

## EXECUTIVE ORDER No. 161

WHEREAS, On October 17, 1986, President Reagan approved the "Super Fund Amendments and Reauthorization Act of 1986" (the Act) which contains new provisions for emergency planning and community right to know; and

WHEREAS, Among these new provisions is one which requires that the Governor of each state appoint a State Emergency Response Commission within six months of the Act's effective date; and

WHEREAS, This Commission, within nine months of the Act's effective date, is required to designate emergency planning districts so as to facilitate preparation and implementation of emergency plans; and

WHEREAS, The Act specifically authorizes the Commission to designate existing political subdivisions as emergency planning districts; and

WHEREAS, To the extent practicable, the Commission must be comprised of individuals with technical expertise in the emergency response field; and

WHEREAS, The Governor is specifically authorized to designate as the State Emergency Response Commission an existing State-sponsored or appointed emergency response commission or organization; and

WHEREAS, The "Emergency Services Act of 1972" established the Governor's Advisory Council for Emergency Services, which is comprised of the Attorney General, the Adjutant General of the Department of Defense, the Commissioner of the Department of Community Affairs, the Commissioner of the Department of Environmental Protection, the Commissioner of the Department of Transportation, and the President of the Board of Public Utilities; and

WHEREAS, The members of this Council, along with the Commissioner of the Department of Health and the Superintendent of the Division of State Police, who also serves as Director of the State Office of Emergency Management, have been determined to possess the necessary expertise to serve as members of the State Emergency Response Commission which must be established pursuant to the federal Act;

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

1. There is hereby created a State Emergency Response Commission for the State of New Jersey, hereinafter referred to as "the Commission."

2. The Commission shall consist of the present members of the Governor's Advisory Council for Emergency Services, the Commissioner of the Department of Health and the Superintendent of the Division of State Police, who is also the Director of the State Office of Emergency Management.

3. The Commission shall perform all duties and acts prescribed by the federal "Super Fund Amendments and Reauthorization Act of 1986."

4. In designating emergency planning districts, the Commission shall utilize existing political subdivisions consistent with the provisions of C. App. A:9-30 et seq.

5. The Office of Emergency Management within the Division of State Police shall serve as the primary agency for implementing the Act's Title III, Subtitle A requirements, while the Department of Environmental Protection shall serve as the primary agency for implementing the Act's Title III, Subtitle B requirements.

6. The Commission is authorized to accept such funds as may be made available to the Commission to carry out its responsibilities pursuant to the federal Act and this Executive Order.

7. In carrying out its responsibilities pursuant to the federal Act and this Executive Order, the Commission is authorized to call upon any department, office, division or agency of the State to supply such data, reports or other information it deems necessary. Each department, office, division or agency of the State is authorized and directed, to the extent not inconsistent with law, to cooperate with the Commission and to furnish it with such information, personnel and assistance as necessary to accomplish the purpose of the federal Act and this Executive Order.

8. Nothing in this Executive Order shall restrict or otherwise limit the statutory duties, functions and powers of the Governor's Advisory Council for Emergency Services or the Right to Know Advisory Coun-

cil which was established pursuant to the "Worker and Community Right to Know Act of 1983."

9. To the extent possible, the Commission and the Right to Know Advisory Council shall coordinate their respective activities in carrying out any overlapping functions and duties.

10. This Order shall take effect immediately.

Issued February 13, 1987.

---

EXECUTIVE ORDER No. 162

WHEREAS, The Tax Reform Act of 1986 (the Act) has been enacted into law; and

WHEREAS, The Act provides for a new type of tax credit that may be claimed by owners of residential rental projects providing low income housing; and

WHEREAS, The Act imposes the State Housing Credit Ceiling on the aggregate amount of tax credits which may be allocated during each calendar year to such low income projects within each state; and

WHEREAS, The Act provides for the allocation of the State Housing Credit Ceiling to the Housing Credit Agency of each state; and

WHEREAS, One or more agencies and authorities of the State of New Jersey may qualify as the aforementioned Housing Credit Agency; and

WHEREAS, The Governor is delegated the authority by the Act to direct the allocation of the State Housing Credit Ceiling to the state agency or authority deemed most appropriate to distribute such credit; and

WHEREAS, A specific designation of the agency to whom the State Housing Credit Ceiling should be allocated will avoid any subsequent ambiguity concerning this matter; and

WHEREAS, In order to assure the efficient and beneficial utilization of the aforesaid tax credit under the Act, the New Jersey Housing and Mortgage Finance Agency should be designated the Housing Credit Agency for the State of New Jersey and, as such,