



Executive Prerogative: The Use of Executive Orders in New Jersey

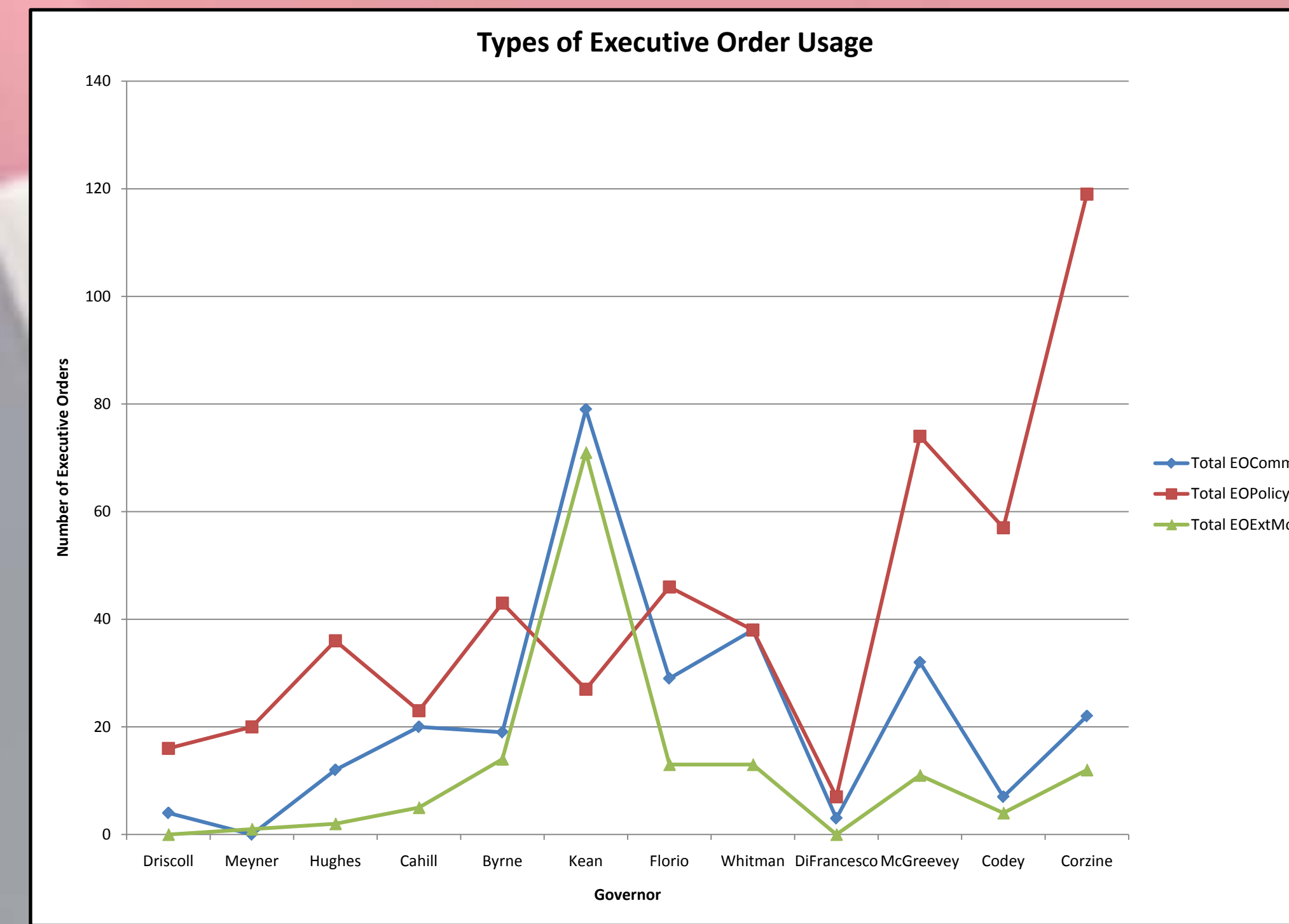
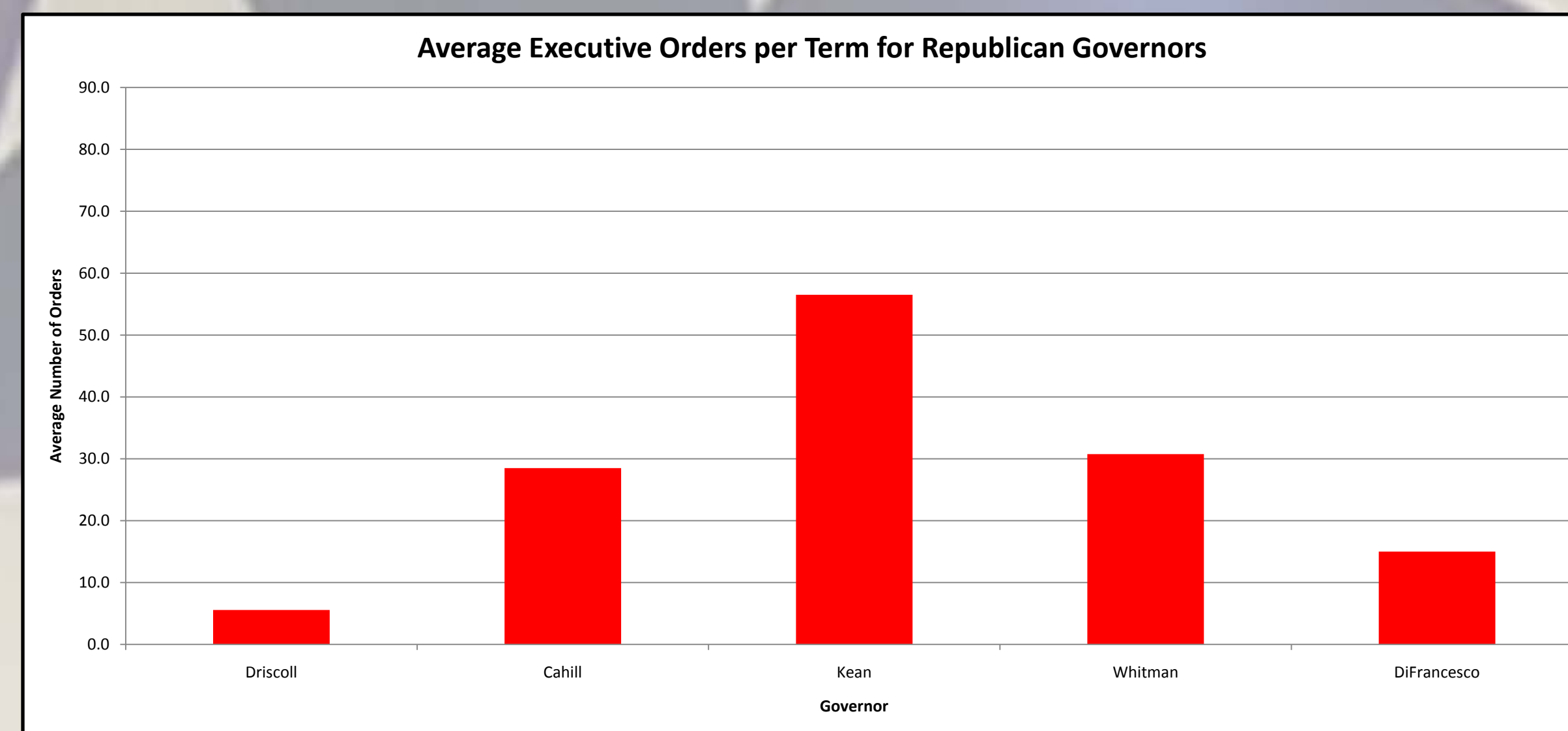
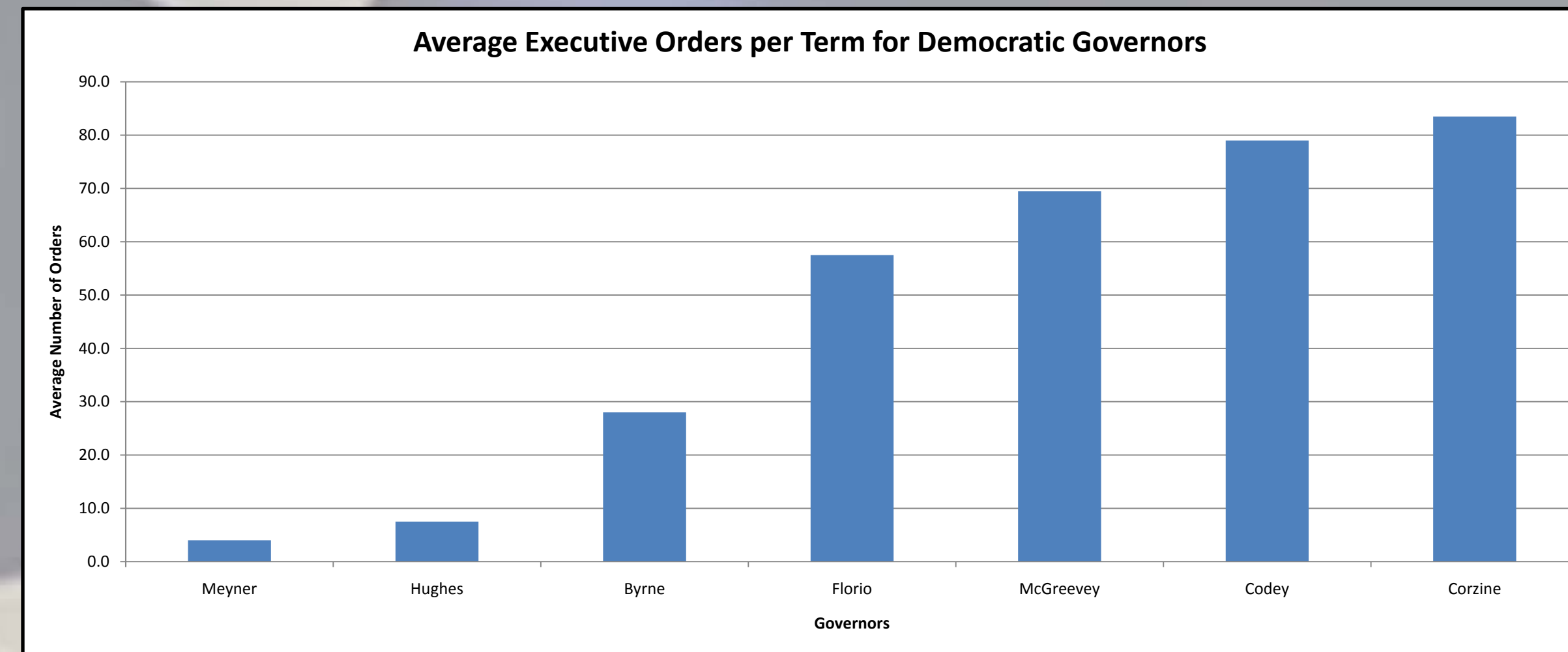
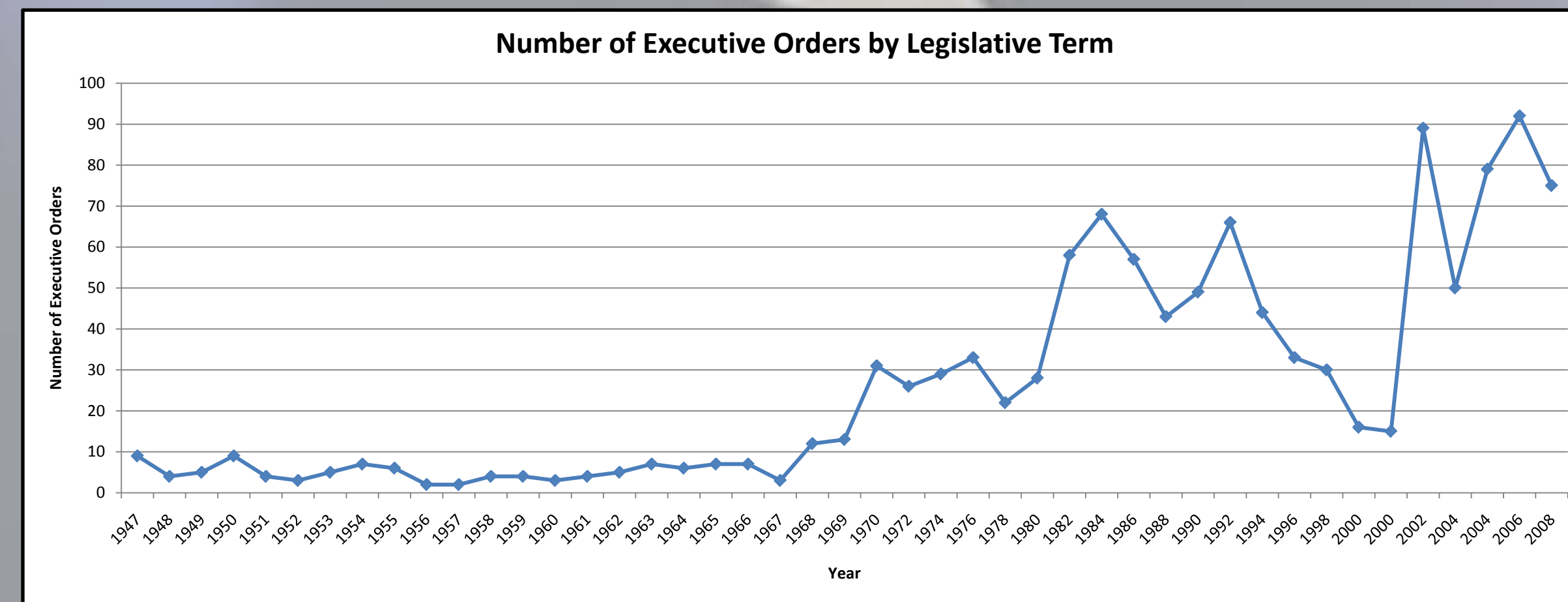
Exploratory Data Analysis Using Time Series

Through the New Jersey Digital Legal Library and the State of New Jersey's government website we were able to access data regarding each executive order issued by a New Jersey governor. We developed a dataset showing the frequency with which executive orders were used for each legislative term in New Jersey between 1947 and 2009.

The dataset records for each legislative term, the governor, his or her party, the majority party of each branch of the legislature, the party of the legislature as a whole, which was determined by the majority control of both the senate and assembly, and the number of executive orders used in each term. We note that we did not include in our dataset two gubernatorial terms in 2002 that involved interim governors who were in their terms for only a few days.

Exploratory data analysis using basic time series methods were used to observe patterns in the use of executive orders over the entire period of 1947 to 2009. Moreover, we explore the use of these orders over a particular governor's term. Analyses are presented of the total number of executive orders, and then the executive orders are also examined by type.

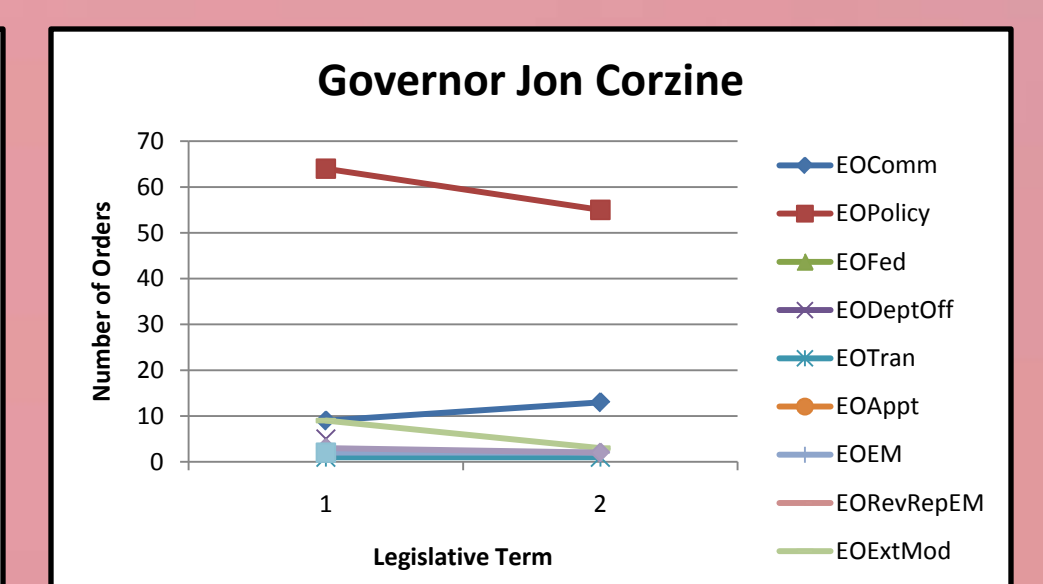
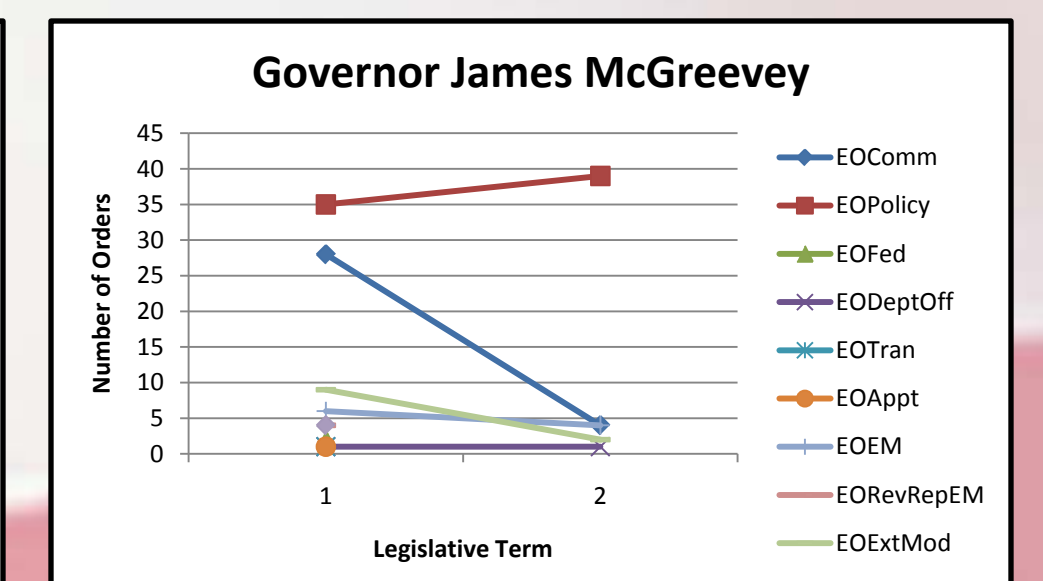
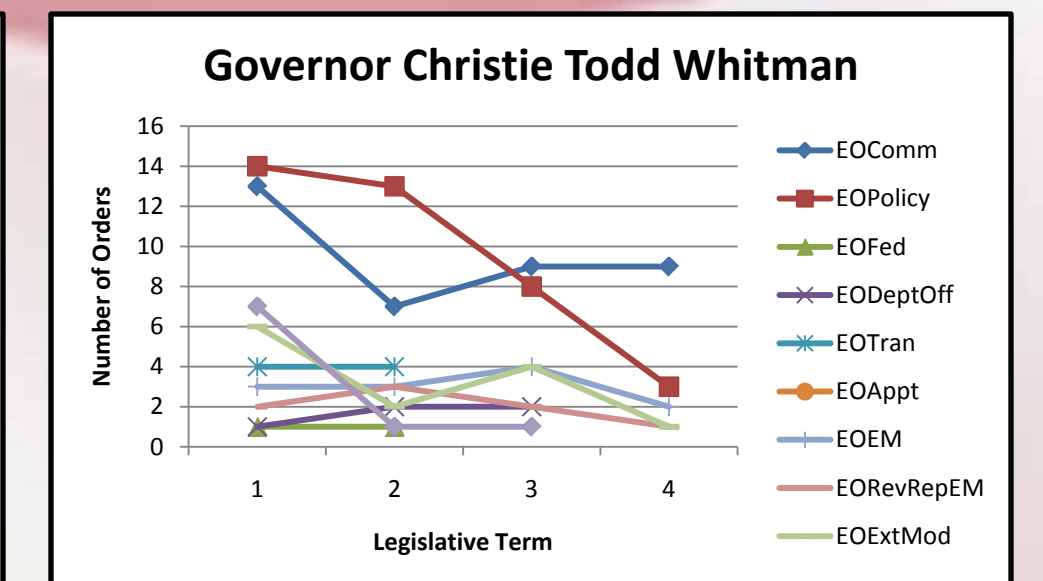
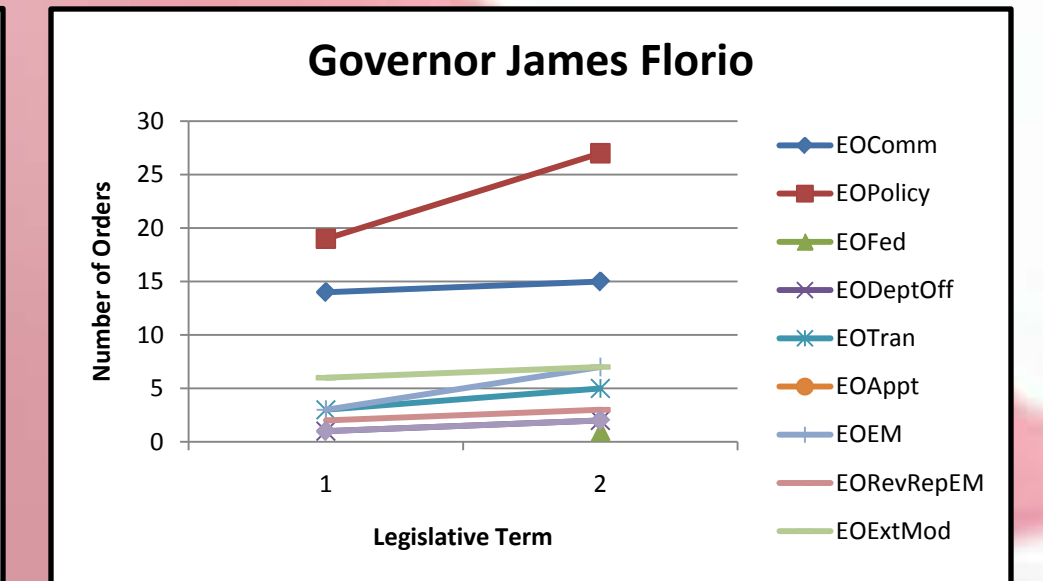
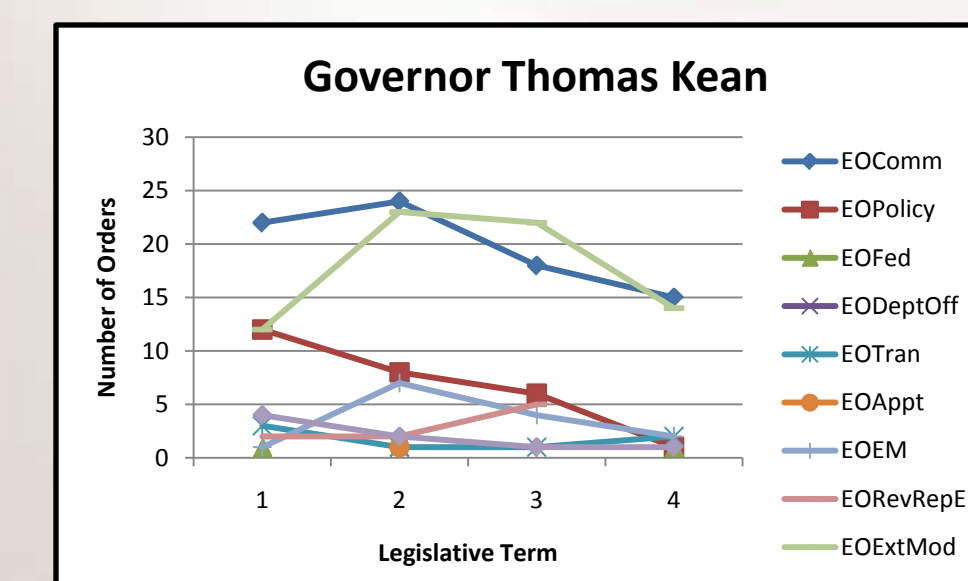
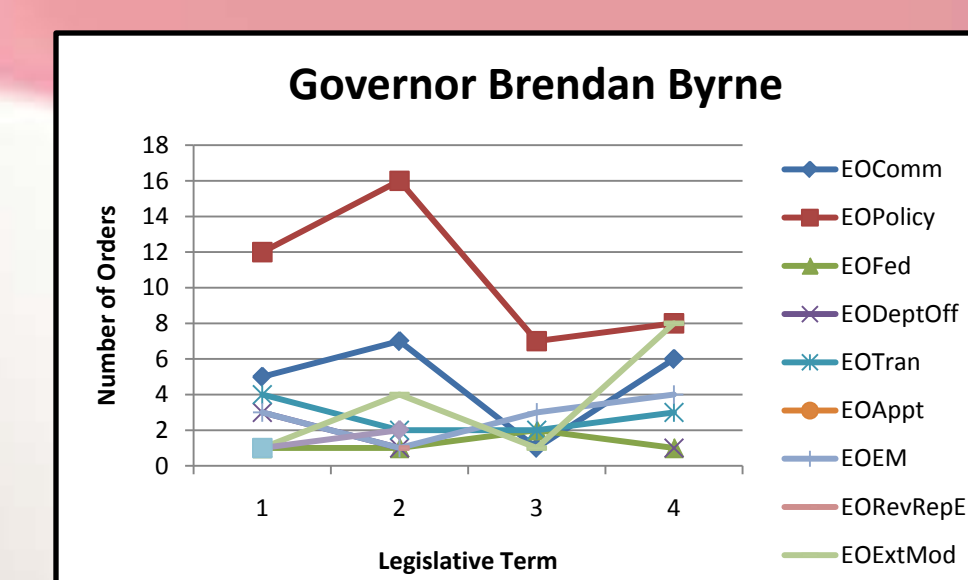
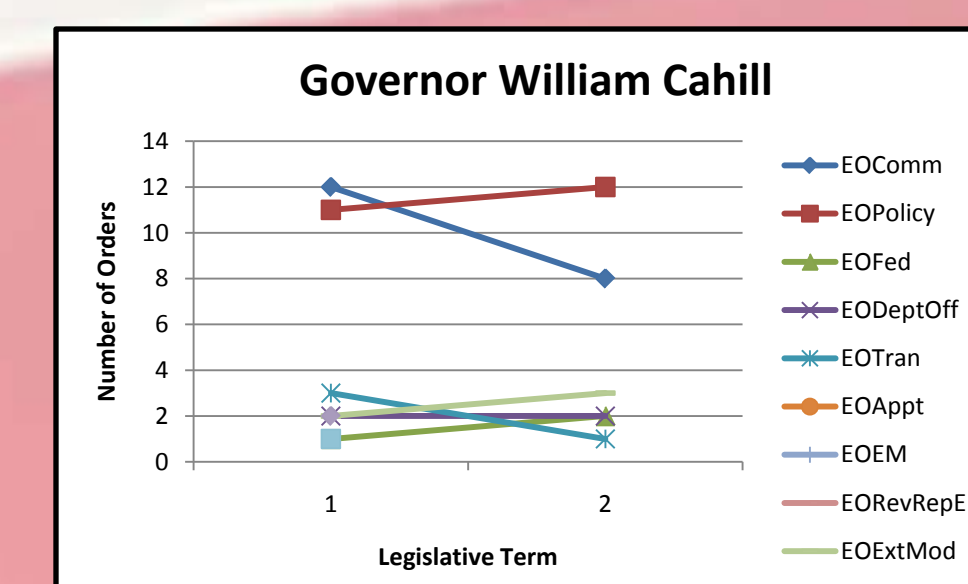
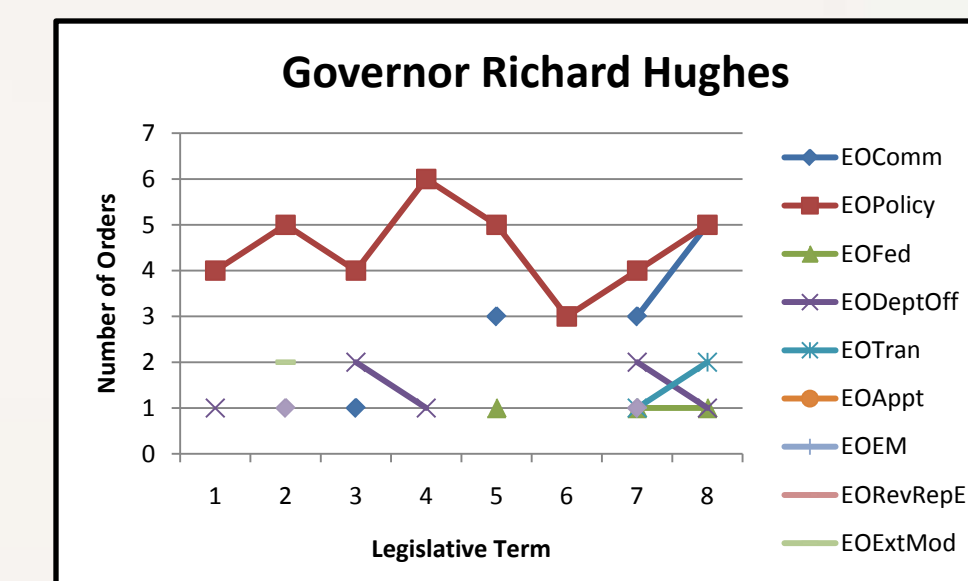
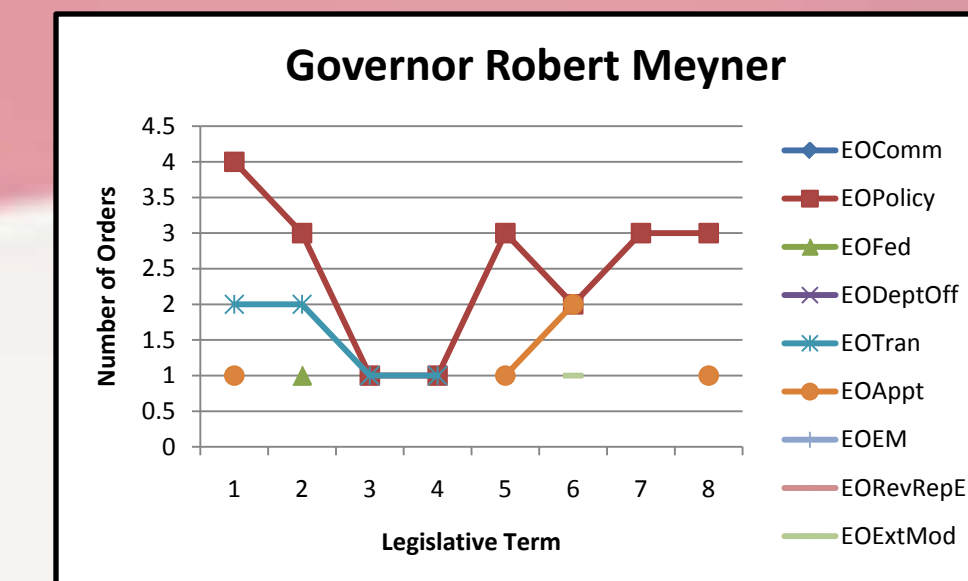
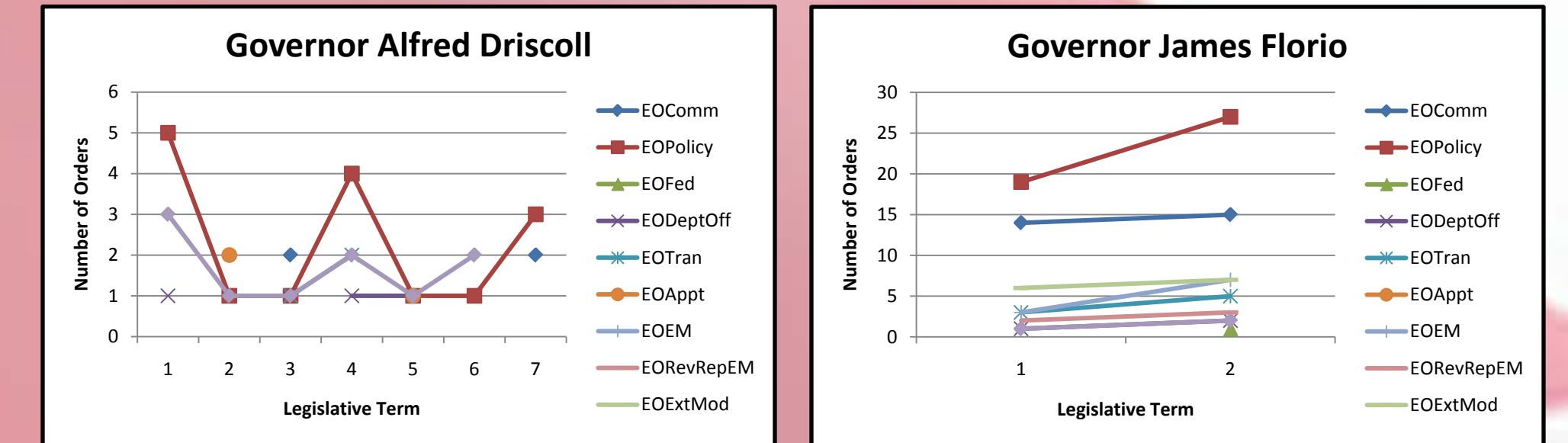
Established hypothesis testing was used to look for differences between the population of Republican governors and Democratic governors in their use of executive orders. Based on the literature in reference to executive power in general and the use of executive orders in particular, eight hypotheses were developed for this study in order to test under what circumstances governors chose to utilize executive orders during their administration. The Wilcoxon rank-sum test was used to make observations at a significance level of 0.05.



Analysis Using Hypothesis Testing

Test Number	Hypothesis	Group 1 Measure	Group 2 Measure	Conclusion	Group 1 Rank Sum	Group 2 Rank Sum	Result
1	The number of executive orders per legislative term will be higher with Republican New Jersey governors than with Democratic New Jersey governors.	47.0 average EO's per legislative term	27.3 average EO's per legislative term	In fact, Democratic governors used more EO's on average	40	38	Difference not statistically significant
2	In legislative terms where New Jersey governors share the same political party as the majority held in the legislature, fewer executive orders will be used on average than in terms when the governor's party differs from the majority in the legislature.	27.0 EO's on average in terms where governor and legislative majority are the same	20.8 EO's on average in terms where governor and legislative majority are the same	In fact, in terms where the governor and the legislative majority are the same more EO's are used on average	506	197	Difference not statistically significant
3	In legislative terms where New Jersey governors share the same political party as the majority held in the Senate, fewer executive orders will be used on average than in terms when the governor's party differs from the majority in the Senate.	27.0 EO's on average in terms where governor and Senate majority are the same	18.9 EO's on average in terms where governor and Senate majority are the same	In fact, in terms where the governor and the Senate majority are the same more EO's are used on average	678.5	402.5	Difference was weakly significant (p = 0.067)
4	In legislative terms where New Jersey governors share the same political party as the majority held in the Assembly, fewer executive orders will be used on average than in terms when the governor's party differs from the majority in the Assembly.	26.2 EO's on average in terms where governor and Assembly majority are the same	21.2 EO's on average in terms where governor and Assembly majority are the same	In fact, in terms where the governor and the Assembly majority are the same more EO's are used on average	841.5	286.5	Difference not statistically significant
5	New Jersey governors that have a political party different than the governor that precede them will have a higher number of executive orders than those who have the same political party as their predecessors.	1.03 revoke or repeal EO's on average per legislative term for governors who are of the same political party as their predecessors	1.07 revoke or repeal EO's on average per legislative term for governors who are of a different political party as their predecessors	The average number per legislative term of revoke/repeal EO's are very similar in both groups	52	53	Difference not statistically significant
6	New Jersey governors that have a political party different than the governor that precede them will have a higher number of executive orders in their first legislative term than those who have the same political party as their predecessors.	2.25 extend or modify EO's on average per legislative term for governors who are of the same political party as their predecessors	4.80 extend or modify EO's on average per legislative term for governors who are of a different political party as their predecessors	Indeed, we do see a higher use in their first term of extend/modify EO's for governors who are of the same political party as their predecessors	46.5	58.5	Difference not statistically significant
7	New Jersey governors that have a political party that is the same as the governor that precede them will have a higher number of executive orders in their first legislative term than those who have the same political party as their predecessors.	1.57 extend or modify EO's on average per legislative term for governors who are of the same political party as their predecessors	2.14 extend or modify EO's on average per legislative term for governors who are of a different political party as their predecessors	In fact, we see a lower average use of extend/modify EO's for governors who are of the same political party as their predecessors	49.5	55.5	Difference not statistically significant
8	New Jersey governors that have a political party that is the same as the governor that precede them will have a higher number of executive orders in their first legislative term than those who have the same political party as their predecessors.	3.14 extend or modify EO's on average in their first legislative term for governors who are of the same political party as their predecessors	3.86 extend or modify EO's on average in their first legislative term for governors who are of a different political party as their predecessors	In fact, we see a lower average use in the first term of extend/modify EO's for governors who are of the same political party as their predecessors	48	57	Difference not statistically significant

Executive Order Usage by Governor



Selected Bibliography:

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