5. The commission shall submit a report to the Governor, containing its recommendations, by December 15, 1985 or sooner if practicable. The commission’s report shall include recommended salary adjustments, if any, for executive, legislative and judicial officers.

6. This Order shall take effect immediately.

Issued November 12, 1985.

EXECUTIVE ORDER No. 125

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 that:

1. November 29, 1985, 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 or other funds made available in the State, whose functions, in the opinion of their appointing authority, permit such absence.

2. An alternative day off shall be granted to the aforementioned category of employees whose functions, in the opinion of their appointing authority, preclude such absence on November 29, 1985.

Issued November 12, 1985.

EXECUTIVE ORDER No. 126

WHEREAS, On October 19, 1984, the 98th Congress of the United States enacted Amendments to the Vocational Education Act of 1963, which amendments are referred to as the Carl B. Perkins Act of 1984, Federal Public Law 98-524; and

WHEREAS, The public interest of citizens of the State of New Jersey requires that the State shall do all that is or may be required to secure for the State of New Jersey the benefits of Federal appropriations under the Perkins Act for all purposes specified therein; and
WHEREAS, The Perkins Act requires as a condition for receipt of Federal assistance for vocational education programs, services and activities in New Jersey, the abolition of State Vocational Education Advisory Council and the establishment of a State Council on Vocational Education with 13 members; and

WHEREAS, The Perkins Act does not set terms for the membership of the State Council nor fully define the duties of the State Council;

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 and the Carl B. Perkins Act of 1984, do hereby ORDER and DIRECT:

1. There is hereby established in but not of the Department of Education the New Jersey State Council on Vocational Education, hereinafter referred to as the "State Council."

2. The State Council shall consist of 13 members, to be appointed by the Governor, who shall be broadly representative of citizens and groups within the State having an interest in vocational education. Members shall serve for terms of three years; except that, of the initial appointees, four shall serve for terms of one year, four shall serve for terms of two years, and five shall serve for terms of three years. Any individuals appointed to fill unexpired terms shall serve for the unexpired portions of the terms. The State Council members shall be appointed from among the following constituent groups, as required by the Perkins Act:

(a) Seven individuals who are representative of the private sector in the State, five of whom shall be representative of business, industry and agriculture, and two of whom shall be representative of labor organizations. Of the representatives of business, industry and agriculture, one shall be representative of small business concerns and one shall be a private sector member of the State Job Training Coordinating Council established pursuant to Section 122 of the Job Training Partnership Act. Due consideration should be given to the appointment of individuals who serve on a private industry council under the Job Training Partnership Act or on State councils established under other related federal acts.

(b) Six individuals who are representative of secondary and postsecondary vocational institutions (equitably distributed among such institutions), career guidance and counseling organizations
within the State, and those who have special knowledge and qualifications with respect to the special educational and career development needs of special populations (including women, the disadvantaged, the handicapped, individuals with limited English proficiency, and minorities), one of whom shall be representative of special education.

3. The State shall satisfy the establishment and membership of the State Council at least 90 days prior to the beginning of each planning period described in Section 113 (a) (1) of the Perkins Act.

4. For the purpose of securing the fullest implementation in New Jersey of the Perkins Act, the State Council shall do all that is or may be required to secure for the State of New Jersey the benefits of appropriations under such act, including specifically:

(a) Meet with the State Board of Education or its representatives during the planning year to advise on the development of the State plan;

(b) Advise the State Board of Education and make reports to the Governor, the business community and general public of the State concerning policies the State should pursue to strengthen vocational education (with particular attention to programs for the handicapped) and initiatives and methods the private sector could undertake to assist in the modernization of vocational education programs;

(c) Analyze and report on the distribution of spending for vocational education in the State and on the availability of vocational education activities and services within the State;

(d) Furnish consultation to the State Board of Education on the establishment of evaluation criteria for vocational education programs within the State;

(e) Submit recommendations to the State Board of Education on the conduct of vocational education programs conducted in the State which emphasize the use of business concerns and labor organizations;

(f) Assess the distribution of financial assistance furnished under the Perkins Act, particularly with the analysis of the distribution of financial assistance between secondary vocational education programs and postsecondary vocational education programs;
(g) Recommend procedures to the State Board of Education to ensure and enhance the participation of the public in the provision of vocational education at the local level within the State, particularly the participation of local labor organizations;

(h) Report to the State Board of Education on the extent to which the individuals described in Section 201 (b) of the Perkins Act are provided with equal access to quality vocational education programs; and

(i) Evaluate at least once every two years the vocational education program delivery systems assisted under the Perkins Act and under the Job Training Partnership Act in terms of their adequacy and effectiveness in achieving the purpose of each of the two Acts, make recommendations to the State Board of Education on the adequacy and effectiveness of the coordination that takes place between vocational education and the Jobs Training Partnership Act, and advise the Governor, the State Board of Education, the State Job Training Coordinating Council, and the Secretaries of Education and Labor of these findings and recommendations.

5. The State Council shall meet as soon as practicable after the appointment of members by the Governor has been made and certification of these appointments has been accepted by the United States Secretary of Education. The State Council shall select from among its membership a chairperson, who shall be representative of the private sector. The time, place, and manner of meetings as well as council operating procedures and staffing shall be as provided by the rules of the State Council, except that such rules must provide for not less than one public meeting each year at which the public is given an opportunity to express views concerning the vocational education program of the State.

6. The State Council is authorized to obtain the services of such professional, technical and clerical personnel as may be necessary to enable it to carry out its functions under the Perkins Act and to contract for such services as may be necessary to enable the State Council to carry out its evaluation functions independent of programmatic and administrative control by other State boards, agencies, and individuals.

7. The expenditure of the funds paid pursuant to the Perkins Act is to be determined solely by the State Council for carrying out its functions under the Federal Act, and may not be diverted or reprogrammed for any other purpose by any State board, agency
or individuals. The State Council shall designate an appropriate State agency or other public agency, eligible to receive funds under the Federal Act, to act as its fiscal agent for purposes of disbursement, accounting, and auditing.

8. The New Jersey State Vocational Education Advisory Council, as established by Federal law and Governor Hughes's Executive Order No. 52 (1969), and amended by Governor Cahill's Executive Order No. 23 (1981) and Governor Byrne's Executive Order No. 63 (1978), is hereby abolished.

9. This Executive Order shall take effect immediately.


EXECUTIVE ORDER No. 127

WHEREAS, The State prisons and other penalty 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. 89 (Kean) of January 18, 1985 expires January 20, 1986; and

WHEREAS, The conditions specified in Executive Order No. 106 (Byrne) of June 19, 1981, continue to present a substantial likelihood of disaster;

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 declare a continuing state of emergency and ORDER and DIRECT as follows: