a broad cross-section of the Native American community in New Jersey, the New Jersey Commission on American Indian Affairs is hereby directed to contact the leadership of the Nanticoke Lenni Lenape Indians, the Ramapough Mountain Indians, and the Powhatan Renape Nation to determine if any of these tribes wishes to be considered for State-only recognition via State statute.

2. The Commission shall oversee, coordinate, and monitor the implementation of the 2007 Report.

3. In fulfilling its charge pursuant to this Order, the Commission, among other duties, shall:

a. recommend legislation and other proposals to protect Native American religious observances and related cultural practices;

b. recommend legislation, gubernatorial measures, and cabinet-level actions to improve Native Americans' experiences in education, employment, and housing; protect Native Americans' civil rights and the environment surrounding their homes and communities; and create new mechanisms of communication between Native Americans, their leaders, and representatives of all levels of government;

c. work with members of the cabinet or their designees and other officials from State, county, and municipal government to implement the recommendations of the 2007 Report; and

d. prepare reports as of July 1, 2009, July 1, 2010, and July 1, 2011 about the State's progress in implementing the recommendations of the 2007 Report ("Implementation Reports").

4. The Commission is authorized to call upon any department, division, office, or agency of State government to provide such information, resources, or other assistance deemed necessary to discharge its responsibilities under this Order. Each department, division, office, and agency of this State is hereby required, to the extent not inconsistent with law, to cooperate with the Commission and to furnish it with such information, personnel, and assistance as is necessary to accomplish the purposes of this Order. In particular, the personnel of the Departments of Children and Families, Community Affairs, Education, Environmental Protection, Health and Senior Services, Human Services, and Labor and Workforce Development shall be available to the Commission upon request.

5. The Commission shall consult with experts or other knowledgeable persons in the public or private sector on any aspect of its mission pursuant to this Order.

6. The Commission shall recommend for appointment by the Governor an advisory group of no more than five persons to assist it in overseeing the implementation of the 2007 Report and in preparing the Implementation Reports. This advisory group shall cease to operate upon the enactment of legislation expanding the membership and structure of the Commission as recommended in the 2007 Report.

7. The Commission shall create a list of priorities so that its Implementation Reports shall include reference to its own activities as well as those of State government, provided, however, that nothing in this Order shall preclude the Commission from accomplishing its objectives prior to July 1, 2011, as set forth above.

8. The following additional steps shall be taken to implement the 2007 Report:

a. The Departments of Children and Families and Health and Senior Services shall as soon as possible send representatives to inter-departmental meetings at Tribal Centers and develop and implement plans to work with those Centers;

b. The Department of State shall develop a new website for the Commission, and the Departments of Children and Families and Health and Senior Services shall create links to that site, and that site shall include links, as appropriate, with those departments' websites;

c. The Departments of Labor and Workforce Development and Law and Public Safety shall as soon as possible meet with representatives of the Commission to improve job opportunities for and greater outreach and communication with Native Americans, and these departments shall develop and implement plans to work with the Commission and/or the Tribal Centers, as appropriate, and these departments shall create links to the Commission's website, and that site shall include links, as appropriate, with those departments' websites; and

d. The Departments of Community Affairs, Education, and Human Services, within 30 days of the date of this Order, shall meet with representatives of the Commission to address issues identified in the 2007 Report within each department's area of expertise and to develop and implement plans to work with the Commission and/or the Tribal Centers, as appropriate.

9. This Order shall take effect immediately

Dated October 1, 2008.

EXECUTIVE ORDER No. 123

WHEREAS, 1.2 million Americans are of Arab ancestry representing a highly diverse group, in ancestral country of origin, religion, and historic identity, which also shares a common linguistic and cultural heritage; and
WHEREAS, New Jersey is home to 70,000 Americans of Arab ancestry and is one of five states, along with New York, California, Michigan, and Florida, where, collectively, almost half of all Americans of Arab ancestry reside, and the counties of Bergen, Hudson, Middlesex, and Passaic have a high concentration of Americans of Arab ancestry; and
WHEREAS, Americans of Arab ancestry contribute to the economic, social, cultural, and civic vitality of the State and the nation; and
WHEREAS, Nationally, Americans of Arab ancestry, and those perceived as of Arab ancestry, were among the secondary victims of the attacks of September 11, 2001: children have been subject to bullying, harassment, and bias in schools; and adults have been subject to discrimination, hate crimes, and other hostilities in employment, housing, and places of public accommodation; and
WHEREAS, It is imperative that all citizens be treated fairly, with dignity, respect, and tolerance, and that the rights of all citizens be protected; and
WHEREAS, Dissemination of knowledge of the heritage, culture, and history of Arabs and Americans of Arab ancestry is important to the State of New Jersey; and
WHEREAS, It is necessary and proper to educate the citizens of New Jersey about the heritage, culture, and history of Arabs and Americans of Arab ancestry;

NOW, THEREFORE, I, JON S. CORZINE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. There is hereby established, in the Department of State, the New Jersey Arab-American Heritage Commission ("Commission").

2. The Commission shall be composed of twenty-five (25) members. The following officials, or their designees, shall serve on the Commission, ex officio, and with a vote: the Secretary of State; the Commissioner of the Department of Education; the Attorney General; the Director of the Division on Civil Rights; the President of the State Board of Education; the Chair, Governor's Ethnic Advisory Council; and the Chair, New Jersey Human Relations Council.

3. The Commission shall also consist of one public member appointed by the Governor upon the recommendation of the President of the Senate, one public member appointed by the Governor upon the recommendation of the Speaker of the General Assembly, and sixteen (16) public members appointed by the Governor. The Governor shall select a chair and the members shall elect annually from among their members a vice-chair.

4. The public members shall be residents of the State, chosen with due regard for geographic representation, diversity, education, knowledge, experience, and academic post-graduate level degrees related to the heritage, culture, and history of Arabs and Americans of Arab ancestry.

5. The Governor shall appoint each public member for a term of three years, except that of the public members first appointed, one-third shall be appointed to a three-year term, one-third shall be appointed to a two-year term, and one-third shall be appointed to a one-year term. Public members shall serve until their successors are appointed and qualified, and any vacancy in the membership of the committee shall be filled for the unexpired term in the manner provided for the original appointment. Public members of the Commission shall serve without compensation.

6. The Commission shall meet as soon as practical after the chair and a majority of the members have been appointed. The presence of a majority of the authorized membership of the Commission shall constitute a quorum and shall be required for the conduct of official business.

7. The responsibilities and duties of the Commission are as follows:

- a. To recognize, study, and share information on Arab heritage, culture, and history;
- b. To coordinate events observing the heritage, culture, and history of Americans of Arab ancestry, including an annual Arab Heritage Month in April of each year;

c. To provide expertise to and to collaborate with the Department of Education to continue to develop content and curriculum guides on the heritage, culture, and history of Americans of Arab ancestry in the State's Core Curriculum Content Standards in Social Studies;

d. To study and report on programs to promote tolerance and respect for all of the citizens of this State; and

e. To coordinate events with the Department of State observing the heritage, culture, and history of Americans of Arab ancestry.

8. The Department of Education shall assist the Commission in the dissemination to educators, administrators, and public school districts in the State educational information and other materials on Arab culture and the contributions of Americans of Arab ancestry to society. Such information and materials also shall be made available to non-public schools.

9. The Commission is authorized to raise funds, through direct solicitation or other fundraising events, alone or with other groups, and accept gifts, grants and bequests from individuals, corporations, foundations, governmental agencies, public and private organizations and institutions, to defray the Commission's administrative expenses and carry out its purposes as set forth in this Executive Order.

10. The Commission is authorized to call on any department, office, division, or agency of State government to provide such information, resources, or other assistance deemed necessary to discharge its responsibilities under this Order. Each department, office, division, and agency of this State, to the extent not inconsistent with law, is hereby required to cooperate with the Commission and to furnish it with such information and assistance as is necessary to accomplish the purposes of this Order. The Commission may consult with experts or other knowledgeable individuals in the public or private sector on any aspect of its mission.

11. The Commission shall establish a schedule of meetings and report periodically to the Governor on its activities and recommendations. An initial report to the Governor shall be submitted within six months from the date of the first meeting and annually thereafter.

12. This Order shall take effect immediately.

Dated October 24, 2008.

EXECUTIVE ORDER No. 124

WHEREAS, Major General Francis R. Gerard was born in Belleville, New Jersey, and graduated from Lyndhurst High School in 1941; and

WHEREAS, Major General Gerard enlisted in the United States Army Air Forces in 1942 and was commissioned as a Second Lieutenant in 1943; and

WHEREAS, During combat service in World War II he logged over 420 hours in aerial combat and destroyed eight enemy fighters in aerial combat over Europe and was ranked as an "Ace"; and

WHEREAS, Following his service in World War II Major General Gerard attended Lafayette College in Easton, Pennsylvania, received a Certification of Graduation from New Jersey's Marshall Law College in 1949, and passed the New Jersey Bar Examination that same year; and

WHEREAS, He then joined the New Jersey Air National Guard, was recalled to active duty during the Korean war and the Berlin Crisis, and served the public in a range of positions in government, including commanding the 108th Tactical Fighter Wing and serving as special assistant to the Commander-in-Chief, Strategic Air Command for the Air National Guard, and Commander of the New Jersey Air National Guard; and

WHEREAS, In 1982, Major General Gerard became Adjutant General of New Jersey under Governor Thomas H. Kean and served in that capacity for seven years until his retirement from military and public service in 1989; and

WHEREAS, Major General Gerard's medals and decorations include the Air Force Distinguished Service Medal, the Silver Star, Defense Superior Service Medal, Distinguished Flying Cross, Air Medal with 11 Oak Leaf Clusters, American Campaign Medal, European-African-Middle East Campaign Medal with six Battle Stars, National Defense Service Medal, Presidential Unit Citation, Armed Forces Reserve Medal, Air Force Longevity Service Award, Secretary of Defense Identification Badge, Small Arms Expert, and USAF Outstanding Unit Award; and

WHEREAS, It is with deep sadness that we mourn the loss of Major General Gerard and extend our sincerest sympathy to his family and friends;

NOW, THEREFORE, I, RICHARD J. CODEY, Acting Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The flag of the United States of America and the flag of the State of New Jersey shall be flown at half-staff at all State departments, offices, agencies and instrumentalities during appropriate hours on Wednesday, November 12, 2008 in recognition and mourning of the passing of Major General Francis R. Gerard.

2. This Order shall take effect immediately.

Dated November 7, 2008.

EXECUTIVE ORDER No. 125

WHEREAS, Abraham Lincoln, the 16th President of the United States, was one of the nation's most prominent leaders who demonstrated true courage during the Civil War, one of the greatest crises in the nation's history; and

WHEREAS, Born on February 12, 1809, Abraham Lincoln served as President from March 4, 1861, to April 15, 1865, establishing a legacy of honesty, integrity, intelligence, and commitment to save a nation divided by the institution of slavery; and

WHEREAS, President Lincoln issued the Emancipation Proclamation in 1863, which declared free all slaves in the states of the rebellion under the Confederate flag; and

WHEREAS, In the months following the untimely death of President Lincoln by an assassin's bullet, the Thirteenth Amendment to the United States Constitution was finally adopted on December 6, 1865, to abolish and forever prohibit slavery in the United States; and

WHEREAS, February 12, 2009, marks the 200th anniversary of President Lincoln's birth; and

WHEREAS, The United States Congress has established the "Abraham Lincoln Bicentennial Commission" to honor President Lincoln's legacy and to educate the American public about his achievements and leadership; and

WHEREAS, The Abraham Lincoln Bicentennial Commission will study and recommend worthy federal activities to honor President Lincoln in 2009; and

WHEREAS, President-elect Abraham Lincoln spoke separately to the New Jersey Senate and the General Assembly during his travels through New

Jersey on February 21, 1861, on his way to his inaugural in the nation's capital; and

WHEREAS, It is appropriate for the State of New Jersey to join the national effort and to plan and carry out its own bicentennial tributes to honor President Lincoln;

NOW, THEREFORE, I, JON S. CORZINE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. There is hereby established the New Jersey Abraham Lincoln Bicentennial Commission ("Commission").

2. The Commission on Higher Education shall assist the Commission and provide a staff member to serve as a non-voting recording secretary.

3. The Commission shall be composed of twenty-three (23) members. The following officials, or their designees, shall serve on the Commission, ex-officio, and with a vote: the Executive Director of the Commission on Higher Education; the Secretary of State; the Commissioner of the Department of Education; the Chair, New Jersey Historical Commission; the State Librarian; and the Chair, Amistad Commission.

4. The Commission shall also consist of seventeen (17) public members. One public member shall be appointed by the Governor upon the recommendation of the President of the Senate, one public member shall be appointed by the Governor upon the recommendation of the Speaker of the General Assembly, one public member shall be appointed by the Governor upon the recommendation of the Senate Minority Leader, one public member shall be appointed by the Governor upon the recommendation of the General Assembly Minority Leader, and thirteen (13) public members shall be appointed by the Governor. All public members of the Commission shall serve without compensation and at the pleasure of the Governor. The Governor shall appoint the chair and vice-chair of the Commission, who also serve as such at the pleasure of the Governor.

5. The public members shall be residents of the State, chosen with due regard for geographic representation, diversity, education, and knowledge and experience in academia related to the history of President Lincoln, the Civil War, and the abolitionist movement.

6. The Commission shall meet as soon as practical after the Chair and a majority of the public members have been appointed. The presence of a majority of the authorized membership of the Commission shall constitute a quorum and shall be required for the conduct of official business.

7. The responsibilities and duties of the Commission are as follows:

a. To recommend activities that may be carried out by the State of New Jersey to honor President Lincoln during the year of his bicentennial; and

b. To educate the residents of the State of New Jersey about the life of President Lincoln, especially his years of service as the 16th President of the United States; and

c. To plan, implement, and coordinate activities to commemorate the bicentennial year.

8. The Commission shall establish a schedule of meetings and report periodically to the Governor on its activities and recommendations. The Commission shall submit a preliminary report of proposed activities to the Governor 60 days after its first meeting.

9. The Commission is authorized to call on any department, office, division, or agency of State government to provide such information, resources, or other assistance deemed necessary to discharge its responsibilities under this Order. Each department, office, division, and agency of this State, to the extent not inconsistent with law, is hereby required to cooperate with the Commission and to furnish it with such information and assistance as is necessary to accomplish the purposes of this Order. The Commission may consult with experts or other knowledgeable individuals in the public or private sector on any aspect of its mission.

10. The Commission is authorized, alone or with other groups, to solicit and accept gifts, grants, and bequests from individuals, corporations, foundations, governmental agencies, public and private organizations, and institutions to defray the Commission's administrative expenses and carry out its purposes as set forth in this Order.

11. This Order shall take effect immediately and expire on December 31, 2009.

Dated November 21, 2008.

EXECUTIVE ORDER No. 126

WHEREAS, Housing constitutes one of the basic needs of all families and individuals within the State of New Jersey, and safe and affordable housing creates a foundation for stable lives, secure families, and thriving communities; and

WHEREAS, The State has among the costliest housing markets in the United States and average wages have failed to keep pace with the average cost of housing in the State for at least two decades, causing many individuals and families to spend increasing proportions of their income on housing and causing others to live in overcrowded, inaccessible, unsafe, or unsanitary conditions simply because they have no other option; and

WHEREAS, Significant numbers of individuals and families in New Jersey, through illness, low wages, the loss of a job, divorce or family conflict, or struggles with mental health or substance abuse, lose their ability to earn a sufficient income or obtain adequate benefits to remain in their homes; and

WHEREAS, Over the course of each year, thousands of individuals and families lose their housing and become homeless; and

WHEREAS, The multiple economic, social, physical, and emotional consequences of an episode of homelessness often exacerbate the factors that led to an individual's or family's loss of housing, thereby making it even more challenging for a single person or a family to regain housing and recreate a stable home; and

WHEREAS, Multiple State agencies, commissions, and boards working in fields as diverse as housing, health care, employment, hunger, education, mental health and substance abuse treatment assist individuals and families to remain in their homes with a range of economic and social programs, and these agencies, commissions, and boards, as well as other organizations, also are charged with helping homeless individuals and families to obtain stable housing; and

WHEREAS, All these State agencies, commissions, and boards share the common goals of preventing and eliminating homelessness, especially chronic homelessness; and

WHEREAS, Coordinating the work of these State entities will help to foster necessary system changes and maximize the impact of federal, State, and local governmental programs and nonprofit and voluntary efforts to help individuals and families remain in their homes and, if they become homeless, to speed their return to housing;

NOW, THEREFORE, I, JON S. CORZINE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. There is hereby established in the Department of Community Affairs the Interagency Council on Preventing and Reducing Homelessness (the "Council").

2. The Council shall be comprised as follows: (i) the Commissioners of the Department of Children and Families, the Department of Community Affairs, the Department of Corrections, the Department of Education, the Department of Health and Senior Services, the Department of Human Services, and the Department of Labor and Workforce Development, the Executive Director of the New Jersey Housing and Mortgage Finance Agency, the Chairman of the State Parole Board, the Adjutant General of the Department of Military and Veterans' Affairs, and a representative of the Office of the Governor, each of whom shall serve ex officio and may appoint a designee; and (ii) 14 public members appointed by the Governor as follows: a representative of county government, a representative of municipal government, two persons who are or recently were homeless, two representatives of the private sector, four representatives of non-profit agencies providing housing, social, behavioral health, or health-care services to homeless individuals or families, a representative of public housing authorities, an individual with academic expertise in homelessness issues, and two representatives from faith communities. In addition, the President of the Senate, the Speaker of the Assembly, the Senate Minority Leader, and the Assembly Minority Leader each may appoint a member of the Legislature to serve on the Council, and that member may appoint a designee.

3. The Commissioners of the Departments of Community Affairs (DCA) and Human Services (DHS) shall act as co-chairs of the Council.

4. The public members of the Council shall serve at the pleasure of the Governor and without compensation, except that members who are or recently were homeless may be reimbursed for reasonable expenses within funds available to DCA or DHS.

5. The Council shall meet on a regular basis, as determined by the co-chairs.

6. The Council shall:

a. Prepare a preliminary report to the Governor by or before December 31, 2009, containing findings and recommendations for preventing and reducing homelessness, ending chronic homelessness, and improving services to individuals and families who lose their housing, and additional reports as the Council may deem necessary;

b. Review data, activities, funding, and programs in areas including but not limited to housing, health care, employment, education, and mental health and substance abuse services that (i) help individuals and families at-risk of becoming homeless retain their housing and (ii) provide housing and other services for individuals and families who become homeless;

c. Identify statutory and regulatory impediments to the effective provision of services to homeless individuals and families and recommend changes to relevant laws, programs, and policies;

d. Review service delivery models and examine best practices to maximize the cost effectiveness of those models and their results; and

e. Examine and evaluate programs and activities to prevent, reduce, and end homelessness and to assist homeless families and individuals.

7. The Council shall organize and meet as soon as practicable after the appointment of a majority of its members.

8. Staffing for the Council shall be undertaken and coordinated by DCA and DHS. The Council shall seek information and advice, conduct hearings, and take testimony from individuals and families at-risk of losing their homes, or who have lost their housing; providers of housing or services to such persons; research organizations; and others to fulfill its duties.

9. The Council is authorized to call upon any department, division, office, or agency of State government to provide such information, resources, or other assistance deemed necessary to discharge its responsibilities under this Order. Each department, division, office, and agency of this State is hereby required, to the extent not inconsistent with law, to cooperate with the Council and to furnish it with such information, personnel, and assistance as is necessary to accomplish the purposes of this Order.

10. The Council shall operate until December 31, 2011. This period may be extended by Executive Order.

11. This Order shall take effect immediately.

Dated November 26, 2008.

EXECUTIVE ORDER No. 127

WHEREAS, United States Army Private Charles Yi Barnett was raised in Sykesville, Maryland, and his father has resided in Elizabeth, New Jersey, for many years; and

WHEREAS, Private Barnett enlisted in the United States Army after attending Bel Air High School in Bel Air, Maryland; and

WHEREAS, Private Barnett was assigned to the 2nd Battalion, 12th Cavalry Regiment, 4th Brigade Combat Team, 1st Cavalry Division, Fort Hood, Texas; and

WHEREAS, Private Barnett was a dedicated soldier as well as a loving son, step-son, brother, and friend, whose memory lives in the hearts of his family and fellow soldiers; and

WHEREAS, Private Barnett died near Baghdad, Iraq, during a time of war while serving as a member of the United States Army; and

WHEREAS, Private Barnett's love for his family and friends, his patriotism, and dedicated service to his country and his fellow soldiers make it appropriate and fitting for the State of New Jersey to mourn and remember him, to mark his passing, and to honor his memory;

NOW, THEREFORE, I, JON S. CORZINE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The flag of the United States of America and the flag of the State of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours on Wednesday, December 3, 2008, in recognition and mourning for a son of New Jersey and a brave and loyal American, United States Army Private Charles Yi Barnett.

2. This Order shall take effect immediately.

Dated December 1, 2008.

EXECUTIVE ORDER No. 128

WHEREAS, United States Army Major John P. Pryor was born in Mount Vernon, New York, and resided in Moorestown, New Jersey; and

WHEREAS, After graduating medical school from the State University of New York in Buffalo, Major Pryor moved to South Jersey for a fellowship at the Hospital of the University of Pennsylvania; and

WHEREAS, Major Pryor joined the University of Pennsylvania's surgical faculty and served as director of the hospital's nationally recognized trauma program; and

WHEREAS, Major Pryor joined the United States Army in 2006, because he felt he had a duty to lend his surgical expertise in trauma to save Americans in combat; and

WHEREAS, Upon learning of the pending deployment to Iraq, Major Pryor began studying the Arabic language so that he could better help the injured Iraqis he would treat; and

WHEREAS, Major Pryor was assigned to a forward surgical team with the Army's 1st Medical Detachment, based in Fort Totten, New York; and

WHEREAS, Major Pryor died in Iraq, during a time of war while serving his second tour of duty as a combat surgeon of the United States Army; and

WHEREAS, Major Pryor was an exceptional man with a deep desire to help his fellow man by caring for the sick and injured, as well as a devoted husband, father, son, brother, and friend, whose passion for service to others stood out; and

WHEREAS, Major Pryor's love for his family and friends, his patriotism, and dedicated service to his country and his fellow soldiers make it appropriate and fitting for the State of New Jersey to mourn and remember him, to mark his passing, and to honor his memory;

NOW, THEREFORE, I, JON S. CORZINE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The flag of the United States of America and the flag of the State of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours on Monday, January 5, 2009, in recognition and mourning for a son of New Jersey and a brave and loyal American, United States Army Major John P. Pryor.

2. This Order shall take effect immediately.

Dated January 2, 2009.

EXECUTIVE ORDER No. 129

WHEREAS, Firefighter Gary Stephens was a native of the City of Elizabeth, who later moved to Bayville, New Jersey with his wife, Natalie; and
WHEREAS, Inspired by his father, who served the public as an Elizabeth firefighter for over two decades, Firefighter Gary Stephens joined the Elizabeth Fire Department in 1980; and
WHEREAS, Firefighter Stephens served with distinction for twenty-eight years and earned a valor award in 1999 for saving the historic Second Presbyterian Church from destruction during a devastating fire that year; and
WHEREAS, On January 2, 2009, in the City of Elizabeth in Union County, Firefighter Stephens, at the age of 57, made the ultimate sacrifice, giving his life while fighting a fire that destroyed one house and damaged a neighboring home, and
WHEREAS, Gary Stephens' selfless devotion to public service and the protection of others makes him a hero and a true role model for all New Jerseyans and, therefore, it is appropriate and fitting for the State where he was born and raised to recognize his remarkable commitment to the welfare of others, to mark his untimely passing, to remember his family as they mourn their tragic loss, and to honor his memory;

NOW, THEREFORE, I, RICHARD J. CODEY, Acting Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The flag of the United States of America and the flag of New Jersey shall be flown at half-staff at all State departments, offices, agencies, and instrumentalities during appropriate hours on Thursday, January 8, 2009, in recognition of the life and in mourning of the passing of Firefighter Gary Stephens.

2. This Order shall take effect immediately.

Dated January 6, 2009.

EXECUTIVE ORDER No. 130

WHEREAS, Assemblyman Willie B. Brown was a leader in public life in the State of New Jersey, having dedicated the majority of his career to serving the common good, and New Jersey is a better place today because of that service; and

WHEREAS, Assemblyman Brown was born in Pendleton, South Carolina, raised on a farm, graduated from high school, and enrolled in South Carolina State University; and

WHEREAS, Assemblyman Brown became an adopted son of New Jersey, moving to Newark while he was in college, attending Bloomfield College, and spending virtually the entire remainder of his life in this State; and

WHEREAS, Following his undergraduate studies, he soon embarked on his lifelong mission of working for the people of the State of New Jersey, initially serving as a district leader and then, winning election to the Assembly in 1973, at age 33, representing Essex County; and

WHEREAS, Assemblyman Brown won re-election to the Assembly eleven consecutive times, serving for a total of 24 years; and

WHEREAS, He was the driving force and lead sponsor of legislation requiring that New Jersey's pension fund divest itself of securities in firms doing business in South Africa, making New Jersey the first state in the country to divest from South Africa because of its apartheid regime; and

WHEREAS, Governor Thomas Kean signed the divestment bill and was subsequently informed by leaders in South Africa that the divestiture movement made a real difference and that it was the first time apartheid leaders understood that their policies were going to have a serious impact in the United States; and

WHEREAS, While in the Legislature, Assemblyman Brown was a passionate advocate for the less fortunate among us; and

WHEREAS, The Assemblyman held numerous leadership positions in the Assembly including minority leader, deputy speaker, and majority whip; and

WHEREAS, Following his service in elective office, he also was chief of staff to prominent officials in Essex County, including the County Executive; and

WHEREAS, Assemblyman Brown was a tenacious legislator and effective legislative leader, yet possessed the wisdom and strength of character that allowed him to form friendships across partisan lines, with allies and with adversaries, amidst the often challenging political culture, and accordingly is remembered as a warm and good-natured man as well as a fighter; and

WHEREAS, The Assemblyman's passion for public service and for caring for his fellow human beings have inspired many, including many of his family, to enter public service, and

WHEREAS, It is with deep sadness that we mourn the loss of Assemblyman Brown and extend our sincere sympathy to his family and friends;
and

WHEREAS, It is fitting and appropriate to honor the memory and the passing of Assemblyman Brown;

NOW, THEREFORE, I, JON S. CORZINE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The flag of the United States of America and the flag of the State of New Jersey shall be flown at half-staff at all State departments, offices, agencies and instrumentalities during appropriate hours on Thursday, January 15, 2009, in recognition and mourning of the passing of Assemblyman Willie B. Brown.

2. This Order shall take effect immediately.

Dated January 13, 2009.

