

EXECUTIVE ORDER No. 211

WHEREAS, Executive Order No. 193 created a Governor's Advisory Council on Mental Health Services Planning to (a) conduct a comprehensive review of New Jersey's mental health system, (b) assess and formulate public policy issues affecting the mentally ill, and (c) develop a comprehensive State mental health plan; and

WHEREAS, The Council was required to report its findings and recommendations to the Governor by December 31, 1989; and

WHEREAS, The Council has been pursuing its mandate in accordance with the Order but is unable to complete its Final Report by the end of the year; and

WHEREAS, The Council has formally requested a six-month extension of its tenure;

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

1. The term of the Governor's Advisory Council on Mental Health Services Planning is hereby extended for a period of six months and will expire on June 30, 1990. The Governor's Advisory Council on Mental Health Services Planning shall issue an Interim Report of its findings and recommendations to the Governor on November 1, 1989 and a Final Report prior to June 30, 1990.

2. All other provisions of Executive Order No. 193 remain in full force and effect without any modification.

3. This Order shall take effect immediately.

Issued August 4, 1989.

EXECUTIVE ORDER No. 212

WHEREAS, Flammable and otherwise dangerous materials have been placed under and adjacent to portions of Routes 22 and 78 and adjacent to Routes 1 and 9 in the City of Newark; and

WHEREAS, A catastrophic fire has occurred in those materials and has resulted in substantial structural damage to a portion of Route 78; and

WHEREAS, The damage to the affected portion of Route 78 has totally impeded the flow of traffic over this major highway; and

WHEREAS, Route 78 serves as a major artery in this State's highway system, is a component of the Interstate System which is designed to connect principal metropolitan areas and industrial centers and to serve the national defense, 23 U.S.C. § 103, and is a highway that is critical to the free flow of traffic to and from a major airport; and

WHEREAS, The presence of these materials constitutes an immediate threat to the public health, safety and welfare of the citizens of the State of New Jersey in the form of a continued threat of additional catastrophic fire; and

WHEREAS, The presence of these materials constitutes an immediate threat of further damage or other impediments to the use of Route 78 and other major transportation routes and facilities in the area; and

WHEREAS, The effective and immediate management and control of the removal, storage and disposal of these materials is beyond the capabilities of the owners and lessees of the property described herein and the local authorities; and

WHEREAS, The management and control of the traffic emergency created by the destruction of this critical portion of Route 78 is beyond the capabilities of local authorities; and

WHEREAS, This Order is essential to achieve an expeditious and efficient cleanup of these materials to prevent a further occurrence of this nature and to manage the traffic emergency caused by severe damage to this portion of Route 78; and

WHEREAS, The Constitution and statutes of the State of New Jersey, particularly the provisions of the Laws of 1942, Chapter 251 (C.App.A:9-34, C.App.A:9-51) and all amendments and supplements thereto, confer upon the Governor of the State of New Jersey certain emergency powers;

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

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

2. I hereby empower the Commissioner of Environmental Protection, the Commissioner of Transportation and the Director of the Office of Emergency Management, individually or together, to use, seize, impound, quarantine, secure, restrict access to, or require the vacating of, or the making of modifications or improvements, temporary or permanent, to any real or personal property which in their judgment is reasonably required to abate the emergency caused by the presence of these materials and the consequent threat to public health and welfare as described above.

3. I direct the Commissioner of Environmental Protection to coordinate the seizure, removal and disposal, without regard to the Interdistrict and Intradistrict Solid Waste Flow Rules (N.J.A.C. 7:26-6.1 et seq.), of all materials that he, in his discretion, deems to present a threat to the health, safety and welfare of the public.

4. I direct the Director of the Office of Emergency Management to coordinate the control and direction of the flow of vehicular traffic on any State or interstate highway, municipal or county road, including the right to detour, reroute or divert any or all traffic and to prevent ingress or egress from the area designated in this Executive Order that he, in his discretion, deems necessary for the protection of the health, safety and welfare of the public.

5. I direct the Commissioner of Transportation to undertake immediately all acts necessary to accomplish, as expeditiously as possible, the restoration and repair of the damaged portion of Route 78.

6. It shall be the duty of every person or entity in this State or doing business in this State and the members of the governing body, and of each and every official, agent or employee of every political subdivision in this State and of each member or all other governmental bodies, agencies and authorities in this State of any nature whatsoever, fully to cooperate with the Commissioners of Environmental Protection and Transportation and the Director of the Office of Emergency Management in all matters concerning this emergency.

7. This Order shall take effect immediately.

Issued August 10, 1989.