

## **EXECUTIVE ORDER 96-06**

### **SUPERSEDING EXECUTIVE ORDER [91-05](#) STATE DEVELOPMENTAL DISABILITIES COUNCIL**

**WHEREAS**, On April 27, 1976, Governor Daniel J. Evans issued Executive Order 76-03 establishing the State Developmental Disabilities Planning Council, with that order subsequently amended in 1982 by Governor John Spellman in Executive Order 82-23 and in 1985 by Governor Booth Gardner in Executive Order 85-03, and

**WHEREAS**, In 1990, the earlier federal enabling law, Public Law 95-602, was amended by Public Law 101-496, and Governor Gardner issued Executive Order 91-05, and

**WHEREAS**, Public Law 101-496 was amended in 1994 by Public Law 103-230 by the Development Assistance and Bill of Rights Act of 1994 (the Act).

**NOW, THEREFORE, I**, Mike Lowry, Governor of the State of Washington, do hereby reaffirm the establishment of the State Developmental Disabilities Council, hereinafter referred to the "Council", and require the following:

1. The Council pursuant to the Act shall promote, through systemic change, capacity building, and advocacy activities, the development of a consumer and family-centered comprehensive system and a coordinated array of culturally competent services, supports, and other assistance designed to achieve independence, productivity, and integration and serve as an advocate and planning body for individuals 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 individuals 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 period reports on the Council's activities as a Secretary may reasonably request.
3. In order to fulfill its planning, public policy, 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 designed to receive, account for, and disburse funds available under this act. The Department of Community, Trade and Economic Development (CTED) is designated as this agency and shall fulfill the responsibilities of the designated state agency delineated in the Act. 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.

5. The Executive Director for the Council is an exempt employee and shall be hired by the Council from a list of three candidates selected through a screening committee. A selection process shall be designed by the Council in conjunction with the Director of CTED. Termination of the Executive Director of the Council by the Council may be done only after notification and in consultation with the Director of CTED. The Executive Director of the Council shall be supervised by the Council Chair. The Council shall determine the number and qualifications of staff hired under the funds available to it. The Executive Director of the Council shall hire and be responsible for the staff, except staff assigned to the functions of accounting and auditing, which shall be hired by and responsible to the Director of CTED.

6. The Council and staff shall be funded from monies available under the Act and the funds shall be expended according to the provisions of the Act and federal/state regulations.

7. The Council shall be composed of thirty-three (33) members of which twelve (12) shall constitute a quorum. Members of the Council shall be appointed by the Governor and shall serve at the pleasure of the Governor. The Governor shall designate the Chair 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 principal state agencies/programs, higher education facilities/university affiliated programs, 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 that at least one-half of the membership of the Council shall consist of persons who are:

A. Persons with developmental disabilities or parent 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 A and B, above:

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

2. at least one-third shall be immediate relatives or guardians of persons with mentally impairing developmental disabilities; and

3. at least one individual shall be an immediate relative or guardian of an institutionalized person with a developmental disability or an individual with developmental disabilities who resides or previously resided in an institution.

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

9. This order is effective immediately and shall supersede Executive Order 91-05 which is hereby rescinded.

**IN WITNESS WHEREOF**, I have hereunto  
set my hand and caused the seal of the State  
of Washington to be affixed at Olympia  
this 20th day of November A.D., Nineteen hundred and ninety-six.

Additional

**By:**

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MIKE LOWRY  
Governor of Washington

**BY THE GOVERNOR:**

Secretary of State