

at the pleasure of the Governor. The committee members shall choose a vice chairperson from among the members of the committee.

e. The committee may further organize itself in any manner it deems appropriate and enact bylaws as deemed necessary to carry forth the responsibilities of the committee.

2. Sections 2 through 9 of Executive Order No. 37 are to remain in effect as originally issued.

3. This Order shall take effect immediately.

Issued June 21, 1983.

EXECUTIVE ORDER No. 42

WHEREAS, The special education regulations of the Department of Education, N. J. A. C. 6:28-1.1 et seq., are due to expire on August 1, 1983, pursuant to the sunset provision of Executive Order No. 66 of 1978; and

WHEREAS, The Department of Education was scheduled to readopt, with slight modification, the current regulations effective August 1, 1983, thus avoiding any gap in the law governing special education; and

WHEREAS, The Public Advocate has requested, pursuant to C. 52:14B-4a.(3), that the Department of Education conduct a public hearing on the regulations pursuant to C. 52:14B-4g., prior to adoption; and

WHEREAS, The Public Advocate's request for a public hearing renders it impossible for the Department of Education to have new special education regulations enacted, to replace the regulations which expire on August 1, 1983, until September 6, 1983, thus creating a gap in the law governing special education of 35 days in duration; and

WHEREAS, Such a gap places the State in the position of being in violation of our own assurances to the United States Department of Education, submitted in support of our proposal to receive federal special education funds pursuant to Pub. L. 94-142, and poses significant problems for the numerous special education suits currently in progress Statewide; and

WHEREAS, The Department of Education has requested a 35-day waiver of the five-year sunset provision of Executive Order No. 66 of 1978 for the special education regulations, thus extending the expiration date of the current special education regulations from August 1, 1983, through, to, and including September 6, 1983;

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. Good cause has been shown to grant the request for a 35-day waiver of Executive Order No. 66 of 1978 in order to permit the current special education regulations to remain in effect through, to, and including September 6, 1983; and

2. The five-year sunset provision of Executive Order No. 66 of 1978 is hereby waived for the Department of Education's special education regulations, N. J. A. C. 6:28-1.1 et seq., and the expiration for the special education regulations is extended for a period of 35 days, from August 1, 1983, through, to and including September 6, 1983.

Issued June 29, 1983.

EXECUTIVE ORDER No. 43

WHEREAS, The State Prisons and other penal and correctional institutions of the New Jersey Department of Corrections continue to house populations of inmates in excess of their capacities and remain seriously overcrowded; and

WHEREAS, These conditions continue to endanger the safety, welfare and resources of the residents of this State; and

WHEREAS, The scope of this crisis prevents local governments from safeguarding the people, property and resources of the State; and

WHEREAS, Executive Order No. 27 (Kean) of January 10, 1983, expires July 20, 1983; and