

ACTS
OF THE
First Annual Session
OF THE
Two Hundred and Fourth Legislature
OF THE
STATE OF NEW JERSEY
AND
Thirty-Third Under the New Constitution

New Jersey State Library

1990

EXECUTIVE ORDERS

EXECUTIVE ORDER No. 1

WHEREAS, In our representative form of government, it is essential that the conduct of public officials shall hold the respect and confidence of the people; and

WHEREAS, Those in government hold positions of public trust that require adherence to the highest standards of honesty, integrity and impartiality; and

WHEREAS, The New Jersey Conflicts of Interest Law prohibits a State officer or employee from having any interest or engaging in any activity that is in substantial conflict with the proper discharge of his duties in the public interest or from undertaking any employment or service which might reasonably be expected to impair his objectivity or independence of judgment; and

WHEREAS, The New Jersey Conflicts of Interest Law prohibits a State officer or employee from acting in his official capacity in any matter where he has a direct or indirect personal financial interest that might reasonably be expected to impair his objectivity or independence of judgment; and

WHEREAS, It is the duty of government officials to earn the trust and confidence of the people by avoiding even the appearance of impropriety; and

WHEREAS, The disclosure of personal interest of public officials will serve to restore the public's faith and confidence in its government representatives and will guard against conduct violative of the public trust;

NOW, THEREFORE, I, James J. Florio, 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. Every public employee and public officer as such terms are defined in section 7 hereof shall file a sworn and duly notarized statement which is current as of five days prior to the date of filing. Each statement shall include the following information:

- a. The name and position of the public officer;
- b. Any occupation, trade, business or profession engaged in by the public officer, his or her spouse, and dependent children that is subject to licensing or regulation by a State agency;
- c. A list of all assets having a value of more than \$1,000, both tangible and intangible, in which a direct or indirect interest is held by the public employee or public officer, his or her spouse, and dependent children, valued as if the statement date; provided, however, that when the value cannot be determined as of that date, a separate valuation date shall be specified for the particular asset. Where stocks and bonds are involved, there shall be included the name of the company or government agency issuing them; except that whenever such interest exists through ownership in a mutual fund or holding company, the stocks held by such mutual fund or holding company need not be listed; whenever such interest exists through a beneficial interest in a trust, the stocks and bonds held in such a trust shall be listed only if the public employee or public officer has knowledge of what stocks and bonds are so held. Where more than 10 percent of the stock of a corporation is held, the percentage of ownership shall be stated. The list shall include any direct or indirect interest, whether vested or contingent, in any contract made or executed by a government instrumentality. In the case of real estate interests, there shall be given the location, including municipality and block and lot number, size, general nature and acquisition date of any real property in New Jersey in which any direct, indirect, vested or contingent interest is held, together with the names of all individuals or entities who share a direct or indirect interest therein and the name of any government instrumentality that is a tenant of such property or that has before it an application, complaint or proceeding directly affecting such property. Assets of a public employee and his or her spouse shall be listed according to the following categories:
 - (i) greater than \$1,000, but not more than \$5,000;
 - (ii) greater than \$5,000, but not more than \$25,000;
 - (iii) greater than \$25,000, but not more than \$50,000;
 - (iv) greater than \$50,000, but not more than \$100,000;

(v) greater than \$100,000, but not more than \$250,000;

(vi) greater than \$250,000.

The value of assets of (1) the dependent children of a public employee or (2) a public officer, his or her spouse and dependent children need not be disclosed unless specifically requested by the Governor or the Executive Commission on Ethical Standards;

d. A list of all liabilities of the public employee or public officer, his or her spouse, and dependent children, valued by category in the same manner as required by subsection c. above, except liabilities which are:

(1) Less than \$10,000 and owed to a relative as defined in section 7 hereof;

(2) Less than \$1,000 and owed to any other person;

(3) Loans secured by a personal motor vehicle, household furniture or appliances where the loan did not exceed the purchase price of the item and the outstanding balance did not exceed \$10,000 as of the close of the preceding calendar year; and

(4) Revolving charge accounts where the outstanding liability does not exceed \$10,000 as of the close of the preceding calendar year;

e. A list of all liabilities otherwise subject to disclosure pursuant to subsection d. above of the public employee or public officer, his or her spouse, and dependent children which have been forgiven by the creditor within 12 months of the statement date. For each such forgiven liability so listed, the name of the creditor to whom such liability was owed shall be stated;

f. A list of all sources of income of the public employee or public officer, his or her spouse, and dependent children including all compensated employment of whatever nature, all directorships or other fiduciary positions for which compensation has or will be claimed, all capital gains including a description of the individual sources of such gains, all contractual arrangements producing or expected to produce income, and all honorariums, lecture fees and other miscellaneous sources of income including,

but not limited to, interest, dividends, royalties and rents. The statement shall disclose sources of income for the 12-month period immediately preceding the filing date of the statement. Amounts of income shall be disclosed by a public employee and his or her spouse for the calendar year immediately preceding the filing date, provided, that is, the filing occurs after July 1, of any year, the amount of income disclosed shall be accurate through 30 days preceding the filing date. The amounts of such income received shall be listed and valued by category in the same manner of assets as set forth in subsection c. (i) through (vi) above. The amount of income of (1) the dependent children of a public employee, or (2) of a public officer, his or her spouse and dependent children need not be disclosed unless specifically requested by the Governor or the Executive Commission on Ethical Standards. Not required to be reported as a source of income are:

(1) Cash gifts in an aggregated amount of less than \$100 received during the preceding 12 months from a person;

(2) Noncash gifts with an aggregated fair market value of less than \$200 received during the preceding 12 months from a person; and

(3) Gifts with an aggregated cash or fair market value of less than \$3,000 received during the preceding 12 months from a relative;

g. A list of any offices, trusteeships, directorships or positions of any nature, whether compensated or uncompensated, held by the public employee or public officer, his or her spouse, and dependent children with any firm, corporation, association, partnership or business that either does business with or is licensed, regulated or inspected by a State agency.

2. Each statement shall contain a certification by the public employee or public officer that he or she has read the statement, that to the best of his or her knowledge and belief it is true, correct and complete and that he or she has not and will not transfer any asset, interest or property for the purpose of concealing it from disclosure while retaining an equitable interest therein.

3. a. Within 90 days from the effective date of this Order, each public employee and public officer who has not already done so shall file the signed and notarized statement required herein with

the Office of the Governor and two (2) copies bearing an original signature with the Executive Commission on Ethical Standards. In furtherance of its duties under the Conflicts of Interest Law, N.J.S.A.52:13D-12 et seq. and pursuant to this Executive Order, the Executive Commission on Ethical Standards shall review each statement to determine its conformity with the provisions of this Order and other applicable provisions of the law. Upon approving such statement for filing, the Commission shall file and maintain a copy of it for public inspection and copying in accordance with the procedures set forth in N.J.S.A.47:1A-1 et seq.;

b. Each prospective public employee and public officer shall, before assuming the office to which he or she has been appointed, satisfy the filing requirements of this Order, unless the Attorney General grants to such officer an extension from the filing deadline. Such an extension shall not be granted more than twice and shall not be of more than 30 days each;

c. Updated statements shall be filed on the May 15 next succeeding the submission of the original statement and each May 15 thereafter, provided, however, that public employees and public officers who file statements on or after January 16, 1990 but prior to May 14, 1990 need not file an updated statement on May 15, 1990 so long as the person who submitted such statement is a public employee or public officer of this State as defined in section 7 of this Order.

4. The Executive Commission on Ethical Standards shall keep the approved statements on file for so long as the person submitting such statement is a public employee or public officer of this State, and for five years thereafter.

5. The Executive Commission on Ethical Standards shall have the primary responsibility for assuring the proper administration and implementation of this Order and shall have the power to perform the acts necessary and convenient to this end, including, but not limited to, preparing and distributing forms and instructions to be utilized by public employees and public officers in complying with this Order.

6. The willful failure of a public employee or public officer to comply with this Order shall constitute cause for his or her removal from office by those having the power of removal.

7. For the purpose of this order:

a. "Public employee" shall mean any person holding any of the following offices in the Executive Branch of State government, together with any offices added to such list by subsequent gubernatorial Executive Order:

(1) The Governor;

(2) The head of a principal department;

(3) The assistant or deputy heads of a principal department to include all assistant and deputy commissioners of such department;

(4) The head and assistant heads of a division of a principal department, or any person exercising substantially similar authority for any board or commission which is organized as in but not of a principal department or any independent authority;

(5) The executive or administrative head of (i) any board or commission which is organized as in but not of a principal department or (ii) any independent authority;

(6) The following members of the staff of the Office of the Governor:

(i) Chief of Staff;

(ii) Director, Office of Management and Planning;

(iii) Legislative Counsel;

(iv) Chief Policy Advisor;

(v) Director of Communications;

(vi) Press Secretary;

(vii) Counsel to the Governor;

(viii) Executive Assistant to the Governor and any deputy or principal administrative assistant to any of the foregoing;

b. "Public officer" shall mean the members of the following boards, commissions or independent authorities, together with any offices or bodies added to such list by subsequent gubernatorial Executive Order:

- (1) Atlantic City Convention Center Authority;
- (2) New Jersey Building Authority;
- (3) Capital City Redevelopment Corporation;
- (4) Casino Reinvestment Development Authority;
- (5) New Jersey Economic Development Authority;
- (6) New Jersey Expressway Authority;
- (7) New Jersey Highway Authority;
- (8) New Jersey Transportation Trust Fund Authority;
- (9) New Jersey Turnpike Authority;
- (10) North Jersey District Water Supply Commission;
- (11) Passaic Valley Sewerage Commission;
- (12) Passaic Valley Water Commission;
- (13) New Jersey Public Broadcasting Authority;
- (14) Rahway Valley Sewerage Authority;
- (15) South Jersey Port Corporation;
- (16) New Jersey Sports and Exposition Authority;
- (17) Casino Control Commission;
- (18) Pinelands Commission;
- (19) Hackensack Meadowlands Development Commission;

(ii) individuals appointed as a New Jersey member to the following interstate agencies:

- (1) Atlantic States Marine Fisheries Commission;
- (2) The Delaware River and Bay Authority;
- (3) Delaware River Basin Commission;
- (4) Delaware River Joint Toll Bridge Commission;
- (5) Delaware River Port Authority;
- (6) Delaware Valley Regional Planning Commission;
- (7) Education Commission of the States;
- (8) Interstate Sanitation Commission;
- (9) Northeast Interstate Low-Level Radioactive Waste Commission;
- (10) Palisades Interstate Park Commission;
- (11) Port Authority of New York and New Jersey;
- (12) Port Authority Trans Hudson Corporation;
- (13) South Jersey Port Corporation;
- (14) Waterfront Commission of New York Harbor;

(iii) together with any offices or bodies added to such list by subsequent gubernatorial Executive Order;

c. "Government instrumentality" shall mean the Legislative, Judicial and Executive Branches of State government, including any office, department, division, bureau, board, commission, council, authority or agency therein and any county, municipality, district, public authority, public agency or other political subdivision or public body in the State;

d. "State agency" shall mean any of the principal departments in the Executive Branch of State government, and division, board, bureau, office, commission or other instrumentality within or created by such department, and any independent State authority, commission, instrumentality or agency;

e. "Relative" shall mean a son, daughter, grandson, granddaughter, father, mother, grandfather, grandmother, great-grandfather, great-grandmother, brother, sister, nephew, niece, uncle, or aunt. Relatives by adoption, half-blood, marriage or remarriage shall be treated as relatives of the whole kinship.

8. Executive Order No. 2 of Governor Thomas H. Kean and any subsequent Executive Orders issued in conjunction therewith are rescinded, and any regulations adopted and promulgated thereunder shall be null and void.

9. This Order shall take effect immediately.

Issued January 18, 1990.

EXECUTIVE ORDER No. 2

WHEREAS, The State of New Jersey faces significant threats to its water, air and earth from pollution; and

WHEREAS, Conquering those threats and ensuring a high quality of life for all New Jerseyans would be furthered by the creation of a system of coordinated, coherent and effective criminal, civil and administrative enforcement, including swift and sure criminal and /or civil and/or administrative enforcement in matters involving either a chronic environmental offender or a situation which poses a serious threat to public health or to the environment (hereinafter "priority cases"); and

WHEREAS, A coordinated enforcement policy and effective criminal and/or civil and/or administrative prosecution of priority cases would best be achieved by creation of the position of Environmental Prosecutor with centralized responsibility to

achieve a coordinated enforcement policy and to oversee the prosecution of enforcement actions in priority cases;

NOW, THEREFORE, I, James J. Florio, 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 position of Environmental Prosecutor is hereby created in the Department of Law and Public Safety with the rank of Assistant Attorney General. The Environmental Prosecutor shall be appointed by and serve at the pleasure of the Governor, and shall serve under the supervision and direction of the Attorney General.

2. The Environmental Prosecutor shall have access to the support and resources of the Department of Law and Public Safety, including, without limitation, such clerical and support staff as may be necessary to discharge his or her responsibilities, access to the Environmental Prosecution Unit within the Division of Criminal Justice and access to the Environmental Section of the Division of Law.

3. The Environmental Prosecutor shall establish a coordinated enforcement policy and shall oversee the prosecution of enforcement actions in priority cases.

In furtherance of these responsibilities, the Environmental Prosecutor shall, under the supervision of the Attorney General as aforesaid, have the following powers and obligations:

(A) The Environmental Prosecutor shall have access to all information concerning environmental enforcement which is in the possession of all State agencies. Such information will include agency inspection reports and license information, individual case files, and intelligence information such as that compiled and maintained by the Divisions of State Police and Criminal Justice.

(B) The Environmental Prosecutor shall meet on a regular basis with representatives of all State departments and agencies with environmental enforcement responsibilities: (i) to identify individual matters as priority cases; (ii) to set specific goals and strategies for the most effective resolution of each such case, whether by criminal or civil or administrative enforcement action

or some combination thereof; and (iii) to formulate and evaluate proposals for legislative, administrative and/or judicial initiatives to strengthen environmental enforcement and to further a coordinated enforcement policy.

(C) The Environmental Prosecutor shall oversee the processing, progress and prosecution of individual priority cases. He or she shall work with the Directors of the Divisions of Law and Criminal Justice when such matters are receiving, or should receive, the attention of the Attorney General. He or she shall also work through the heads of other departments and agencies to oversee administrative enforcement activities in priority cases which do not involve direct Attorney General attention.

(D) In connection with environmental enforcement activities, the Environmental Prosecutor shall act as the liaison for the Executive Branch of government with agencies involved in environmental enforcement outside the Executive Branch including federal agencies and the judiciary. In this connection, an initiative currently being developed for the judiciary would, if adopted, create a chronic environmental offender program. Among other things, the program would involve the assignment of a judge to review pending cases in an effort to insure that egregious matters are moved and disposed of with dispatch. The Environmental Prosecutor would coordinate and link his or her activities with the overseer of any such judicial initiative.

4. All departments and agencies of State government with environmental enforcement responsibilities are hereby directed to cooperate with and to support fully the Environmental Prosecutor in the discharge of his or her responsibilities and obligations.

5. The Environmental Prosecutor shall report to the Governor and to the Attorney General after six (6) months of service, and at reasonable and appropriate intervals thereafter, as to the progress of his or her work and as to whether any further administrative and/or legislative action would be desirable to assist in the discharge of his or her duties.

6. This Order should take effect immediately.

Issued January 24, 1990.

EXECUTIVE ORDER No. 3

WHEREAS, The Water Quality Planning Act, N.J.S.A.58:11A-1 et seq., requires that the Governor adopt each areawide water quality management plan developed by the Department of Environmental Protection (DEP) or by planning agencies designated by the Governor; and

WHEREAS, The Federal Water Pollution Control Act (Clean Water Act), 33 U.S.C.A. §1251 et seq., as amended by Pub. L. 92-500 (1972), and the regulations promulgated thereto by the United States Environmental Protection Agency (USEPA) require that the Governor of each state certify water quality management plans for submission to the USEPA and designate management agencies to carry out such plans; and

WHEREAS, To further the water quality management planning process, the Clean Water Act was amended in 1987 to require that the Governor of each state submit assessment reports and management programs for nonpoint sources of water pollution to the USEPA; and

WHEREAS, The DEP has been and will continue to be the lead State agency in administering and supervising Statewide efforts toward adopting comprehensive water quality management plans, including, but not limited to, the designation of the management agencies to implement such plans and the preparation of assessment reports and management programs for nonpoint sources of water pollution; and

WHEREAS, It is desirable for the Commissioner of Environmental Protection to be authorized to act on behalf of the Governor in the adoption and submission of water quality management planning documents as required by both federal and State laws;

NOW, THEREFORE, I, James J. Florio, 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 Environmental Protection is designated to act on behalf of the Governor in the proposal and adoption of

areawide water quality management plans and amendments thereto under the Water Quality Planning Act, N.J.S.A.58:11A-1 et seq.

2. The Commissioner is designated to act on behalf of the Governor in the certification of water quality management plans and amendments thereto and the designation of management agencies to carry out such plans as required under the Clean Water Act.

3. The Commissioner is designated to act on behalf of the Governor in the submission of assessment reports and management programs to the USEPA for nonpoint sources of water pollution as required under the Clean Water Act.

4. The Commissioner may delegate to the Director of the Division of Water Resources the authority received from the Governor pursuant to sections 1 and 2 of this Executive Order to propose and adopt areawide water quality management plans and amendments thereto, to designate management agencies and to certify the adoption of water quality management plans and amendments.

5. This Order shall take effect immediately and shall be retroactive to the extent necessary to ratify any actions taken by the department pertaining to the certification, proposal or adoption of water quality management plans and amendments thereto or the designation of management agencies to carry out such plans prior to the date of this Order.

Issued January 26, 1990.

EXECUTIVE ORDER No. 4

WHEREAS, State government is entrusted with the responsibility to provide services to the public in a manner that carefully conserves taxpayer dollars; and

WHEREAS, The cost of acquiring and maintaining the State's fleet of cars constitutes a significant public expense; and

WHEREAS, The assignment and use of State cars must be scrutinized to ensure that the size of the State's car fleet is tailored to meet the legitimate needs of State workers on public business in the most cost-efficient manner; and

WHEREAS, The misuse of State cars shall not be tolerated and must result in the imposition of timely disciplinary sanctions on those who have been determined to misuse these cars;

NOW, THEREFORE, I, James J. Florio, 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 the Treasury shall assume title, management, control and supervision over all State cars, whether owned or leased by the State.
2. The State Treasurer shall issue such guidelines and promulgate such rules or regulations as may be necessary to assure the proper assignment and use of State-owned and leased cars.
3. The Commissioner of Personnel shall issue such guidelines and promulgate such rules and regulations as may be necessary for the discipline of State employees who misuse State cars or fail to comply with any guideline, rule or regulation promulgated by the State Treasurer pursuant to section 2 of this Order.
4. This order shall take effect immediately and shall supersede any Executive Order to the extent inconsistent with this Order.

Issued January 31, 1990.

EXECUTIVE ORDER No. 5

WHEREAS, Executive Order No. 213 established the Governor's Study Commission on Discrimination in Public Works Procurement and Construction Contracts (hereinafter "Study Commission") to investigate, research and report on the nature and scope of any discrimination in public works pro-

curement and construction contracts awarded by the State and recommend remedies for any discrimination; and

WHEREAS, Executive Order No. 213 requires the Study Commission to report its findings and recommendations concerning past and present discriminatory practices in public works procurement and construction contracts to the Governor by February 14, 1990; and

WHEREAS, The Study Commission would benefit from additional time to prepare a comprehensive report to the Governor;

NOW, THEREFORE, I, James J. Florio, 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 Study Commission shall report its findings and recommendations concerning past and present discriminatory practices in public works procurement and construction contracts no later than one year from the effective date of this Order.

2. Except as provided in section 1 of this Executive Order, all other terms of Executive Orders Nos. 213 and 214 shall remain in force and effect.

3. This Order shall take effect immediately.

Issued February 9, 1990.

EXECUTIVE ORDER No. 6

WHEREAS, The Attorney General is generally charged by law to be the sole legal adviser, attorney or counsel for all officers, departments, boards, bodies, commissions and instrumentalities of State Government, except as specifically provided by statute, and to represent them in all proceedings or actions of any kind which may be brought for or against them in any court in this State and to interpret for them all constitutions, statutes, laws and legal documents, to inspect

and approve contracts and titles and otherwise control their legal activities, to act as their exclusive legal representative, and to attend generally to all legal matters in which the State or any officer, department, board, body, commission or instrumentality of the State Government is a party or in which its rights or interests are involved; and

WHEREAS, All officers, departments, boards, bodies, commissions and instrumentalities of State Government are expressly prohibited by law from employing any person to act as attorney, counsel, solicitor, legal assistant or other legal adviser for the purpose of giving legal advice or rendering legal services, except as specifically authorized by statute; and

WHEREAS, The Attorney General has the discretionary authority to assign an attorney to serve in any legal capacity for any officer, or in any department or instrumentality of the State Government whenever, in the judgment of the Attorney General, such an assignment will contribute to the efficiency and effective provision of legal services; and

WHEREAS, No special counsel shall be employed for the State or by any officer, department, board, body, commission, or instrumentality of the State Government, except by authority of the Attorney General, and then only with the approval of the Governor; and

WHEREAS, These requirements are intended to provide competent, objective legal advice and representation to all of State Government subject to the supervision and coordination of the Attorney General, and to ensure the attainment of a consistent and uniform legal position in furtherance of implementing the policies of the Governor; and

WHEREAS, Despite the requirements, numerous attorneys have been employed outside the Department of Law and Public Safety, many of whom may provide legal advice and representation which, by law, is required to be provided by the Attorney General; and

WHEREAS, I have determined that it is in the public interest to reaffirm, unequivocally, the role of the Attorney General as

the chief legal adviser for the State of New Jersey and to require strict adherence to the requirements outlined above;

NOW, THEREFORE, I, James J. Florio, 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. At no time shall any person employed by any officer, department, board, body, commission or instrumentality of State Government ("State entity"), including "in but not of" agencies, act as, or cause any person to believe he or she is acting as, an attorney, counsel, solicitor, legal assistant or other legal adviser to any State entity unless that person is an assistant or deputy attorney general or other attorney authorized to do so by the Attorney General; nor shall any such person, other than an assistant or deputy attorney general or other attorney authorized to do so by the Attorney General, utilize or be denominated by any title such as "attorney," "counsel," "solicitor," "legal assistant" or "legal adviser."

2. In addition, without in any way limiting the provisions of section 1 hereof, the following shall apply:

a. The Attorney General shall have the sole authority to provide legal advice of any nature whatsoever to any State entity;

b. The Attorney General shall have the sole authority to provide advice as to the legality of all regulations or legislation, or amendments hereto;

c. The Attorney General shall be solely responsible for and shall have exclusive control over the conduct of all judicial and administrative litigation involving any State entity.

3. Consistent with the requirements of law and the intent and spirit of this Executive Order, attorneys may be employed by State entities, but they may not perform any function assigned to the Attorney General by law or by this Executive Order. Such attorneys may do the following:

a. Provide guidance as to the nature and substance of the various statutes and regulations governing the responsibilities of the

employing State entity, but only as said statutes and regulations are interpreted by the Attorney General;

b. Participate in negotiations on behalf of the employing entity, but only to the extent that any nonlawyer employee may so participate and not in a manner which could cause any other person to believe that he or she is acting as an attorney for such entity;

c. Appear for the employing entity in any proceeding in which an attorney is not required, but not in a manner which would cause any other person to believe that he or she is acting as an attorney for such entity, provided, however, that such attorneys may represent a State entity in a matter before the Office of Administrative Law but only with the prior written consent of the Attorney General;

d. Draft proposed regulations and proposed legislation, and amendments thereto, in accordance with the policy objectives of the employing entity, subject to the provision of paragraph 2b. above, and reduce to writing interim and final agency orders, subject to the review of the Attorney General;

e. Provide such litigation support as may requested by the Attorney General, subject to the supervision of the Attorney General.

4. On and after the effective date of this Executive Order, no State entity shall create or fill any position or employ any person for the purpose of performing any duty assigned to the Attorney General by law or by this Executive Order.

5. The Attorney General shall promptly undertake an assessment of those persons and/or positions outside the Department of Law and Public Safety who are or have been performing duties assigned to the Attorney General by law or by this Executive Order, and shall take whatever remedial action the Attorney General deems necessary or desirable, including, without limitation, steps (1) to designate such persons and/or positions for transfer to the Department of Law and Public Safety or (2), with regard to those persons and/or positions not designated for transfer, to require the employing State entity to restrict their duties to comply with the terms of this Executive Order. Such actions need not all be made simultaneously. Within a reasonable period of time from the date of each such transfer designation,

the persons and/or positions so designated shall be transferred, along with the concomitant resources, clerical and support staff and the funding associated therewith, to the Department of Law and Public Safety, where they shall serve in such capacity and perform such duties as may be designated by the Attorney General.

6. At any time in the future, whenever the Attorney General determines that any person and/or position employed by any State entity is performing duties assigned to the Attorney General by law or by this Executive Order, the Attorney General shall take such action as is necessary to ensure compliance with this Executive Order.

7. The Commissioner of Personnel and the Director of the Division of Budget and Accounting in the Department of the Treasury are directed to effectuate the prompt transfer of positions, resources and funding required by this Executive Order as identified by the Attorney General.

8. The purpose of this Executive Order is the consolidation within the Department of Law and Public Safety of all attorneys giving legal advice and representation to State entities and the resources necessary to support them. An attorney and/or position shall be subject to transfer under this Executive Order if a portion of the duties performed are among those assigned to the Attorney General by law or by this Executive Order. Any person or position performing the duties of a paralegal or legal assistant, and appropriate support personnel, shall be subject to the provisions of this Executive Order, as appropriate, and shall be subject to transfer in accordance with the procedures set forth herein, if so determined by the Attorney General.

9. All State entities are hereby directed to cooperate with and to support fully the Attorney General in the discharge of the responsibilities and obligations conferred by law and this Executive Order, including the duty to respond to requests for documents or information requested by the Attorney General.

10. The provisions of this Executive Order shall not apply to attorneys employed by the Legislative or Judicial Branches of State Government, the Office of the Governor or any State entity which has the specific statutory authority to employ separate legal advisers, but only to the extent so permitted.

11. Within 12 months from the date of this Executive Order, the Attorney General shall report to the Governor on the status of the implementation of this Executive Order and whether any further action is needed to assist in the implementation thereof.

12. This Order shall take effect immediately.

Issued March 14, 1990.

EXECUTIVE ORDER No. 7

WHEREAS, The expenditures of State government have increased and the services provided by State government have expanded dramatically in recent years; and

WHEREAS, It is vital to the economic health and prosperity of the State of New Jersey that public services be provided in a sound, efficient and economical manner and that the people of this State be assured of the wise expenditure of their tax dollars; and

WHEREAS, The economic climate in New Jersey is such that State government may be facing a period of severe fiscal constraint in the immediate future;

NOW, THEREFORE, I, James J. Florio, 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 Management Review Commission. The Commission shall have seven members which shall include representatives of government, business, labor, nonprofit organizations and academia. The Commission may select and retain such agents, assistants and consultants as necessary, and may utilize the services of executives and experts and other contributions from business and industry as it deems necessary to carry out its functions.

2. The Commission shall study and analyze the various departments, commissions, authorities and other functions of State government to ascertain the means by and manner in which the services of the State of New Jersey may be afforded to its citizens in the most efficient, expeditious and economical manner.

3. a. The Commission is authorized to call upon any department, office, division or agency of the State to supply such statistical data, program reports, or other information or personnel and materials as it deems necessary to discharge its responsibilities under this Order.

b. Each department, office, division or agency of the State is authorized and directed, to the extent not inconsistent with law, to cooperate with the Commission and furnish it such information and assistance as it may find necessary in the discharge of its responsibilities under this Order.

4. The Commission shall render to the Governor interim reports as it may deem appropriate or as the Governor may request and, upon completion of its work, the Commission shall render a full report of its findings and recommendations.

5. This Order shall take effect immediately.

Issued April 2, 1990.

EXECUTIVE ORDER No. 8

WHEREAS, The amount of solid waste that will need to be disposed of can be reduced through such environmentally safe and economically sound methods as source reduction and reuse techniques, recycling and composting; and

WHEREAS, The solid Waste Management Act, N.J.S.A.13:1E-1 et seq. ("Act"), mandates maximum practicable use of source reduction and reuse techniques, recycling and composting; and

WHEREAS, Proper solid waste disposal and recycling programs contribute to solving energy, environmental and economic problems; and

WHEREAS, The lack of coordinated Statewide planning and management has led to insufficient disposal capacity within the State and forced several counties to send their solid waste to out-of-State disposal facilities at great cost and questionable reliability; and

WHEREAS, Source reduction, reuse, recycling and composting efforts reduce demand for solid waste disposal facilities and, conversely, waste-to energy resource recovery facilities discourage the maximum use of other recycling activities; and

WHEREAS, Planning and construction of waste-to-energy resource recovery facilities require substantial capital expenditures and a guaranteed flow of processible and combustible waste; and

WHEREAS, Source reduction, reuse, recycling and composting must be increased before proceeding with further development of waste-to-energy resource recovery facilities; and

WHEREAS, Each county and the Hackensack Meadowlands District currently constitute a solid waste management district ("District") authorized to act independently or in combination with other Districts to plan for the disposal of solid waste; and

WHEREAS, Cooperative arrangements among Districts could limit the number of solid waste facilities and result in benefits to the citizens of the State; and

WHEREAS, 12 waste-to-energy resource recovery facilities are currently in the planning, engineering, design or environmental review stages and have not received final approval of solid waste facility engineering designs or begun construction or operation; and

WHEREAS, A sensible plan for dealing with the State's solid waste problem can be achieved by maximizing the use of source

reduction and reuse techniques, recycling, composting and other environmentally sound methods for dealing with solid waste, by reassessing options for landfilling, and by reassessing those waste-to-energy facilities that are currently being developed or are operating in this State;

NOW, THEREFORE, I, James J. Florio, 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. An Emergency Solid Waste Assessment Task Force ("Task Force") is hereby established, which shall consist of 15 members to be appointed by the Governor as follows:

- a. The Commissioner of Environmental Protection who shall serve as the Chairperson;
- b. The President of the Board of Public Utilities or his designee;
- c. The Commissioner of Community Affairs or his designee;
- d. The Attorney General or his designee;
- e. The State Treasurer or his designee;
- f. One representative from the Governor's Office;
- g. Two representatives of local or county governments;
- h. Four Representatives of environmental groups;
- i. One representative with experience in waste-to-energy resource recovery; and
- j. Two representatives with experience in recycling.

2. The Task Force shall:

- a. Estimate the quantity and characteristics of the waste stream for each District;

b. Identify and evaluate specific methods for reducing the amount of solid waste produced and for increasing reuse, recycling and composting of solid waste; determine what percentage of the solid waste stream can be eliminated by source reduction and reuse techniques, recycling or composting and when such percentages can be achieved;

c. Review current and projected solid waste disposal needs of the Districts for the next 20 years and evaluate existing landfill capacity;

d. Evaluate the environmental, health, safety and financial impacts of source reduction, reuse, recycling, composting, landfills and waste-to-energy resource recovery facilities; determine whether regionalized facilities would result in net benefits to the citizens of the State, and evaluate the impact on individual Districts;

e. Prepare a preliminary report indicating the amount of solid waste expected to be produced in New Jersey over the next 20 years, the amount that can be eliminated through source reduction, the amount that can be reused, recycled or composted, and the amount that must be disposed of by landfilling and waste-to-energy and other resource recovery methods; and

f. Take public comment, including hearings, on the preliminary report.

3. Within 120 days of the date of this Order, the Task Force shall submit recommendations to the Governor on the following:

a. A program to minimize the generation of solid waste and maximize reuse, recycling and composting. This program should specifically identify the percentages of waste which can be removed from the solid waste stream by reuse, recycling and composting and propose a schedule for those reductions in the waste stream;

b. Alternatives for the disposal of solid waste that cannot be removed from the waste stream through source reduction and reuse techniques, recycling or composting;

c. The benefits of and a process for regionalizing solid waste disposal facilities where appropriate;

d. The need for revision of environmental or other standards for resource recovery or other solid waste disposal facilities; and

e. Legislative and regulatory changes which are necessary to achieve the Task Force's recommendations.

4. During the Task Force's deliberations over the next 120 days, the following shall apply:

a. The Department of Environmental Protection shall not issue any final approval of any solid waste management plan that sites, increases the capacity of or approves financing for waste-to-energy resource recovery facilities;

b. The Department of Environmental Protection shall not issue any approval of Preliminary or Final Environmental and Health Impact Statements for any waste-to-energy resource recovery site or facility;

c. The Department of Environmental Protection shall not issue tentative or final approval of any solid waste facility engineering design now pending or hereafter submitted for any waste-to-energy resource recovery facility. Alterations, modifications or amendments to existing permits or approvals previously issued by the Department shall be affected by this Order;

d. The Department of Environmental Protection, the Board of Public Utilities and the Division of Local Government Services within the Department of Community Affairs shall not, pursuant to N.J.S.A.13:1E-136 et seq., issue any approval or conditional approval of any previously submitted proposed contract for the design, financing, construction, operation or maintenance of a waste-to-energy resource recovery facility; and

e. No State agency, commission or organization shall approve the issuance of debt or extend financing to any person or entity for use in planning, designing, acquiring, constructing, operating or maintaining a waste-to-energy resource recovery facility.

5. The Task Force is authorized to call upon any department, office, division or agency of this State to supply it with data and any other information, personnel or assistance it deems necessary to discharge its duties under this Order. Each department, office,

division or agency of the State is hereby required, to the extent not inconsistent with law, to cooperate with the Task force and furnish it with such information, personnel and assistance as is necessary to accomplish the purpose of this Order. The Attorney General shall act as legal counsel to the Task Force.

6. This Order shall take effect immediately.

Issued April 6, 1990.

EXECUTIVE ORDER No. 9

WHEREAS, Executive Order No. 1 established specific financial disclosure requirements for certain State officers and employees; and

WHEREAS, Executive Order No. 1 contemplated that the Order would be reviewed after implementation and amended or supplemented if necessary; and

WHEREAS, The Office of the Attorney General and the staff of the Executive Commission on Ethical Standards have completed an initial review of the implementation and content of Executive Order No. 1 and have made recommendations for alterations to the scope of particulars of Executive Order No. 1;

NOW, THEREFORE, I, James J. Florio, 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 definition of "Public employee" in section 7(a) of Executive Order No. 1 is hereby amended to include the following:

- a) Members of the State Board of Agriculture;
- b) Members of the State Board of Education;
- c) Members of the State Board of Higher Education;

- d) Members of the State Parole Board; and
- e) Presidents of the State colleges and universities.

2. The definition of "Public officer" in section 7(b) of Executive Order No. 1 is hereby amended to include the members of the following boards, independent authorities, and public corporations:

- a) Council on Affordable Housing;
- b) Agriculture Development Committee;
- c) Health Care Facilities Financing Authority;
- d) Election Law Enforcement Commission;
- e) Hazardous Waste Facilities Siting Commission;
- f) Health Care Administration Board;
- g) Hospital Rate Setting Commission;
- h) Low-Level Radioactive Waste Disposal Facility Siting Board;
- i) Merit System Board;
- j) New Jersey Council on the Arts;
- k) New Jersey Housing and Mortgage Financing Agency;
- l) New Jersey Commission on Science and Technology;
- m) New Jersey Racing Commission;
- n) New Jersey Transit Corporation;
- o) New Jersey Urban Enterprise Zone Authority;
- p) Public Employment Relations Commission;
- q) South Jersey Food Distribution Authority;

- r) State Lottery Commission;
- s) State Planning Commission;
- t) Tidelands Resource Council;
- u) Urban Development Corporation;
- v) Wastewater Treatment Trust; and
- w) Water Supply Authority.

3. The definition of "Public officer" in section 7(b) is hereby amended to exclude the members of the following boards, commissions, independent authorities, and public corporations:

- a) Rahway Valley Sewerage Authority; and
- b) Education Commission of the States.

4. Section 1(f) of Executive Order No. 1 is hereby amended so that Financial Disclosure Statements filed by public officers shall disclose sources of income for the 12-month period immediately preceding the filing date of the Statement. Public employees filing Financial Disclosure Statements before July 1 of any year shall provide the amount and source of income from January 1 of the preceding calendar year to date. Public employees filing Financial Disclosure Statements after July of any year shall provide the amount and source of income for the 12-month period immediately preceding the filing date.

5. This Order shall take effect immediately; however, those public employees and officers who are required to file Financial Disclosure Statements by virtue of sections 1 and 2 of this Order shall comply with this requirement within 60 days of this Order.

Issued April 18, 1990.

EXECUTIVE ORDER No. 10

WHEREAS, An effective transportation system is critical to the well-being of the citizens of New Jersey; and

WHEREAS, Investment in the State's transportation system has proven to be vital in fostering a stable and healthy economy; and

WHEREAS, Major decisions concerning the operation of and capital investment in our transportation system must be made in the context of a unified State transportation network; and

WHEREAS, The transportation system must be designed to support economic growth, relieve congestion, improve air quality, revitalize urban areas and provide coordination among the various modes of transportation; and

WHEREAS, The Commissioner of Transportation is statutorily empowered to coordinate all transportation planning and program development in the State; and

WHEREAS, The coordination of transportation planning and program development in the State by the Commissioner of Transportation should occur in conjunction with the various agencies and authorities whose mission is to provide transportation services to New Jersey's citizenry; and

WHEREAS, All transportation agencies must have clear business plans that clearly state their missions, goals and objectives, financial projections, capital programming criteria, and performance indicators;

NOW, THEREFORE, I, James J. Florio, Governor of the State of New Jersey, by the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and Direct:

1. a. There is hereby established the New Jersey Transportation Executive Council which shall advise the Commissioner of Transportation on transportation policies, priorities and progress. The Council through its Chairperson shall make recommendations to the Governor on overall transportation policy, capital and operating investments and related fiscal matters.

b. The Commissioner of Transportation shall serve as the Council's Chairperson and shall also represent New Jersey Transit Corporation on the Council. The Council shall also include the Chairpersons of the New Jersey Turnpike Authority, the New Jersey Highway Authority, the New Jersey Expressway Authority, the Delaware River Port Authority, the Port Authority of New York and New Jersey, the Delaware River and Bay Authority, the Delaware River Joint Toll Bridge Commission, the Palisades Interstate Park Commission, the Atlantic County Transportation Authority, the Cape May County Bridge Commission and the Burlington County Bridge Commission, the Commissioners of Commerce and Economic Development and Environmental Protection, the State Treasurer, the Governor's Director of Policy, the Director of the Governor's Authorities Unit and the Governor's Counsel for Legislation and Policy.

c. The Council shall be aided in its deliberations by a Technical Advisory Group which shall have the Assistant Transportation Commissioner for Policy and Planning as its Chairperson and shall include the Executive Director of New Jersey Transit, the Director of New Jersey Transit, Hudson River Waterfront Transportation Office, and the Executive Directors of the New Jersey Turnpike Authority, the New Jersey Highway Authority, the New Jersey Expressway Authority, the Port Authority of New York and New Jersey, the Delaware River Port Authority, the Delaware River and Bay Authority, the Delaware River Joint Toll Bridge Commission, the Palisades Interstate Park Commission, the Atlantic County Transportation Authority, the Cape May County Bridge Commission and the Burlington County Bridge Commission.

d. The Chairperson of the Council may establish such committees as he deems necessary to carry out the functions of the Council and shall name the members of the committees in his discretion.

2. The Commissioner of Transportation shall ensure that the State's Transportation plan and annual updated capital investment plan produced by the Department of Transportation reflect a coordinated, Statewide strategic plan for all modes of transportation in the State and all of the services provided by the State, and its agencies and authorities.

3. a. Each of the following agencies and authorities shall be required to complete a strategic business plan under the direction of and according to a timetable specified by the Commissioner of Transportation:

1. The Department of Transportation;
2. The New Jersey Turnpike Authority;
3. The New Jersey Highway Authority;
4. The New Jersey Expressway Authority;
5. The New Jersey Transit Corporation;
6. The Cape May County Bridge Commission;
7. The Burlington County Bridge Commission; and
8. The Atlantic County Transportation Authority.

b. In addition, each of the following agencies and authorities shall be requested to complete a strategic business plan under the direction of and according to a timetable specified by the Commissioner of Transportation:

1. The Port Authority of New York and New Jersey;
2. The Delaware River Port Authority;
3. The Delaware River and Bay Authority;
4. The Palisades Interstate Park Commission; and
5. The Delaware River Joint Toll Bridge Commission.

c. The Commissioner of Transportation shall define the requirements for each strategic business plan.

d. Each strategic business plan shall be submitted to the Commissioner of Transportation, who shall review each plan and return any plan or portion thereof for revision if he determines the plan to be incomplete or unsatisfactory.

e. The Commissioner shall require an annual update of each strategic plan.

4. The Commissioner of Transportation shall periodically report to the Governor on the activities and recommendations of the Transportation Executive Council and on the results of the strategic planning process established in sections 2 and 3 above.

5. The Commissioner of Transportation is authorized to call upon any department, office, division or agency of this State to supply him with data, and any other information, personnel or assistance he deems necessary to discharge his 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 with the Commissioner of Transportation and to furnish him with such information, personnel and assistance as is necessary to accomplish the purpose of this Order.

6. Executive Orders Nos. 25, 218 and 220 (Governor Kean) are hereby rescinded.

7. This Order shall take effect immediately and shall supersede any prior Executive Orders with which it is inconsistent.

Issued June 6, 1990.

EXECUTIVE ORDER No. 11

WHEREAS, Executive Order No. 5 signed by Governor Thomas H. Kean declared a State of Emergency in certain communities in New Jersey in response to a limited water supply, which emergency has now ceased; and

WHEREAS, Executive Order No. 12 created the Commission on Science and Technology, which Commission has subsequently been made permanent by statute at N.J.S.A.52:9X-1 et seq.; and

WHEREAS, Executive Order No. 14 created an Advisory Committee on Cancer, which Committee has completed its work; and

WHEREAS, Executive Order No. 20 created the Port Authority Development Advisory Committee, which Committee has completed its work; and

WHEREAS, Executive Order No. 28 created the Certified Public Manager Program in the Department of Civil Service (now the Department of Personnel), which program has been established by the Department of personnel by regulation under the authority of the Civil Service Reform Act, N.J.S.A.11A:6-25; and

WHEREAS, Executive Order No. 36 created an Advisory Committee on Capital Expenditures for Health Care Facilities and Executive Order No. 61 extended the Committee, which Committee has completed its work; and

WHEREAS, Executive Order No. 37 created a Committee on the Disabled and Executive Order No. 41 increased its membership, which Committee is duplicative of a new advisory council created by the Commissioner of Labor by administrative order; and

WHEREAS, Executive Order No. 46 created the Inter-Agency Procurement Committee and Executive Order No. 54 increased its membership, which Committee has completed its work that has been implemented through regulations published at N.J.A.C.12A:10-1.13; and

WHEREAS, Executive Order No. 63 created the Advisory Committee on Hispanic Affairs, which Committee has issued its initial report and has subsequently been made permanent by statute; and

WHEREAS, Executive Order No. 73 created the Pinelands Agricultural Study Commission, which Commission has issued its report and completed its function; and

WHEREAS, Executive Order No. 76 created a Solid Waste Emergency Task Force in response to a work stoppage by certain solid waste contractors, which work stoppage is over; and

WHEREAS, Executive Order No. 88 declared a State of Emergency in various county penal and correctional facilities, and directed the Commissioner of Corrections to designate places of confinement, which Executive Order has been codified by statute at N.J.S.A.30:4-85.1; and

WHEREAS, Executive Order No. 90 created the State Commission on Child Support, which Commission has issued its report and completed its functions; and

WHEREAS, Executive Order No. 95 created the Agricultural Financing Task Force and Executive Order No. 120 extended the Task Force, which Task Force has issued its report and completed its functions; and

WHEREAS, Executive Order No. 96 required the Division of Criminal Justice to turn over its file on the criminal investigation of an attorney to the Office of the Attorney Ethics, which file has been turned over; and

WHEREAS, Executive Order No. 111 required the Division of Criminal Justice to turn over a file to the Department of Civil Service (now the Department of Personnel) so that the latter could conduct an investigation and disciplinary hearings, which file has been turned over; and

WHEREAS, Executive Order No. 112 created the Law Enforcement Training Academy Study Commission, which Commission has completed its work; and

WHEREAS, Executive Order No. 128 ordered the removal of all Tylenol capsules and Tylenol-containing capsules from store shelves due to safety concerns regarding the sale of such capsules, which concerns no longer exist; and

WHEREAS, Executive Order No. 132 created the Intergovernmental Task Force on Motor Vehicles, which Task Force has completed its work; and

WHEREAS, Executive Order No. 145 created a mechanism to monitor and define the permissible use of special service employees, which Executive Order has been implemented through N.J.A.C.4A:3-3.8; and

WHEREAS, Executive Order No. 150 created a commission to study and make recommendations to improve the shad fishing rights of New Jersey commercial fishermen in the lower Delaware River and Bay, which Commission has completed its work; and

WHEREAS, Executive Order No. 154 created the Private Sector Advisory Panel on Motor Vehicles, which Advisory Panel has completed its work; and

WHEREAS, Executive Order No. 166 created the Task Force on Market-Based Pricing, which Task Force has issued its report and completed its functions; and

WHEREAS, Executive Order No. 167 created the Urban Affairs Cabinet Council, which Council has completed its work; and

WHEREAS, Executive Order No. 177 created a Task Force on the Laws Governing the University of Medicine and Dentistry of New Jersey and Executive Order No. 183 extended the Task Force, which Task Force has issued its report and completed its functions; and

WHEREAS, Executive Order No. 187 created the Task Force on Unemployment Insurance Financing, which Task Force has issued its report and completed its functions; and

WHEREAS, Executive Order No. 188 created the New Jersey Commission on Employment and Training and amended Executive Order No. 22 concerning the Job Training Coordinating Council, which Commission has subsequently been created by statute at N.J.S.A.52:18A-129 et seq.; and

WHEREAS, Executive Order No. 198 created the Performance Reward Committee to review and approve increases in salaries for members of the Executive Branch Senior Executive Service, which has been implemented through salary regulations adopted under the authority of the annual Appropriations Act; and

WHEREAS, Executive Order No. 201 required the Urban Enterprise Zone Authority to review applications on behalf of the State of New Jersey for federal urban enterprise zone consideration, which Authority has issued its report and completed its functions; and

WHEREAS, Executive Order No. 212 declares a State of Emergency due to a trash fire under portions on Routes 22 and 78 and adjacent to Route 1, which emergency has now ceased;

NOW, THEREFORE, I, James J. Florio, 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:

Executive Orders Nos. 5, 12, 14, 20, 28, 36, 37, 41, 46, 54, 61, 63, 73, 76, 88, 90, 95, 96, 111, 112, 120, 128, 132, 145, 150, 154, 166, 167, 177, 183, 187, 188, 198, 201, and 212 of Governor Thomas Kean are rescinded, and any regulations adopted and promulgated thereunder shall be null and void.

Issued June 14, 1990.

EXECUTIVE ORDER No. 12

WHEREAS, New Jersey State Government is committed to improving its methods of administration and promoting efficiency and economy on its operations; and

WHEREAS, The Governor's Management Review Commission in cooperation with the New Jersey Department of Personnel has undertaken a comprehensive operational review of the State's employee training and education efforts; and

WHEREAS, The Governor's Management Review Commission's Subcommittee on Statewide Training Issues was formed and charged with the responsibility to conduct a comprehensive review of the State's training efforts and to recommend changes that would reduce costs while improving the quality, quantity and delivery of training; and

WHEREAS, The study concluded that training could be more effectively and equitably planned, managed and delivered to the State's employees through the consolidation of State training activities under a Human Resource Development Institute established in the Department of Personnel; and

WHEREAS, The Commissioner of Personnel is authorized by law to develop programs to improve the efficiency and effectiveness of the public service including, but not limited to, employee training, development, assistance and incentives; and

WHEREAS, The coordination of training and education programs for all State agencies through the establishment of a Human Resource Development Institute within the Department of Personnel will result in the most efficient use of the State's resources;

NOW, THEREFORE, I, James J. Florio, 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 within the Department of Personnel a Human Resource Development Institute. The Human Resource Development Institute shall be responsible for the overall administration, coordination and conduct of all agency generic and specific type training and education programs for all State employees, including the management of media and audiovisual operations, quality control, facilities and administrative support for such programs.

2. The Human Resource Development Institute is authorized to consolidate under its auspices the operational responsibilities of existing employee training and education programs and the media and audiovisual operations currently housed within all State agencies. The technical law enforcement training and education of the State Police and Corrections Officers shall remain a function of their respective agencies, except that the Human Resource Development Institute shall exercise oversight responsibilities and establish guidelines and standards for the quantity and quality of such employee training, consultant usage and support services.

3. The Commissioner of Personnel is authorized to direct the orderly transfer of personnel, facilities and equipment of employee training and education programs and media and audiovisual operations from throughout the Executive Branch of State Government to the Human Resource Development Institute.

4. The Human Resource Development Institute may furnish training and education services to counties, municipalities, commissions, boards and other public entities upon request.

5. The Commissioner of Personnel shall organize the work of the Human Resource Development Institute in such units as he determines to be necessary for the efficient operation of the Institute and the effective training and education of State employees. In addition to the functions, powers and duties set forth herein, the Human Resource Development Institute shall exercise such other education and training functions as authorized by the Commissioner of Personnel.

6. Each department, office, division or agency of the State is authorized and directed, to the extent not inconsistent with law, to cooperate with the Commissioner of Personnel and to make available to him such information, personnel and assistance as necessary to accomplish the purposes of this Order.

7. This Order shall take effect immediately.

Issued August 21, 1990.

EXECUTIVE ORDER No. 13

WHEREAS, The continued economic growth and revitalization of Atlantic City and its surrounding area are of critical importance to all of the citizens of the State of New Jersey; and

WHEREAS, The development of Atlantic City from a gaming center into a worldwide resort and convention center is fundamental to its continued economic growth and revitalization; and

WHEREAS, This further development of Atlantic City will require that major decisions be made concerning the construction of housing, public facilities and other infrastructure, transportation, the environmental impact of further development and the means of funding such further development, which decisions must carefully assess the City's, region's and State's needs; and

WHEREAS, There exist many municipal, regional and State entities that have an impact on Atlantic City and its environs and that can and must participate in the decision-making and implementation process; and

WHEREAS, The major decisions concerning the growth and revitalization of Atlantic City and the region must be made in the context of a unified and coordinated effort; and

WHEREAS, The establishment of a Coordinating Council with a broad-based representation will ensure that the development occurs in a thoughtful and cohesive manner;

NOW, THEREFORE, I, James J. Florio, 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-Atlantic City Coordinating Council. The Council shall provide the leadership necessary to develop Atlantic City into a resort, tourism and convention center while simultaneously providing for residents' housing needs and preserving existing neighborhoods. The Council shall ensure the coordination and cooperation between and among the State, regional and municipal agencies engaged in development activities in and around Atlantic City.

2. The Council shall be headed by the Commissioner of Commerce, Energy and Economic Development and the Mayor of Atlantic City who shall serve as its co-chairpersons. The membership of the Council shall also include the chairpersons of the Casino Reinvestment Development Authority, the Casino Control Commission, the Atlantic County Improvement Authority, the Atlantic County Transportation Authority, the Atlantic County Convention Hall Authority and the Small, Women, and Minority Business Authority, the Commissioners of Transportation and Environmental Protection, the County Executive of Atlantic County and the Director of the Governor's Authorities Unit.

3. The co-chairpersons of the Council may appoint business representatives and any other appropriate local representatives to be members of the Council.

4. The Council shall identify development priorities for Atlantic City and Atlantic County. It shall review the City-wide study conducted by the Casino Reinvestment Development Authority, the plans of the Atlantic County Improvement Authority for a convention hall and housing development and the plans of the Atlantic City Housing

Authority, the Corridor Development Team and Atlantic County Transportation Authority. The process shall also include discussions with the business community to identify its concerns, priorities and suggested solutions to investment and development issues.

5. Particular emphasis shall be placed on the following development projects:

- a. Atlantic City International Airport;
- b. Transportation improvements;
- c. Continued housing development in the Northeast Inlet;
- d. Preservation of existing neighborhoods;
- e. Revitalization of Atlantic Avenue and the development of other commercial areas; and
- f. Construction of a convention center at the foot of the Atlantic City Expressway.

6. The co-chairpersons of the Council shall communicate with private developers, investors and banks to encourage appropriate investment and development in Atlantic City and the surrounding areas.

7. The Commissioner of Commerce, Energy and Economic Development shall inquire of any State department to identify sources of financial assistance applicable to Atlantic City development projects with the purpose of committing those funds toward priority projects.

8. To the extent not inconsistent with law, each department, office, division or agency of this State is hereby directed to cooperate with the Council, and upon request of the Council to furnish such information and assistance as is necessary to accomplish the purposes of this Order.

9. This Order shall take effect immediately and shall supersede any prior Executive Order with which it is inconsistent.

Issued August 23, 1990.

EXECUTIVE ORDER No. 14

WHEREAS, The New Jersey Advisory Council on Holocaust Education (Advisory Council) was created by Executive Order on October 5, 1982 to assist and advise in the implementation of education programs on the Holocaust and genocide in the public schools; and

WHEREAS, The Advisory Council is currently scheduled to terminate on September 1, 1990; and

WHEREAS, The Advisory Council has provided valuable assistance that should continue to be available for public school districts that seek to enhance their curricula on the Holocaust and on genocide in world history;

NOW, THEREFORE, I, James J. Florio, 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 Advisory Council on Holocaust Education shall continue in existence through and including September 1, 1991.

2. The Council shall provide a report to the Governor by June 30, 1991 describing its recent activities and any additional future projects that it recommends be undertaken with regard to Holocaust education.

3. Except as expressly provided herein, Executive Orders Nos. 17, 87, 168 and 225 (Kean) shall remain in full force and effect.

4. This Order shall take effect immediately.

Issued August 31, 1990.

EXECUTIVE ORDER No. 15

WHEREAS, The President of the United States issued an Executive Order on August 22, 1990, authorizing the Secretary of Defense to call up select members of the Reserve and

National Guard to active duty during the Middle East crisis and authorizing the Secretary of Transportation to similarly call up members of the Coast Guard Reserve;

WHEREAS, Reserve and National Guard members who are activated during this crisis serve a vital national interest for which they deserve the full support of the citizens of this State;

WHEREAS, The State of New Jersey recognizes that a strong, ready Reserve and National Guard are essential to the defense of this country and vital to this State in time of emergency or natural disaster;

WHEREAS, The State of New Jersey encourages its employees to serve in the Reserve and National Guard and recognizes the personal and economic sacrifices of its employees who are called to active duty during the Middle East crisis;

NOW, THEREFORE, I, James J. Florio, 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. New Jersey State employees who are called to active duty during the Middle East crisis shall be entitled upon termination of active duty to return to State employment with full seniority and benefits consistent with State and federal military reemployment and seniority rights.

2. During active duty for a total of up to 180 days, these State employees shall be entitled to receive a salary equal to the differential between the employee's State salary and the employee's military pay.

3. These State employees shall be entitled to State employee health benefits, life insurance and pension coverage during active duty service for which they receive differential salary as prescribed in the Order as if they were on paid leave of absence.

4. The Commissioner of Personnel shall implement this Executive Order and each department, office, division or agency of this State is authorized and directed, to the extent not inconsistent with law, to cooperate with the Commissioner of Personnel and to

make available to him such information, personnel and assistance as necessary to accomplish the purposes of this Order.

5. This Order shall take effect immediately.

Issued September 13, 1990.

EXECUTIVE ORDER No. 16

WHEREAS, The Governor's Study Commission on Discrimination in Public Works Procurement and Construction Contracts (hereinafter "Study Commission") was created by Executive Order to investigate, research and report on the nature and scope of any discrimination in public works procurement and construction contracts awarded by the State and to recommend remedies for any discrimination; and

WHEREAS, The final report of the Study Commission is now due on February 9, 1991 by virtue of Executive Order No. 5; and

WHEREAS, The Study Commission is continuing to investigate and research discrimination in public works procurement and construction contracts awarded by the State, but does not anticipate that it will be able to complete its final report by February 9, 1991; and

WHEREAS, The mission of the Study Commission would also be aided by the inclusion of a representative of New Jersey Transit on the Study Commission and by the streamlining of the procedures governing its operations prior to the adoption of a final report;

NOW, THEREFORE, I, James J. Florio, 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 Study Commission shall report its findings and recommendations concerning past and present discriminatory practices in public works procurement and construction contracts no later than August 14, 1991.

2. The membership of the Study Commission shall be increased to include the Executive Director of New Jersey Transit or her designee.

3. Except for the purpose of adopting a final report to the Governor, one-third of the members of the Study Commission shall constitute a quorum at any meeting of the Study Commission.

4. Except for the purpose of adopting a final report, actions may be taken and motions and resolutions adopted by the Study Commission at any meeting thereof by the affirmative vote of the majority of the quorum or of seven members of the Study Commission, whichever is greater.

5. Except for the purpose of adopting a final report, the Study Commission may solicit the vote of the full membership by written ballot on such matters, under such circumstances and in such manner as the Chair deems appropriate.

6. Except as provided in sections 1 through 5 of this Executive Order, all other terms of Executive Order No. 5 shall remain in force and effect.

7. This Order shall take effect immediately.

Issued September 28, 1990.

EXECUTIVE ORDER No. 17

WHEREAS, Barbara Boggs Sigmund has selflessly served the citizens of Mercer County as the first woman on the County Board of Freeholders and has similarly served the people of Princeton Borough on its Council and as its Mayor; and

WHEREAS, She has been an active, prominent participant in the political arena of the State of New Jersey; and

WHEREAS, She has faced great personal adversity with abundant grace, good humor, dignity and immeasurable courage and has inspired others through her determination; and

WHEREAS, Her public dedication and accomplishment have never detracted from her devotion to her family; and

WHEREAS, It is appropriate and fitting for the State of New Jersey to mark the passing of Barbara Boggs Sigmund, a valiant, committed public servant;

NOW, THEREFORE, I, James J. Florio, 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 mast at all State departments, offices, agencies and instrumentalities during appropriate hours beginning on Thursday, October 11, 1990, through and including Saturday, October 13, 1990 in recognition and mourning of the passing of a distinguished New Jersey citizen, Barbara Boggs Sigmund.

2. This Order shall take effect immediately.

Issued October 10, 1990.

EXECUTIVE ORDER No. 18

WHEREAS, The New Jersey State Government is committed to providing a safe and healthy working environment for its employees and to improving methods of administration to promote efficiency and economy in its operations; and

WHEREAS, The State of New Jersey provides sick leave injury benefits to employees for injury or illness directly caused by and arising from State employment; and

WHEREAS, The total annual cost of providing State employee sick leave injury benefits is approximately \$30 million, which includes costs for lost work days, overtime usage, temporary workers, medical expenses and program administration; and

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WHEREAS, The Governor's Management Review Commission, in cooperation with the Department of Personnel, has undertaken a comprehensive operational review of the State employee sick leave injury program; and

WHEREAS, This review has disclosed a need for greater supervisory and managerial accountability, a Statewide information system to monitor sick leave injury usage, loss control efforts and employee health, safety and accident prevention programs; and

WHEREAS, This review has also shown that improvements in the sick leave injury program can result in Statewide significant reductions in sick leave injury usage and costs; and

WHEREAS, The Commissioner of Personnel has instituted a pilot program to review the current Statewide sick leave injury program to develop methods for reducing costs and expediting benefits where appropriate;

NOW, THEREFORE, I, James J. Florio, 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 Personnel shall establish a new pilot program which shall incorporate all of the areas under review in the current sick leave injury pilot program and shall also include:

a. A review of the State employee workers' compensation and temporary disability insurance programs and appropriate consolidation in these areas; and

b. A structural and operational analysis to determine the administrative functions of the State sick leave injury program and the appropriate agency to which responsibility for the program should be assigned.

2. The Commissioner of Personnel shall establish a Task Force, which he or a designee shall chair, to be comprised of the State Treasurer or a designee, the Commissioners of Transportation, Labor, Human Services and Corrections, or their designees, and other individuals deemed appropriate by the Commissioner of

Personnel. The Task Force shall review and evaluate the current sick leave injury program and make recommendations regarding its future to the Commissioner of Personnel.

3. After reviewing Task Force recommendations, the Commissioner of Personnel shall prepare and implement:

a. A Statewide policy for a comprehensive disability management program focusing on insuring the general health and safety of the State's work force;

b. A data base for employee sick leave injury and disability leave usage;

c. Standard reporting, operating and auditing procedures for employee sick leave injury and disability leaves and workers' compensation;

d. Control processes to reduce overtime and productivity losses;

e. Health, safety, training and accident prevention programs; and

f. Coordination of standard medical review procedures for handling claims and sharing of medical facilities among agencies.

4. The Commissioner of Personnel shall implement this Executive Order and each department, office, division or agency of the State is authorized and directed, to the extent not inconsistent with law, to cooperate with the Commissioner of Personnel and to make available to him such information, personnel and assistance as necessary to accomplish the purposes of this Order.

5. This Order shall take effect immediately.

Issued October 17, 1990.

EXECUTIVE ORDER No. 19

WHEREAS, The State of New Jersey is committed to an economical and effective State government and recognizes that the employment of competent senior managers who are accountable for their performance is indispensable to the achievement of this goal; and

WHEREAS, The Senior Executive Service (SES) was established by the 1986 Civil Service Reform Act to attract, retain and develop professional senior level managers with demonstrated skills and expertise for leadership positions in New Jersey State Government; and

WHEREAS, The Governor's Management Review Commission and the Commissioner of Personnel have reviewed the operation of the current SES program and recommend a centralized, Statewide system rather than the current departmentally-focused process; and

WHEREAS, There is a need to develop appropriate criteria for SES positions as well as a performance-based compensation system and to establish a talent bank, procedures for mobility assignments and succession planning for SES employees;

NOW, THEREFORE, I, James J. Florio, 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 Senior Executive Service system of high level managers shall be implemented on a Statewide basis and administered by the Commissioner of Personnel.
2. The compensation program for SES managers shall be designed to insure high performance standards, documented achievement and fair and consistent salaries, and shall be administered from a central salary account by the Department of Personnel.
3. The Commissioner of Personnel shall establish executive development programs to ensure that the SES appointees are well-trained, competent managers.

4. The Commissioner of Personnel shall develop and implement an SES plan which shall include:

- a. criteria for identifying SES positions and making appointments;
- b. a review of current SES positions and redesignation of positions where appropriate;
- c. a compensation and benefits program based on performance standards and achievement;
- d. an executive development program for SES members;
- e. the optimal use of mobility assignments and the development of succession plans; and
- f. a Human Resource Information System including a talent bank to be used for, among other things, SES selection, mobility assignments and succession planning.

5. The Commissioner of Personnel shall prepare an implementation plan and schedule for achieving the directions contained in this Order within 60 days of this Order.

6. The Commissioner of Personnel shall implement this Executive Order and each department, office, division or agency of the State is authorized and directed, to the extent not inconsistent with law, to cooperate with the Commissioner of Personnel and to make available to him such information, personnel and assistance as necessary to accomplish the purposes of this Order.

7. This Order shall take effect immediately.

Issued October 17, 1990.

EXECUTIVE ORDER No. 20

WHEREAS, The Delaware Bay is generally divided in the middle by the boundary between the State of New Jersey and the State of Delaware; and

WHEREAS, The State of New Jersey and the State of Delaware have attempted to independently manage the harvest of weakfish in the Delaware Bay through divergent laws and regulations; and

WHEREAS, Despite these efforts, the number of weakfish that use the Delaware Bay as their principal spawning area declined dramatically in 1989 and there are indications that this decline will continue in the future; and

WHEREAS, Threats to the weakfish population and the environmental integrity of the Delaware Bay are a bi-state concern which, if not addressed, could result in a negative impact upon the recreational and commercial fishing industry, as well as affect the overall economies of the State of New Jersey and the State of Delaware; and

WHEREAS, Weakfish have been a significant recreational and commercial fish in the Delaware Bay during the last two decades; and

WHEREAS, The management and protection of the Delaware Bay and its natural resources are of great concern to the governments of both States; and

WHEREAS, The State of Delaware has enacted House Joint Resolution No. 29, approved by the Governor of the State of Delaware on July 26, 1990, which Resolution requested that the State of New Jersey enter into a joint commission to investigate the causes of the decline of the weakfish population and to stem the tide of that decline; and

WHEREAS, It is imperative that action must be taken before the beginning of the 1991 spawning season to ensure the conservation of the weakfish;

NOW, THEREFORE, I, James J. Florio, 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 joint study commission with the State of Delaware, which commission shall be known as the

Delaware Bay Weakfish Action Commission with a membership of 22 members. The 11 members appointed from the State of New Jersey shall consist of:

- a. The Commissioner of Environmental Protection or her designee;
 - b. Two members of the Senate, to be appointed by the Governor, each a member of a different political party; two members of the General Assembly to be appointed by the Governor, each a member of a different political party;
 - c. Six public members to be appointed by the Governor, two members shall be licensed commercial fishermen who net weakfish in the Delaware Bay, two shall be recreational fishermen who use hook and line to harvest weakfish in the Delaware Bay, and two members shall be boating captains who utilize the Delaware Bay.
2. In addition to the 11 voting members, two nonvoting members shall be appointed by the Governor, and both nonvoting members shall be employed by an institute of higher education with technical experience in the field of marine studies.
 3. The Commission shall convene as soon as practicable after the appointment of its members, to select a co-chairperson who shall serve jointly with the co-chairperson selected by the members of the Commission appointed by the State of Delaware.
 4. It shall be the duty of the Commission to investigate the status and management of the weakfish that inhabit the Delaware Bay, as well as the cause of the decline of the weakfish population in the Delaware Bay, and to inquire into ways in which the decline of this weakfish population may be corrected.
 5. The Department of Environmental Protection and the Marine Fisheries Council shall provide the members of the Commission appointed from this State with whatever staff assistance that the Commission may require in order to properly perform its duties.
 6. The Commission shall issue a preliminary report of its findings, conclusions and recommendations to the Governors and the Legislatures of both States by January 15, 1991. The Commission shall issue a final report of its findings, conclusions and recommen-

datations along with any proposed legislation which it may desire to the Governors and the Legislatures of the respective states by March 1, 1991. Recommendations submitted in the final report must be approved by at least 12 voting members of the Commission.

7. Meetings of the Commission shall be held alternately in each state.

8. This Order shall take effect immediately and shall supersede any prior Executive Order with which it may be inconsistent.

Issued October 18, 1990.

EXECUTIVE ORDER No. 21

I, James J. Florio, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. November 23, 1990, the day following Thanksgiving, shall be granted as a day off to employees who work in the Executive Departments of State Government and who are paid from State funds or from federal funds made available to the State, whose functions, in the opinion of their appointing authority, permit such absence.

2. An alternate day off shall be granted to the aforementioned category of employees whose functions, in the opinion of their appointing authority, precludes such absence on November 23, 1990.

Issued November 19, 1990.

EXECUTIVE ORDER No. 22

WHEREAS, Providing our children with a quality education is important to the future of our State; and

WHEREAS, The Supreme Court, in its decision known as Abbott v. Burke on June 5, 1990, mandated the State to correct the

educational disparities which exist in the delivery of educational services and programs and provide an equitable distribution of State school aid to all school districts in New Jersey; and

WHEREAS, on July 3, 1990, the Quality Education Act of 1990 was signed into law as P.L.1990, c.52, to address, among other things, the disparities cited in the Abbott v. Burke decision; and

WHEREAS, The public interest of citizens of the State of New Jersey requires that the State undertake a thorough review and assessment of the progress of educational reform and improvement in New Jersey, including the Quality Education Act of 1990, and conduct a thorough review, assessment and analysis of current educational practices, programs and structure to determine what changes, if any, are required in order to ensure the delivery of a thorough and efficient education to the children of New Jersey;

NOW, THEREFORE, I, James J. Florio, 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 Commission on Quality Education in New Jersey.
2. The Commission shall consist of no more than 30 members. The Governor shall appoint two (2) members of the Commission and designate them as co-chairpersons of the Commission. The co-chairpersons shall select and appoint the remaining members of the Commission in consultation with the Commissioner of Education. The public members to be appointed shall be representatives of a broad cross-section of the citizens of the State of New Jersey, including, but not limited to, education, labor, business and community leaders. The co-chairpersons and public members shall serve at the pleasure of the Governor or until the life of the Commission expires by this Order.
3. A Commission vacancy shall be filled by the Governor for the remainder of the unexpired term.
4. It shall be the charge and duty of the Governor's Commission on Quality Education to:

(a) identify the world class educational requirements that will address the needs of New Jersey's children, communities and businesses in the year 2000 and beyond;

(b) prepare a report(s) to the Governor that will outline specific, realistic recommendations that address the goals and objectives of a quality education for all the young people in New Jersey;

(c) conduct a thorough study and review of the Quality Education Act; and

(d) provide the opportunity for public input and discussion to identify the key issues surrounding the implementation of the Quality Education Act;

(e) provide the Governor with recommendations, based on that input, for modifications to and complements for the Quality Education Act consistent with the Supreme Court's decision in Abbott v. Burke on June 5, 1990 (119 N.J. 287 (1990)); and

(f) make recommendations for the creation of a permanent forum for continued public input, discussion and recommendations of policy options to the Governor, Legislature, the State Board of Education and Commissioner of Education for quality education in New Jersey.

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

6. The Commission may meet and hold hearings at the place it designates for these purposes, and shall issue interim reports, findings and recommendations as it shall determine to the Governor. The Commission shall issue its final report to the Governor on or before December 31, 1992.

7. The reports of the Commission shall be made available to all interested parties.

8. This Order shall take effect immediately, and shall expire on December 31, 1992.

Issued December 27, 1990.

EXECUTIVE ORDER No. 23

WHEREAS, The storm which occurred on December 27 to December 28, 1990 created severe weather conditions, including snow, freezing rain and icing, which resulted in hazardous road conditions and which threatened life and property; and

WHEREAS, Those weather conditions posed a threat and constituted a disaster from a natural cause which threatened and endangered the health, safety or resources of the residents of more than one municipality and county of this State; and which was in some parts of the State, and in other parts of the State might have become, too large in scope to be handled in its entirety by the normal municipal operating services; and

WHEREAS, The Constitution and statutes of the State of New Jersey, particularly the provisions of the Laws of 1942, Chapter 251 (N.J.S.A.App.A:9-30 et seq.) and Laws of 1979, Chapter 240 (N.J.S.A.38A:3-6.1) and the Laws of 1963, Chapter 109 (N.J.S.A.38A:2-4) and all amendments and supplements thereto, confer upon the Governor of the State of New Jersey certain emergency powers; and

WHEREAS, Acting Governor John A. Lynch, after consultation with and upon the recommendation of State Emergency Management Personnel, verbally declared that a Limited State of Emergency existed in the State on December 28, 1990; and

WHEREAS, In response to the State of Emergency, Acting Governor John A. Lynch authorized the Adjutant General of the

Department of Military and Veterans' Affairs and the New Jersey National Guard to take appropriate emergency action, if necessary, in accordance with the Laws of 1963, Chapter 109 (N.J.S.A.38A:2-4) and the Laws of 1979, Chapter 240 (N.J.S.A.38A:3-6.1) as supplemented and amended, and in accordance with the Laws of 1942, Chapter 251 (N.J.S.A.App.A:9-30 et. seq.) as supplemented and amended, authorized the Superintendent of the Division of State Police, who is the State's Director of Emergency Management, through the police agencies under his control, to determine the control and direction of the flow of such vehicular traffic on any State highway, municipal or county road, that he, in his discretion, deemed necessary for the protection of the health, safety and welfare of the public; and

WHEREAS, The exigencies which required the declaration of the Limited State of Emergency on December 28, 1990 did not permit the preparation, in advance, of a written Executive Order declaring a Limited State of Emergency;

NOW, THEREFORE, I, James J. Florio, Governor of the State of New Jersey, do hereby ORDER and DIRECT:

1. The verbal declaration by Acting Governor John A. Lynch of a Limited State of Emergency on December 28, 1990, is hereby ratified, and
2. The severity of the weather conditions which necessitated the declaration of a State of Emergency having ceased by 12:00 midnight on December 28, 1990, the State of Emergency is hereby terminated effective 12:00 midnight on December 28, 1990.

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

Issued January 9, 1991.