

NORTH CAROLINA GENERAL ASSEMBLY
1973 SESSION

CHAPTER 1422
SENATE BILL 1382

AN ACT TO CREATE A PERMANENT LEGISLATIVE COMMISSION ON CHILDREN
WITH SPECIAL NEEDS.

Whereas, the General Assembly finds that North Carolina lags behind many states in providing adequate and equitable service for its children with special needs; and

Whereas, the health, education, and development of the children of North Carolina and their families is of prime consideration to the State and deserves direct legislative attention; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. Chapter 120 of the General Statutes of North Carolina is hereby amended by adding at the end thereof a new Article 12, to read:

"Article 12.

"Commission on Children with Special Needs.

"§ 120-58. Creation; appointment of members. — There is hereby created a Commission on Children with Special Needs to consist of three Senators appointed by the President (or Pro Tempore) of the Senate, three Representatives appointed by the Speaker of the House, and three parents of children with special needs appointed by the Governor.

"§ 120-59. Time of appointments; terms of office. — Appointments to the Commission shall be made within 15 days subsequent to the close of each regular session of the General Assembly. The term of office shall begin on the day of appointment, and shall end on the date when the next appointments are made. Vacancies occurring during a term shall be filled for the unexpired term by the officer who made the original appointment.

"§ 120-60. Organization of Commission. — Upon its appointment, the Commission shall organize by electing from its membership a chairman. The Commission shall meet at such times and places as the chairman shall designate. The facilities of the State Legislative Building shall be available to the Commission. The Commission is authorized to conduct hearings and to employ such clerical and other assistance, professional advice and services as may be deemed necessary in the performance of its duties, with the approval of the Legislative Services Commission.

"§ 120-61. Members to serve without compensation; subsistence and travel expenses. — Members of the Commission shall serve without compensation but they shall be paid such per diem and travel expenses as are provided for members of State boards and commissions generally pursuant to G.S. 138-5.

"§ 120-62. Assistance to the Commission. — The commission, in the performance of its duties, may request and shall receive from every department, board, bureau, agency, commission, or institution of this State, or from any political subdivision of the State, information, cooperation, and assistance.

"§ 120-63. Duties of Commission. — The Commission is hereby authorized to:

- (1) Pursue an in-depth study of the services provided by other states for children with special needs.

- (2) Collect and evaluate for comprehensiveness existing legislation in North Carolina which is relevant to programs for children with special needs; as well as pertinent reports, studies and findings from other states and national bodies.
- (3) Collect and evaluate for comprehensiveness the reports and recommendations of the various agencies, councils, commissions, committees, and associations existing in North Carolina whose primary or partial duties are to make recommendations designed to affect services for children with special needs.
- (4) Monitor on a continuing basis the progress of the State as it moves toward meeting the service requirements for children with special needs.

"§ 120-64. Reports to the General Assembly. — The Commission shall make a report to the General Assembly not later than February 1, 1975, and February 1 of each subsequent session. The first report shall contain:

- (1) A comparison of services provided by the State with those services provided by other states.
- (2) Legislation designed to strengthen the role of the State in meeting its responsibilities to children with special needs.

Subsequent reports shall contain quantifiable statements of accomplishments by providers of service and any additional legislation deemed necessary.

The report of 1979 shall contain a review of the effectiveness of the Commission and a recommendation concerning further retention of the Commission.

Sec. 2. Appropriation. There is hereby appropriated from the General Fund of the State of North Carolina the sum of forty thousand dollars (\$40,000) to the Commission on Children with Special Needs for the 1974-1975 fiscal year for the purpose of paying reasonable expenses of the Commission and its staff.

Sec. 3. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 13th day of April, 1974.