



EXECUTIVE ORDER NO. 86-5

**PROVIDING FOR PROTECTION AND ADVOCACY FOR
PEOPLE WITH MENTAL ILLNESS AND ASSIGNING
RESPONSIBILITIES TO THE LEGAL AID SOCIETY
OF MINNEAPOLIS, INC.**

I, RUDY PERPICH, GOVERNOR OF THE STATE OF MINNESOTA, by virtue of the authority vested in me by the Constitution and the applicable statutes, do hereby issue this Executive Order:

WHEREAS, provision of protection and advocacy to people with mental illness is of concern and importance to the state; and

WHEREAS, Public Law 99-319 provides for allotments to states for the purposes of:

1. Ensuring the rights of individuals with mental illness are protected and advocated in conformance with constitutional, federal, and state mandates including the Bill of Rights for mental health patients (Section 201 of Public Law 99-319) concerning provision of appropriate treatment and services; and
2. Assisting states to establish and operate a protection and advocacy system for individuals with mental illness which shall be independent of any agency which provides treatment or services (other than advocacy services) to this population; and

WHEREAS, Public Law 99-319 specifies that the eligible agency is the designated state system which has been established to protect and advocate the rights of people with developmental disabilities under Part C of the Developmental Disabilities Assistance and Bill of Rights Act (42 USC 6041); and

WHEREAS, The Legal Aid Society of Minneapolis, Inc. is designated as the protection and advocacy system for people with developmental disabilities, and, therefore, Legal Aid Society of Minnesota, Inc. is the designated protection and advocacy agency for mental health under Public Law 99-319;

NOW, THEREFORE, I hereby order that, in accordance with Public Law 99-319, a mental health protection and advocacy system be established and that:

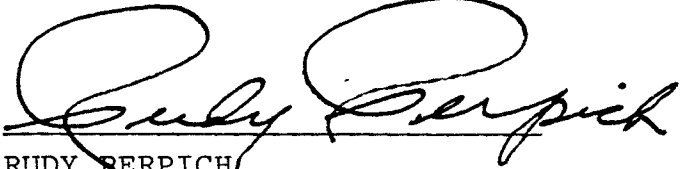
1. The Legal Aid Society of Minneapolis, Inc. shall appoint an advisory board for the mental health protection and advocacy system. The committee shall have at least nine members and will conform with the membership requirements of Public Law 99-319. The committee shall meet at least quarterly.
2. The Legal Aid Society of Minneapolis, Inc. shall submit to the Governor's Office, State Planning Agency, and the Department of Human Services, an annual plan and an annual report that contains all information specified by Public Law 99-319. The plan shall be submitted 30 days prior to the beginning of the federal fiscal year and the annual report shall be submitted 30 days after the close of the federal fiscal year.
3. The Legal Aid Society of Minnesota, Inc. shall pursue all types of administrative, legal, and other appropriate remedies to ensure the protection of rights of individuals with mental illness.

4. The Legal Aid Society of Minneapolis, Inc. shall follow all applicable laws and rules of the State of Minnesota including the Data Practices Act.


FURTHER, the State of Minnesota assures that amounts paid to the Legal Aid Society of Minneapolis, Inc., from an allotment under Public Law 99-319 to carry out the purpose of that Act, will be used to supplement and not supplant the level of non-federal funds available in the State of Minnesota to protect and advocate the rights of individuals with mental illness.

Pursuant to Minnesota Statutes, Section 4.035, this Order shall be effective fifteen (15) days after publication in the State Register and filing with the Secretary of State and shall remain in effect until rescinded by proper authority or it expires in accordance with Minnesota Statutes, Section 4.035, Subdivision 3.

IN TESTIMONY WHEREOF I have set my hand this fourth day of August, 1986.


RUDY PERPICH
Governor

Filed According to Law:


JOAN ANDERSON GROVE
Secretary of State