

MAINE STATE LEGISLATURE

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OFFICE OF
THE GOVERNOR

NO. 15 FY 90/91
DATE June 24, 1991

AN ORDER TO RECONSTITUTE
THE MAINE COUNCIL ON VOCATIONAL EDUCATION

WHEREAS, on September 25, 1990, the 101st Congress of the United States enacted Amendments to the Carl D. Perkins Vocational Education Act of 1984, which amendments are referred to as the Carl D. Perkins Vocational and Applied Technology Education Act of 1990, Federal Public Law 101-392 (hereinafter referred to as the "Perkins Act"); and

WHEREAS, the public interest of citizens of the State of Maine requires that the State shall do all that is or may be required to secure for the State of Maine the benefits of Federal appropriations under the Perkins Act for all purposes specified therein; and

WHEREAS, the Perkins Act requires that each state establish a council on vocational education as a condition of the receipt of federal funds for vocational education programs; and

WHEREAS, Maine has previously complied with this federal requirement through the establishment of a council by Executive Order 7 FY 84/85; and

WHEREAS, Maine has passed legislation permanently establishing the Maine Human Resource Development Council (hereinafter referred to as the "MHRDC") with a broad mandate to develop and assist in the implementation of a State employment and training policy that will create a coherent, integrated system of human resource development programs; and

WHEREAS, the implementation by the MHRDC of its responsibility for overall coordination of employment and training programs must include vocational education as a vital component of the State's human resource development policy; and

In making appointments to the State Council, due consideration shall be given to those persons who serve on a private industry council under the Job Training Partnership Act or on State councils established under other related federal acts and to those persons who are members of the MHRDC and who possess the qualifications necessary to serve on the State Council.

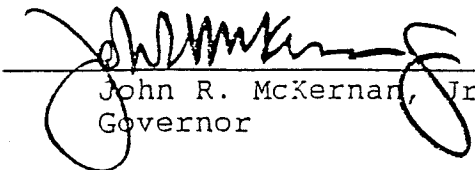
Terms of Members

Members shall serve for terms of three years, except that, of the initial appointees pursuant to this Executive Order, 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. The terms of any member of the State Council who is also a member of the MHRDC shall be the same as his or her term on the MHRDC. Any individual appointed to fill an unexpired term shall serve for the unexpired portion of the term.

Function and Duties of the Council

- A. The functions of the State Council shall be in accordance with Section 113 of Public Law 101-392.
- B. The State Council shall:
 1. meet with the State Board of Education (hereinafter referred to as the State Board) or its representatives to advise on the development and make recommendations to the subsequent State Plan for Vocational Education. The State Council may submit a statement to the Secretary of the United States Department of Education reviewing and commenting upon the State Vocational Education Plan. Such statement shall be sent to the Secretary with the State Plan.
 2. make recommendations to the State Board and make reports to the Governor, the business community and general public of the State, concerning
 - a. the State Vocational Education Plan;
 - b. policies the State should pursue to strengthen vocational education (with particular attention to programs for the handicapped); and
 - c. initiatives and methods the private sector could undertake to assist in the modernization of vocational education programs;
 3. 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. advise the Governor, the State board, the MHRDC, the Secretary, and the Secretary of Labor regarding such evaluation, findings, and recommendations.
- C. To the extent permitted by Federal law, members of the MHRDC not designated as State Council members may participate in the work of the State Council, may attend its meetings, may, at the discretion of the Chair of the State Council, enter into discussions on matters before the State Council, but may not vote on matters before the State Council.
- D. The State Council is authorized to apply for and receive funds 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.
- E. 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.
- F. The State Council shall meet as soon as practicable after certification has been accepted by the Secretary of Education and shall select from among its membership a Chairperson who shall be representative of the private sector. The time, place and manner of meeting, as well as State 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.
- G. Executive Order 7 FY 84/85 is hereby rescinded.
- H. The effective date of this Order is July 1, 1991.



John R. McKernan, Jr.
Governor