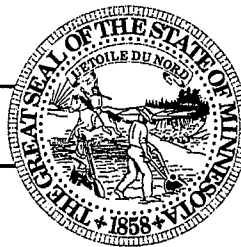


STATE of MINNESOTA

EXECUTIVE



DEPARTMENT

JESSE VENTURA
GOVERNOR

**EXECUTIVE ORDER 99-9
PROVIDING FOR A CLIENT ASSISTANCE PROGRAM
FOR INDIVIDUALS RECEIVING OR SEEKING SERVICES
UNDER THE REHABILITATION ACT AND CONTINUING
THE ASSIGNMENT OF RESPONSIBILITIES TO THE
LEGAL AID SOCIETY OF MINNEAPOLIS;
RESCINDING EXECUTIVE ORDER 86-7**

I, JESSE VENTURA, 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, 29 U.S.C. § 732 provides for allotments to states for the purposes of ensuring support and assistance to clients and client applicants to secure benefits and services available to them under the Rehabilitation Act (29 U.S.C. § 701 et seq.), and assisting clients and client applicants, when requested, in their relationships with projects, programs and facilities providing services to them under the Rehabilitation Act (29 U.S.C. § 701 et seq.); and

WHEREAS, 29 U.S.C. § 732(c) specifies that the designated agency is independent of any agency that provides treatment, services or rehabilitation to individuals under the Rehabilitation Act; and

WHEREAS, the designated agency has the authority to pursue legal, administrative and other appropriate remedies to ensure the protection of rights of individuals with disabilities who

are receiving treatments, services or rehabilitation under the Act within the state, including the authority to pursue remedies against the state vocational rehabilitation agency and other appropriate state agencies;

NOW, THEREFORE, I hereby order that:

1. The Legal Aid Society of Minneapolis continue to be designated the Client Assistance Program (CAP) under section 112 of the Rehabilitation Act of 1973, as amended (Act).

FURTHER, the State of Minnesota assures that:

1. The Governor will not redesignate the above-named agency without good cause and only in compliance with provisions of section 112(c)(1)(B)(i) – (iii) of the Act and its implementing regulations.
2. The designated agency is independent of any agency that provides treatment, services or rehabilitation to individuals under the Rehabilitation Act; or the State is exempt from the independence requirement under section 112(c)(1)(A) of the Act.
3. The designated agency has the authority to pursue legal, administrative and other appropriate remedies to ensure the protection of the rights of individuals with disabilities in the State who are seeking or receiving treatment, services or rehabilitation under the Act.
4. The authority to pursue remedies described in paragraph 3 includes the authority to pursue those remedies against the State vocational rehabilitation agency and other appropriate State agencies. The designated agency meets this requirement if it has the authority to pursue these remedies either on its own behalf or by

obtaining necessary services, such as legal representation, from outside sources.

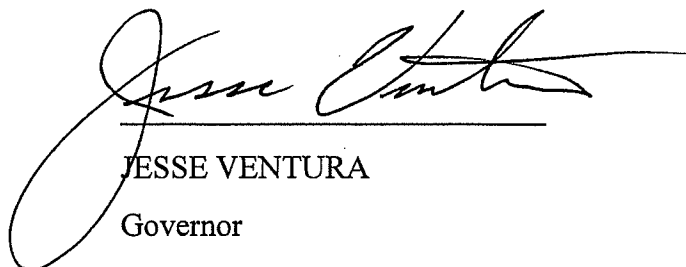
5. The State will ensure that all entities conducting, administering, operating or carrying out programs within the State will advise all individuals seeking or receiving services under the Act of the existence of the CAP, the services provided by the CAP and how to contact the CAP.
6. The designated agency will submit an annual report on the operation of the CAP during the previous year consistent with 34 C.F.R. § 370.44, including a summary of the work done and the uniform tabulation of all cases handled by the CAP in the format prescribed by the U.S. Regional Services Administration. The report will be submitted to the U.S. Department of Education Secretary.
7. Pursuant to section 21 of the Act, the designated agency will address the needs of individuals with disabilities from minority backgrounds in the manner set forth in the State's application for CAP assistance.
8. A state must provide to the U.S. Department of Education Secretary, as part of its application for assistance, an assurance that direct payment to the designated agency is not prohibited by, or inconsistent with, state law, regulation or policy.
9. The designated agency will meet each of the requirements set forth in section 112 of the Act and 34 C.F.R. Part 370.

This Order shall be reviewed by the Governor, in consultation with the affected agency or agencies, every two years in order to assess its reasonableness and need.

Pursuant to Minnesota Statutes 1998, section 4.035, subd. 2, 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 1998, section 4.035, subd. 3.

IN TESTIMONY WHEREOF, I have set my hand this second day of April, 1999.



JESSE VENTURA
Governor

Filed According to Law:



MARY KIFFMEYER
Secretary of State

