

EXECUTIVE ORDER 85-03

SUPERSEDING EXECUTIVE ORDER [76-03](#), [82-23](#) STATE DEVELOPMENTAL DISABILITIES PLANNING COUNCIL

On April 27, 1976, Governor Daniel J. Evans issued Executive Order 76-03 establishing the State Developmental Disabilities Planning Council, said order was subsequently amended in 1982 by Governor John Spellman in Executive Order 82-23. In 1984, the earlier federal enabling law, Public Law 95-602 was amended by Public Law 98-527, the Developmental Disabilities Act of 1984, hereinafter referred to as "The Act".

NOW, THEREFORE, I, BOOTH GARDNER, Governor of the State of Washington, do hereby reaffirm the establishment of the State Developmental Disabilities Planning Council, hereinafter referred to as the "Council" and require the following:

1. The Council pursuant to The Act shall serve as an advocate and planning body for people with developmental disabilities in the State of Washington. It shall advise the Governor of significant issues and future trends in the provision of services to people with developmental disabilities.
2. The Council shall establish priorities, set the principles, and determine the service delivery needs to be met in the state plan required under The Act. The Council's duties shall also include the monitoring, review and evaluation, not less often than annually, of the implementation of the state plan; to the extent feasible, review and comment on all state plans which relate to programs affecting persons with developmental disabilities; submit to the Secretary of the federal Department of Health and Human Services, through the Governor, such periodic reports on the Council's activities as a Secretary may reasonably request.
3. In order to fulfill its planning and advocacy functions, the Council will have access to all necessary information from the principal state agencies whose responsibilities include serving persons with developmental disabilities. The Council and the principal state agencies shall have the responsibility to develop written memorandums setting forth their working relationship in order to meet the requirements of The Act.
4. The Act requires a state agency to be designated to administer and supervise the administration of the plan, said agency is hereby designated as the Department of Community Development. The Council shall operate within federal and state policies and procedures in all its administrative functions and the Department shall assist the Council in maintaining compliance. The Executive Director for the Council shall be an exempt employee and shall be hired by the Council from a list of three candidates selected through a screening committee process. The establishment of the screening committee and the selection process shall be mutually agreed upon between the Council and the Director of Community Development. Termination of the Executive Director of the Council by the Council may be done only after notification and in consultation with the Director of Community Development.

The Executive Director of the Council shall be supervised by the Council Chairperson. The Council and the Executive Director of the Council shall appoint and be responsible for the staff,

except staff assigned to the functions of accounting and auditing, which shall be appointed by and responsible to the Director of Community Development. Existing Council staff under the Department of Social and Health Services may be allowed to transfer to the Department of Community Development subject to any statutory restrictions.

5. The Council and staff shall be funded from monies available under The Act for administrative purposes.

6. The Council shall be composed of thirty (30) members of which eleven-(11) shall constitute a quorum. Members of the Council shall be appointed by the Governor, and the Governor shall designate the Chairperson of the Council who shall serve at the pleasure of the Governor. Council members shall serve no more than two consecutive three-year terms. The membership of the Council shall include representatives of the principal state agencies, higher education facilities, the state protection and advocacy system, local agencies, and non-governmental agencies and groups concerned with services to people with developmental disabilities within the state, provided further at least one-half of the membership of the Council shall consist of persons who are:

A. Persons with developmental disabilities or parents or guardians of such persons; or

B. Immediate relatives or guardians of persons with mentally impairing developmental disabilities.

C. Persons so designated in A and B above shall not be employees of a state agency that receives funds or provides services to people with developmental disabilities or are managing employees of any other entity that receives funds or provides services, or persons with an ownership or controlling interest with respect to any such entity.

D. Of the members of the Council described in paragraphs A and B:

(1) at least one-third shall be persons with developmental disabilities, and

(2) at least one-third shall be individuals described in subparagraph

(3) and at least one of such individuals shall be an immediate relative or guardian of an institutionalized person with a developmental disability.

7. All aspects of the State Developmental Disabilities Planning Council shall comply with, and conform to the requirements of federal law.

IN WITNESS WHEREOF, I have hereunto
set my hand and caused the seal of the State
of Washington to be affixed at Olympia
this 1st day of May A.D., Nineteen hundred and eighty-five.

Additional

By:

BOOTH GARDNER
Governor of Washington

BY THE GOVERNOR:

Secretary of State