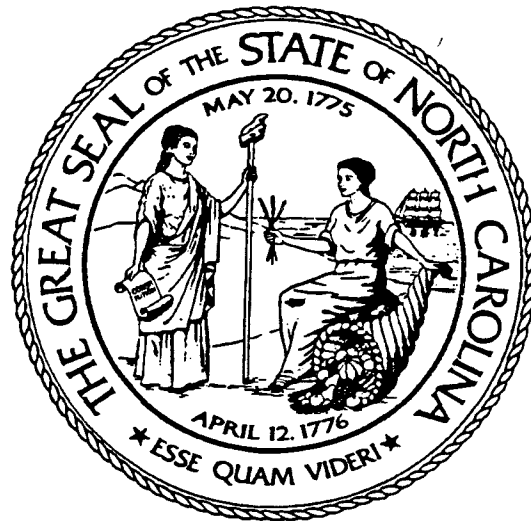


**LEGISLATIVE  
RESEARCH COMMISSION**

---

**HOMELESS PERSONS**



**REPORT TO THE  
1991 GENERAL ASSEMBLY  
OF NORTH CAROLINA  
1991 SESSION**

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STATE OF NORTH CAROLINA  
LEGISLATIVE RESEARCH COMMISSION  
STATE LEGISLATIVE BUILDING  
RALEIGH 27611



December 14, 1991

TO THE MEMBERS OF THE 1991 GENERAL ASSEMBLY:

The Legislative Research Commission herewith submits to you for your consideration its final report on Homeless Persons. The report was prepared by the Legislative Research Commission's Committee on Homeless Persons pursuant to subdivision (19) of Section 2.1 of Chapter 802 of the 1989 Session Laws.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "J. Mavretic".

---

Josephus L. Mavretic  
Speaker

A handwritten signature in cursive script, appearing to read "H. Barnes".

---

Henson P. Barnes  
President Pro Tempore

Cochairmen  
Legislative Research Commission



1989-1990

LEGISLATIVE RESEARCH COMMISSION

MEMBERSHIP

Speaker of the House of  
Representatives  
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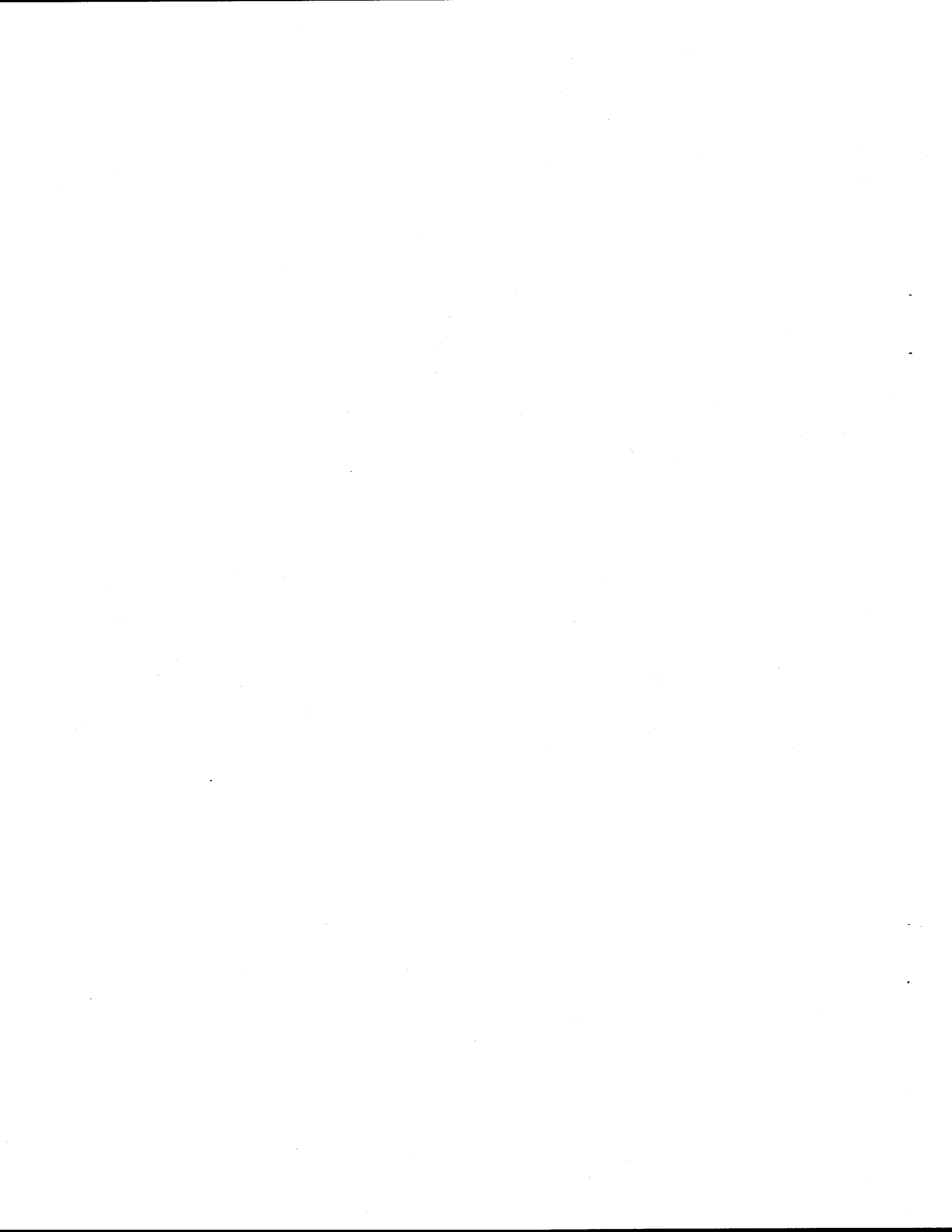
Senator Ralph A. Hunt

Senator Donald R. Kincaid

Senator Robert L. Martin

Senator Lura S. Tally

Senator Russell G. Walker





## PREFACE

The Legislative Research Commission, established by Article 6B of Chapter 120 of the General Statutes, is a general purpose study group. The Commission is co-chaired by the Speaker of the House of Representatives and the President Pro Tempore of the Senate and has five additional members appointed from each house of the General Assembly. Among the Commission's duties is that of making or causing to be made, upon the direction of the General Assembly, "such studies of and investigations into governmental agencies and institutions and matters of public policy as will aid the General Assembly in performing its duties in the most efficient and effective manner" (G.S. 120-30.17(1)).

At the direction of the 1989 General Assembly, the Legislative Research Commission has undertaken studies of numerous subjects. These studies were grouped into broad categories and each member of the Commission was given responsibility for one category of study. The Co-chairs of the Legislative Research Commission, under the authority of G.S. 120-30.10(b) and (c), appointed committees consisting of members of the General Assembly and the public to conduct the studies. Co-chairs, one from each house of the General Assembly, were designated for each committee.

The study of Homeless Persons was authorized by subdivision (19) of Section 2.1 of Chapter 802 of the 1989 Session Laws (1989 Session). That act states that the Commission may consider House Bill 2018 and Senate Bill 1290 in determining the nature, scope and aspects of the study. Section 3 of House Bill 2018 and of Senate Bill 1290 read in pertinent part:

"The [Committee] shall obtain, study, and make recommendations based on such information as:

(1) The sociological characteristics of the State's homeless population, such as age, race, and sex, and economic, health, occupational, and family status;

(2) The estimated number of homeless persons in the State, identification of the areas of the State in which there are the greatest and least concentration of homeless persons, and possible reasons for such concentration;

(3) The relationship between homelessness and such factors as hunger, literacy, education, job training, mental and physical health, alcoholism and substance abuse, municipal zoning and economic development, crime, and the delivery or nondelivery of public services;

(4) Services to homeless persons currently provided by State, non-State, and local agencies, institutions, and other nonprofit organizations, and whether and how such entities cooperate with one another in providing the services;

(5) Services for the homeless that are not currently provided and which are critical to meeting the needs of homeless persons, and recommendations on how State and non-State entities could cooperate to provide such services;

(6) Whether services being provided or planned include or should include the following:

a. Referrals of homeless persons to other human services offered by State and non-State entities;

b. Case management efforts which help keep track of homeless persons and their needs;

c. Job training and referrals;

d. Efforts to ensure that the children of homeless families are enrolled in and regularly attend public schools;

(7) The overall impact of homelessness on the State, its municipalities, and its citizens."

The relevant portions of Chapter 802 and of House Bill 2018 and Senate Bill 1290 are included in Appendix A. The Legislative Research Commission grouped this study in its Human Resources area under the direction of Senator Russell G. Walker. The Committee was chaired by Senator James F. Richardson and Representative Charles F. Buchanan. The full membership of the Committee is listed in Appendix B of this report. A committee notebook containing the committee minutes and all information presented to the committee is filed in the Legislative Library.



## COMMITTEE PROCEEDINGS

### BACKGROUND

The Council of State Government's 1989 study, entitled Homelessness in the States, summarized well both the national and State growing problems of the homeless. Such a summary serves as an excellent background to the Legislative Research Commission's Study of Homeless Persons presented in this report. (A complete copy of the study is included in the Committee Notebook, on file in the Legislative Library.)

"During the early 1980's, the 'street people' began to appear in America. They appeared in newspaper human interest stories and on the six o'clock news. The media found them on the sidewalks of the nation's cities - hungry, ragged and homeless. Not just skid-row bums or vagrants, they were a new population of Americans without homes or even places to sleep. During the new coverage they evolved from the cities' 'street people' to the nation's 'homeless.' They became a public concern, their plight was politicized and the issue of their homelessness became a point of argument in the resurrected debate over American domestic policy on economics, housing, health care, social services and education.

From 1983 to 1989, elected officials, governmental agencies, advocacy groups, non-profit organizations and the media observed the homeless, with the hope of finding the causes and cures for their predicament. But each year, the number of homeless and the complexities of homelessness appeared to be greater than before.

Slowly, many observers have recognized homelessness as a significant and widespread problem in both urban and rural America. The diverse causes and characteristics of homelessness are endemic to various combinations of overlapping factors including unemployment, underemployment, mental illness, the unavailability of

affordable housing, domestic violence, parentless children and other less visible personal crises.

The national domestic policies of the 1980's have cast the federal government in a relatively limited and passive role, and it is unlikely that role will be significantly altered in the near future. By predicament or by choice, states now are in the position to assume greater responsibility for domestic programs, and subsequently, to take action - individually and collectively - on domestic issues such as homelessness. As states reemerge as the pivotal level of government, they will need to intervene directly, collaborate with other levels of government, coordinate their own efforts, and move the federal government towards a position of increased cooperation and support" (p. 1).

In North Carolina, it is estimated that there are at least 8,000 homeless persons, with the number of previously uncounted homeless children rapidly increasing this number. The number of families with children are making up an ever-increasing percentage of the homeless population as are the working poor. Federal funds are available via the McKinney Act, but it is accepted that not only are these funds not adequate, but also the federal requirements cause positively harmful fragmentation among State agencies handling the funds. At present, McKinney funds may not be used either to administer McKinney-funded programs or to fund operational costs of these programs. McKinney funds currently can buy only "stuff." Largely because of McKinney-caused fragmentation, many North Carolina State agencies, including the Department of Human Resources, the Department of Economic and Community Development, the Housing Finance Agency, and the Department of Public Instruction, are involved in McKinney, at many levels of funding and administration. The State itself has no State homeless programs in place at present. All current State efforts are McKinney-related. With no history of homeless programs, there is no agency yet designated to coordinate these efforts.

## SUMMARY OF PROCEEDINGS

The Legislative Research Commission Study Committee on Homeless Persons met a total of eight times, six times in Raleigh and twice at public hearings in Fayetteville and Charlotte. The Raleigh meetings were held on December 13, 1989, March 1, 1990, March 29, 1990, September 20, 1990, November 13, 1990, and November 29, 1990. The public hearing in Fayetteville was held on October 17, 1990, at Fayetteville Community College and Technical Institute. The public hearing in Charlotte was held on October 18, 1990, at the Charlotte-Mecklenburg Government Center. The agendas of all the meetings are incorporated in Appendix D of this report. The minutes of all the Raleigh meetings are incorporated in Appendix E. The tapes of the public hearings are incorporated in the Committee Notebook and on file in the Legislative Library.

During the course of its eight meetings, the Committee heard from all State agencies involved in serving the homeless, including the Department of Human Resources, the Department of Economic and Community Development, the Department of Public Instruction, and the Housing Finance Agency. The representatives of the agencies set forth to the Committee the various pieces of the federal McKinney funds that they handled and made very clear to the Committee at the outset of its study the grave fragmentation of agency responsibility and the clear need for coordination at the State level of services and programs for the homeless. These representatives also made clear to the Committee the fact that such coordination should not be lightly undertaken. The McKinney legislation itself caused much of the coordination problems. Until Congress addresses this problem, a problem not in the least limited to North Carolina, no State coordinative effort can be totally successful. The representatives of local

agencies and the individuals who advocate for and serve the homeless also stressed the need for coordination of existing services and information. Homeless people and formerly homeless people testified to the need for coordination as well as to refocussing from shelter provisions to prevention of homelessness. The majority of the testifiers appearing before the Committee noted the need for State-funded and administered new programs but also acknowledged that the existing programs and services are underutilized, partly because of problems with the federal legislation, partly because of the related fragmentation of fund provisions at the State level, and partly because too many homeless people in North Carolina don't know where to go to get the help that is already available to them. A list of all the people appearing before the Committee is incorporated in Appendix F. All written presentations that are not specifically incorporated into specific Appendices in this Report are included in the Committee Notebook, on file in the Legislative Library.

The Committee developed, from all the testimony presented, twenty-five proposals addressing specific problems of the homeless. These proposals are incorporated in Appendix G. From these proposals the Committee developed its final recommendations. Its selection of several of the proposals from the many excellent ones that were presented was influenced (i) by the severe financial strain the State will be under for the foreseeable future and the concomitant need to make the most use of programs and services that already exist, (ii) by the expectation that the federal McKinney legislation would soon be reexamined by Congress to eliminate some of the coordination and administration problems North Carolina, and most other States, are experiencing, (iii) by the expectation that, with encouragement, the various State agencies involved will develop the further coordination needed to make existing programs and services as effective and far-reaching as possible, (iv) by the need to respect the local service and program providers as the agencies and individuals most



knowledgeable about how to serve homeless people, (v) by recommending small new State programs that will aid local providers and that will begin several loan programs that will aid in the prevention of homeless, and (vi) by recommending zoning changes that will preserve existing housing stock for development into affordable housing.

The Committee recognized that its 1989-90 study was just the beginning of a State-focussed examination of the problems of homelessness in North Carolina. The specific recommendations that it could make to the Legislative Research Commission for transmittal to the 1991 General Assembly, given concern for the severe economic forecast and for the need for further examination of the coordination problems inherent in the existing federally-dictated fragmented pattern of State and local programs and services, should be considered only a beginning. The Committee should be reauthorized, to continue its study, and to include in this study specific examinations of the growing population of the "new" homeless - families and children -, and how the State's role in providing programs and services to the homeless should continue to develop and should include a total package of programs designed both to keep people from becoming homeless and to develop ways to develop enough affordable housing for low-income people. The findings and recommendations of the Committee follow. The draft legislative proposals, together with summaries, are incorporated in Appendix C of this report.



## FINDINGS AND RECOMMENDATIONS

**RECOMMENDATION 1. THE COMMITTEE RECOMMENDS THAT THE LEGISLATIVE RESEARCH COMMISSION AUTHORIZE THE CONTINUATION OF THE HOMELESS PERSONS STUDY. (See Legislative Proposal 1, Appendix C.)**

The Committee finds that the its study has just begun a proper State study of all the problems facing the homeless in North Carolina and that its study should continue. It finds that this continued study should consider the development of a total package of legislation of programs and services for the homeless for the 1993 General Assembly, at which time the Committee hopes the revenue forecast will be more favorable.

**RECOMMENDATION 2. THE COMMITTEE RECOMMENDS THE INTRODUCTION OF A BILL ENTITLED "AN ACT TO APPROPRIATE FUNDS TO ESTABLISH STATE-FUNDED GRANTS TO LOCAL AGENCIES PROVIDING PROGRAMS AND SERVICES TO THE HOMELESS." (See Legislative Proposal 2, Appendix C.)**

The Committee finds that local agencies, both private, nonprofit, and public, are most knowledgeable about how best to serve their homeless people. The Committee finds that the appropriation of a relatively small amount of money, to be drawn down by local agencies, would be money very well spent by the State, that the locals can best determine how to make their own programs and services more effective, and that the State can gather much-needed information on how to continue and expand, if necessary, such a grants program from observing how a preliminary program works for

the next fiscal biennium. The Committee finds that \$50,000 for the 1991-92 fiscal year and \$100,000 for the 1992-93 fiscal year, with grants limited to \$5,000 per local, would be enough to begin a provisional grants program, which would generate enough data to allow the 1993 General Assembly to decide whether to continue the program and how to increase it.

The Committee finds that, pending the results of an ongoing discussion among the State agencies involved, the Department of Economic and Community Development should serve as the Department through which the grants will be allocated. Should the State agency discussion lead to an executive agreement that would designate another agency to be the appropriate coordinator of this and similar State initiatives, the Committee understands that the departments affected by this legislation and the legislative proposal following should be the one agreed to by agency agreement.

**RECOMMENDATION 3. THE COMMITTEE RECOMMENDS THE INTRODUCTION OF A BILL ENTITLED "AN ACT TO REQUIRE STATE AGENCIES STUDY HOW BEST TO COORDINATE STATE AGENCIES' PROGRAMS AND SERVICES FOR THE HOMELESS." (See Legislative Proposal 3, Appendix C.)**

As mentioned in the findings above, the Committee has been informed by the involved State agencies that an agreement may be forthcoming on a new executive designation of what agency should be the lead one in coordinating homeless services. The Committee finds that there remains a real need for the legislature to mandate a cooperative study on the whole issue of State coordination, with appropriate reporting requirements, so that the 1993 General Assembly will be able to review the study and carefully consider its recommendations.

**RECOMMENDATION 4. THE COMMITTEE RECOMMENDS THE INTRODUCTION OF A BILL ENTITLED "AN ACT TO REQUIRE A VIGOROUS STATE OUTREACH TO THE HOMELESS AND TO APPROPRIATE FUNDS."**  
(See Legislative Proposal 4, Appendix C.)

The Committee finds that many of homeless are not aware of the existing programs and services for them, especially in the more rural areas of the State, and that a vigorous outreach program designed to locate the homeless in need of services and inform them of how best to get these services, would be a very effective use of a relatively small amount of State funds. The Committee expects that the same reconsideration of the agency designated to conduct the outreach should be given as should be given in the case of the grants program discussed above.

**RECOMMENDATION 5. THE COMMITTEE RECOMMENDS THE INTRODUCTION OF A BILL ENTITLED "AN ACT TO ENCOURAGE MAINTAINING AFFORDABLE HOUSING STOCK."** (See Legislative Proposal 5, Appendix C.)

The Committee finds that, with a very minimal change to the existing law, cities can be authorized to allow organizations or individuals involved in providing or restoring dwellings for affordable housing the opportunity, after all due process procedures are exhausted, to negotiate with the owner to make repairs, lease, or purchase the property for the purpose of providing affordable housing.

**RECOMMENDATION 6. THE COMMITTEE RECOMMENDS THE INTRODUCTION OF A BILL ENTITLED "AN ACT TO APPROPRIATE FUNDS TO THE HOUSING FINANCE AGENCY TO AID IN THE PREVENTION OF HOMELESSNESS." (See Legislative Proposal 6, Appendix C.)**

The Committee finds that it is essential that the prevention of homelessness be addressed by the 1991 General Assembly. It finds that the North Carolina Housing Finance Agency's existing Rental Assistance Program can be augmented to include revolving loan funds to supply loans for security and utility deposits to enable people in emergency shelters and transitional housing to get into permanent housing and for rent payments to enable persons facing imminent eviction to stay in their permanent housing. The Committee also finds that the Agency's Housing Trust Fund Program can be augmented to include a specific designation for emergency and transitional housing projects and for local agencies and individuals to develop affordable housing to low-income and very low-income families.

**RECOMMENDATION 7. THE COMMITTEE RECOMMENDS THE ENDORSEMENT OF A BILL TO BE PRESENTED BY THE DEPARTMENT OF PUBLIC INSTRUCTION ENTITLED "AN ACT TO CLARIFY THE STUDENT ASSIGNMENT LAW AND TO PROVIDE FOR THE ASSIGNMENT OF CHILDREN OF HOMELESS INDIVIDUALS AND OF HOMELESS CHILDREN." (See Appendix H.)**

The Committee finds that the growing number of children who are homeless require careful reconsideration of many of the laws and programs affecting children, including the education laws. The Department of Public Instruction is reexamining

these laws and has presented to the Committee a bill changing the student assignment law to provide for the assignment of children of homeless individuals and of homeless children. The Committee finds that this bill should be presented to a committee more cognizant of education law for transmittal to the General Assembly but finds that it is appropriate to endorse the bill formally in its report.

**RECOMMENDATION 8. THE COMMITTEE RECOMMENDS ENCOURAGING THE DEPARTMENT OF HUMAN RESOURCES TO REQUEST ADEQUATE ADDITIONAL FUNDS FROM THE 1991 GENERAL ASSEMBLY TO MAINTAIN THE HEADSTART PROGRAM.**

The Committee finds that it is essential that the Department of Human Resources present in its budget request to the Governor a request for adequate funds to maintain the State's Headstart Program for disadvantaged children. The Committee finds that adult illiteracy is one of the main causes of the homelessness that is itself caused by unemployment or underemployment and that the Headstart Program has a proven record in making the very children at risk of being later unemployable or underemployable literate, and, thus, in preventing one of the main causes of homelessness.

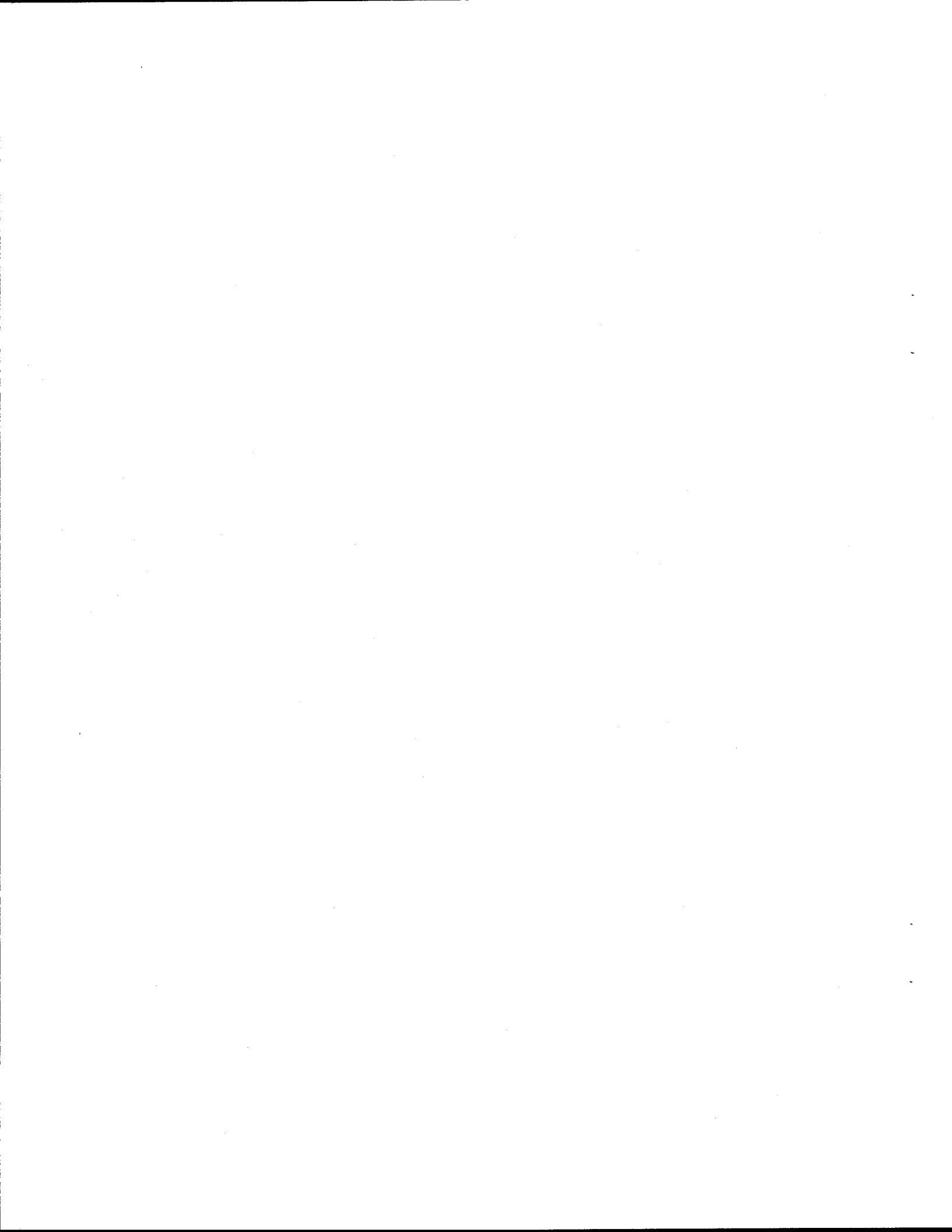
**RECOMMENDATION 9. THE COMMITTEE RECOMMENDS THE ENDORSEMENT OF THE CONCEPT OF RAISING THE STATE MINIMUM WAGE TO THE FEDERAL MINIMUM WAGE AND OF PERMITTING LOCAL GOVERNMENT TO USE PROPERTY TAX FUNDS FOR AFFORDABLE HOUSING AND RECOMMENDS THAT THE APPROPRIATE COMMITTEES CONSIDER BILLS INCORPORATING THESE CONCEPTS.**

The Committee finds that increasing the State minimum wage to the federal level should be carefully considered by the appropriate tax or revenue committee and gives its formal endorsement to the concept. The Committee finds that many of the homeless are people who work full-time and are still not able to afford permanent housing. These working homeless are making up an ever-increasing percentage of the homeless. The Committee gives its formal endorsement to the raising of the State minimum wage and recommends that the appropriate committee consider a bill raising the wage.

Similarly, the Committee endorses the concept of enabling local government units to use property taxes to encourage development of affordable housing stock but finds that a revenue or tax committee, such as the property Tax Study Commission, is the better vehicle to consider the development of this concept.



**APPENDIX A**  
**Relevant Portions of Section 2.1 of Chapter 802 of the 1989**  
**Session Laws and of House Bill 2018 and Senate Bill 1290.**



**APPENDIX A**

**GENERAL ASSEMBLY OF NORTH CAROLINA  
1989 SESSION  
RATIFIED BILL**

**CHAPTER 802  
SENATE BILL 231**

**AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE AND CONTINUE VARIOUS COMMITTEES AND COMMISSIONS, TO MAKE APPROPRIATIONS THEREFOR, AND TO DIRECT VARIOUS STATE AGENCIES TO STUDY SPECIFIED ISSUES.**

The General Assembly of North Carolina enacts:

**PART I. TITLE**

Section 1. This act shall be known as "The Studies Act of 1989."

...

**PART II.-----LEGISLATIVE RESEARCH COMMISSION**

Sec. 2.1. The Legislative Research Commission may study the topics listed below. Listed with each topic is the 1989 bill or resolution that originally proposed the issue or study and the name of the sponsor. The Commission may consider the original bill or resolution in determining the nature, scope and aspects of the study. The topics are:

- (19) Homeless Persons (H.B. 2018 - Greenwood, S.B. 1290 - Martin of Guilford),

Sec. 2.4. Committee Membership. For each Legislative Research Commission Committee created during the 1989-1991 biennium, the Cochairmen of the Commission each shall appoint a minimum of seven members.

Sec. 2.5. Reporting Dates. For each of the topics the Legislative Research Commission decides to study under this act or pursuant to G.S. 120-30.17(1), the Commission may report its findings, together with any recommended legislation, to the 1990 Session of the 1989 General Assembly or the 1991 General Assembly, or both.

Sec. 2.6. Bills and Resolution References. The listing of the original bill or resolution in this Part is for reference purposes only and shall not be deemed to have incorporated by reference any of the substantive provisions contained in the original bill or resolution.

Sec. 2.7. Funding. From the funds available to the General Assembly, the Legislative Services Commission may allocate additional monies to fund the work of the Legislative Research Commission.

...

**PART XXV.-----EFFECTIVE DATE**

Sec. 25.1. This act shall become effective July 1, 1989.

In the General Assembly read three times and ratified this the 12th day of August, 1989.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

H

1

HOUSE BILL 2018\*

Short Title: Study Commission/Homeless Persons. (Public)

---

Sponsors: Representatives Greenwood, Colton, N. Crawford, and  
Nesbitt.

---

Referred to: Rules.

---

May 11, 1989

1 A BILL TO BE ENTITLED  
2 AN ACT TO ESTABLISH A COMMISSION TO STUDY THE SITUATION OF  
3 HOMELESS PERSONS IN NORTH CAROLINA AND THE ROLE OF THE STATE IN  
4 COOPERATING WITH PUBLIC AND PRIVATE ENTITIES IN ADDRESSING THE  
5 SITUATION.  
6 The General Assembly of North Carolina enacts:  
7 Section 1. There is created the Study Commission on  
8 Homeless Persons, an independent commission, to study the  
9 situation of homeless persons in North Carolina and to make  
10 recommendations on what the State and non-State entities can do  
11 to meet the needs and reduce the number of persons who are  
12 homeless. The Commission shall consist of 12 members: three  
13 Senators appointed by the President Pro Tempore of the Senate,  
14 three Representatives appointed by the Speaker of the House of  
15 Representatives, and six members appointed by the Governor. Of  
16 the Governor's appointees, one shall be a health care  
17 professional licensed by the State, one shall represent the  
18 administrative staff or board of directors of a homeless shelter

1 in the State, one shall be a professional educator employed in a  
2 public school or post-secondary institution in the State, one  
3 shall be an elected representative of local government, one shall  
4 represent the United Way of North Carolina, and one shall be a  
5 former homeless shelter client. Initial appointments shall be  
6 made within 30 days following the adjournment of the 1989 Session  
7 of the General Assembly.

8           Sec. 2. The President Pro Tempore of the Senate shall  
9 designate one Senator as cochairman and the Speaker of the House  
10 of Representatives shall designate one Representative as  
11 cochairman.

12           Sec. 3. The Commission shall obtain, study, and make  
13 recommendations based on such information as:

- 14           (1) The sociological characteristics of the State's  
15 homeless population, such as age, race, and sex,  
16 and economic, health, occupational, and family  
17 status;
- 18           (2) The estimated number of homeless persons in the  
19 State, identification of the areas of the State in  
20 which there are the greatest and least  
21 concentrations of homeless persons, and possible  
22 reasons for such concentrations;
- 23           (3) The relationship between homelessness and such  
24 factors as hunger, literacy, education, job  
25 training, mental and physical health, alcoholism  
26 and substance abuse, municipal zoning and economic  
27 development, crime, and the delivery or nondelivery  
28 of public services;
- 29           (4) Services to homeless persons currently provided by  
30 State, non-State, and local agencies, institutions,  
31 and other nonprofit organizations, and whether and  
32 how such entities cooperate with one another in  
33 providing the services;
- 34           (5) Services for the homeless that are not currently  
35 provided and which are critical to meeting the

- 1 needs of homeless persons, and recommendations on  
2 how State and non-State entities could cooperate to  
3 provide such services;
- 4 (6) Whether services being provided or planned include  
5 or should include the following:
- 6 a. Referrals of homeless persons to other human  
7 services offered by State and non-State  
8 entities;
- 9 b. Case management efforts which help keep track  
10 of homeless persons and their needs;
- 11 c. Job training and referral;
- 12 d. Efforts to ensure that the children of  
13 homeless families are enrolled in and  
14 regularly attend public schools.
- 15 (7) The overall impact of homelessness on the State,  
16 its municipalities, and its citizens.
- 17 Sec. 4. The Commission shall submit a final report of  
18 its findings and recommendations to the General Assembly on or  
19 before the first day of the 1991 Session of the General Assembly  
20 by filing the report with the President Pro Tempore of the Senate  
21 and the Speaker of the House of Representatives. Upon filing its  
22 final report, the Commission shall terminate.
- 23 Sec. 5. The Commission, while in the discharge of  
24 official duties, may exercise all the powers provided for under  
25 the provisions of G.S. 120-19, and G.S. 120-19.1 through G.S.  
26 120-19.4. The Commission may meet at any time upon the joint  
27 call of the cochairmen. The Commission may meet in the  
28 Legislative Building or the Legislative Office Building.
- 29 Sec. 6. Members of the Commission shall receive  
30 subsistence and travel expenses at the rates set forth in G.S.  
31 120-3.1, G.S. 138-5, and G.S. 138-6, as applicable.
- 32 Sec. 7. The Commission may contract for professional,  
33 clerical, or consultant services as provided by G.S. 120-32.02.  
34 The Legislative Services Commission, through the Legislative  
35 Administrative Officer, shall assign professional staff to assist

1 in the work of the Commission. The House of Representatives' and  
2 the Senate's Supervisor of Clerks shall assign clerical staff to  
3 the Commission or committee, upon the direction of the  
4 Legislative Services Commission. The expenses relating to  
5 clerical employees shall be borne by the Commission.

6           Sec. 8. When a vacancy occurs in the membership of the  
7 Commission the vacancy shall be filled by the same appointing  
8 officer who made the initial appointment.

9           Sec. 9. All State departments and agencies and local  
10 governments and their subdivisions shall furnish the Commission  
11 with any information in their possession or available to them.

12           Sec. 10. There is appropriated from the General Fund to  
13 the General Assembly the sum of \$25,000 for the 1989-90 fiscal  
14 year, and the sum of \$25,000 for the 1990-91 fiscal year, for the  
15 expenses of the Commission.

16           Sec. 11. This act shall become effective July 1, 1989.



GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

S

1

SENATE BILL 1290\*

Short Title: Study Commission/Homeless Persons. (Public)

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Sponsors: Senators Martin of Guilford; Allran, Ballance, Barker, Basnight, Block, Bryan, Carpenter, Conder, Daniel, Daughtry, Ezzell, Harris, Hunt of Durham, Hunt of Moore, Johnson of Cabarrus, Kaplan, Martin of Pitt, Marvin, Murphy, Odom, Parnell, Plyler, Richardson, Sands, Sherron, Soles, Speed, Staton, Swain, Taft, Tally, Walker, Ward, and Winner.

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Referred to: Rules and Operation of the Senate.

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May 11, 1989

1 A BILL TO BE ENTITLED  
2 AN ACT TO ESTABLISH A COMMISSION TO STUDY THE SITUATION OF  
3 HOMELESS PERSONS IN NORTH CAROLINA AND THE ROLE OF THE STATE IN  
4 COOPERATING WITH PUBLIC AND PRIVATE ENTITIES IN ADDRESSING THE  
5 SITUATION.  
6 The General Assembly of North Carolina enacts:  
7 Section 1. There is created the Study Commission on  
8 Homeless Persons, an independent commission, to study the  
9 situation of homeless persons in North Carolina and to make  
10 recommendations on what the State and non-State entities can do  
11 to meet the needs and reduce the number of persons who are  
12 homeless. The Commission shall consist of 12 members: three  
13 Senators appointed by the President Pro Tempore of the Senate,  
14 three Representatives appointed by the Speaker of the House of  
15 Representatives, and six members appointed by the Governor. Of

1 the Governor's appointees, one shall be a health care  
2 professional licensed by the State, one shall represent the  
3 administrative staff or board of directors of a homeless shelter  
4 in the State, one shall be a professional educator employed in a  
5 public school or post-secondary institution in the State, one  
6 shall be an elected representative of local government, one shall  
7 represent the United Way of North Carolina, and one shall be a  
8 former homeless shelter client. Initial appointments shall be  
9 made within 30 days following the adjournment of the 1989 Session  
10 of the General Assembly.

11           Sec. 2. The President Pro Tempore of the Senate shall  
12 designate one Senator as cochairman and the Speaker of the House  
13 of Representatives shall designate one Representative as  
14 cochairman.

15           Sec. 3. The Commission shall obtain, study, and make  
16 recommendations based on such information as:

- 17           (1) The sociological characteristics of the State's  
18 homeless population, such as age, race, and sex,  
19 and economic, health, occupational, and family  
20 status;
- 21           (2) The estimated number of homeless persons in the  
22 State, identification of the areas of the State in  
23 which there are the greatest and least  
24 concentrations of homeless persons, and possible  
25 reasons for such concentrations;
- 26           (3) The relationship between homelessness and such  
27 factors as hunger, literacy, education, job  
28 training, mental and physical health, alcoholism  
29 and substance abuse, municipal zoning and economic  
30 development, crime, and the delivery or nondelivery  
31 of public services;
- 32           (4) Services to homeless persons currently provided by  
33 State, non-State, and local agencies, institutions,  
34 and other nonprofit organizations, and whether and

- 1                   how such entities cooperate with one another in  
2                   providing the services;
- 3           (5)   Services for the homeless that are not currently  
4           provided and which are critical to meeting the  
5           needs of homeless persons, and recommendations on  
6           how State and non-State entities could cooperate to  
7           provide such services;
- 8           (6)   Whether services being provided or planned include  
9           or should include the following:
- 10           a.    Referrals of homeless persons to other human  
11           services offered by State and non-State  
12           entities;
- 13           b.    Case management efforts which help keep track  
14           of homeless persons and their needs;
- 15           c.    Job training and referral;
- 16           d.    Efforts to ensure that the children of  
17           homeless families are enrolled in and  
18           regularly attend public schools.
- 19           (7)   The overall impact of homelessness on the State,  
20           its municipalities, and its citizens.
- 21           Sec. 4.   The Commission shall submit a final report of  
22           its findings and recommendations to the General Assembly on or  
23           before the first day of the 1991 Session of the General Assembly  
24           by filing the report with the President Pro Tempore of the Senate  
25           and the Speaker of the House of Representatives. Upon filing its  
26           final report, the Commission shall terminate.
- 27           Sec. 5.   The Commission, while in the discharge of  
28           official duties, may exercise all the powers provided for under  
29           the provisions of G.S. 120-19, and G.S. 120-19.1 through G.S.  
30           120-19.4. The Commission may meet at any time upon the joint  
31           call of the cochairmen. The Commission may meet in the  
32           Legislative Building or the Legislative Office Building.
- 33           Sec. 6.   Members of the Commission shall receive  
34           subsistence and travel expenses at the rates set forth in G.S.  
35           120-3.1, G.S. 138-5, and G.S. 138-6, as applicable.

1           Sec. 7. The Commission may contract for professional,  
2 clerical, or consultant services as provided by G.S. 120-32.02.  
3 The Legislative Services Commission, through the Legislative  
4 Administrative Officer, shall assign professional staff to assist  
5 in the work of the Commission. The House of Representatives' and  
6 the Senate's Supervisor of Clerks shall assign clerical staff to  
7 the Commission or committee, upon the direction of the  
8 Legislative Services Commission. The expenses relating to  
9 clerical employees shall be borne by the Commission.

10           Sec. 8. When a vacancy occurs in the membership of the  
11 Commission the vacancy shall be filled by the same appointing  
12 officer who made the initial appointment.

13           Sec. 9. All State departments and agencies and local  
14 governments and their subdivisions shall furnish the Commission  
15 with any information in their possession or available to them.

16           Sec. 10. There is appropriated from the General Fund to  
17 the General Assembly the sum of \$25,000 for the 1989-90 fiscal  
18 year, and the sum of \$25,000 for the 1990-91 fiscal year, for the  
19 expenses of the Commission.

20           Sec. 11. This act shall become effective July 1, 1989.

**APPENDIX B**  
**Membership of the LRC Study Committee on**  
**Homeless Persons**



STATE OF NORTH CAROLINA  
LEGISLATIVE RESEARCH COMMISSION  
STATE LEGISLATIVE BUILDING  
RALEIGH 27611



Legislative Research Commission  
Study Committee on Homeless Persons  
Members

Senator James Richardson  
1739 Northbrook Drive  
Charlotte, N. C. 28216  
(704) 399-1555

Senator Lura Tally  
3100 Tallywood Drive  
Fayetteville, N. C. 28303  
(919) 484-4868

Rep. Monroe Buchanan  
Route 1, Box 273  
Green Mountain, N. C. 28740  
(704) 688-3544

Senator Russell Walker  
1003 Westmont Drive  
Asheboro, N. C. 27203  
(919) 625-2574

Senator Frank Ballance  
P. O. Box 616  
Warrenton, N. C. 27589  
(919) 257-1012

Rep. Anne Barnes  
313 Severin Street  
Chapel Hill, N. C. 27516  
(919) 967-7610

Senator N. Leo Daughtry  
P. O. Box 1960  
Smithfield, N. C. 27577  
(919) 934-5013

Rep. Gordon Greenwood  
118 Portman Villa Road  
Black Mountain, N. C. 28711  
(704) 669-7961

Rep. Edith Lutz  
Route 3, Box 197  
Lawndale, N. C. 28090  
(704) 538-7818

Rep. Aaron E. Fussell  
1201 Briar Patch Lane  
Raleigh, N. C. 27615  
(919) 876-0240

Rep. J. P. Green  
P. O. Box 1739  
Henderson, N. C. 27536  
(919) 492-2161

Rep. Coy Privette  
306 Cottage Drive  
Kannapolis, N. C. 28081  
(919) 828-7815

Ms. Linda Shaw  
NC Low-Income Housing Co.  
P. O. Box 27863  
Raleigh, N. C. 27611  
(919) 833-6201

Rev. O'Clee Lewis  
Ballance Road  
Fremont, N. C. 27830  
(919) 242-5289

Ms. Wanda Hunt  
P. O. Box 1335  
Pinehurst, N. C. 28374  
(919) 733-4120





**APPENDIX C**  
**Legislative Proposals and Section-by Section Analyses**



GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

S

D

SENATE JOINT RESOLUTION 91-LF-9  
(THIS IS A DRAFT AND NOT READY FOR INTRODUCTION)

**DRAFT**

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Sponsors: Senator Richardson & Representative Buchanan

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**FOR REVIEW ONLY**

Referred to:

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1 A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH  
2 COMMISSION TO CONTINUE THE STUDY ON HOMELESS PERSONS.  
3 Be it resolved by the Senate, the House of Representatives  
4 concurring:

5 Section 1. The Legislative Research Commission may  
6 continue the study of homeless persons begun by the study  
7 authorized by subdivision (19) of Section 2.1 of Chapter 802 of  
8 the 1989 Session Laws, chaired by Senator James Richardson and  
9 Representative Charles 'Monroe' Buchanan.

10 Sec. 2. This study shall include the development of an  
11 all-encompassing package of legislation that will address the  
12 problems of homelessness, including the problems of emergency  
13 housing and sheltering, the treatment of physical and mental  
14 illness and substance abuse, the treatment of the new homeless -  
15 the families with children, access to services, the proper role  
16 of the homeless in managing their own lives in shelters and  
17 emergency housing, and of affordable permanent housing.

18 Sec. 3. This study may be divided into formal  
19 subcommittees to enable in-depth study of the sub-parts of  
20 homelessness.

21 Sec. 4. This study shall include careful study of other  
22 states' initiatives in all of the areas affecting homelessness.

23 Sec. 5. The Legislative Research Commission may make an  
24 interim report to the 1991 General Assembly, 1992 Regular

1 Session, and may make a final report to the 1993 General  
2 Assembly.

3           Sec. 6. This resolution is effective upon ratification.

**DRAFT**  
**FOR REVIEW ONLY**

**SUMMARY OF LEGISLATIVE PROPOSAL I**

Legislative Proposal i is a joint resolution requesting that the Legislative Research Commission continue the study of homeless persons begun by this study.

Section 1 identifies the study to be continued.

Section 2 specifies what the study should include:

- (1) The development of an all-incompassing package of legislation necessary to address the problems of homelessness:
  - a. Emergency housing and shelter;
  - b. Treatment of physical and mental illness;
  - c. Treatment of new homeless - the families with children;
  - d. Access to services;
  - e. Proper role of homeless in managing their own lives in shelters and emergency housing; and
  - f. Affordable permanent housing.

Section 3 specifies that the study committee may be divided into permanent subcommittees to examine the sub-parts of the issue of homelessness.

Section 4 provides that the study also include study of other states' initiatives.

Section 5 specifies that the Commission may report to the 1992 Regular Session of the 1991 General Assembly and to the 1993 General Assembly.



GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

**DRAFT**  
**FOR REVIEW ONLY**

D

91-LF-24

(THIS IS A DRAFT AND NOT READY FOR INTRODUCTION)

Short Title: Homeless Grants/Funds.

(Public)

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Sponsors: • Senator Richardson, Representative Buchanan

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Referred to:

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1 A BILL TO BE ENTITLED  
2 AN ACT TO APPROPRIATE FUNDS TO ESTABLISH STATE-FUNDED GRANTS TO  
3 LOCAL AGENCIES PROVIDING PROGRAMS AND SERVICES TO THE HOMELESS.  
4 The General Assembly of North Carolina enacts:  
5 Section 1. There is appropriated from the General Fund  
6 to the Department of Economic and Community Development the sum  
7 of \$50,000 for the 1991-92 fiscal year and the sum of \$100,000  
8 for the 1992-93 fiscal year to establish a State-funded grant  
9 program for local agencies, whether nonprofit, private agencies  
10 or public, providing programs and services to the homeless.  
11 Sec. 2. The grants established by Section 1 of this act  
12 shall be available effective January 1, 1992. The grants shall  
13 be available to all local agencies providing programs and  
14 services to the homeless, including shelters, treatment  
15 facilities, adult day care facilities, and transitional and  
16 permanent housing agencies. For the 1991-93 fiscal biennium,  
17 grants shall be limited to \$5,000 per local agency.  
18 Funds for administrative needs in starting up and operating the  
19 grants program shall be available on July 1, 1991. Up to seven  
20 percent (7%) of the funds appropriated by this act may be used  
21 for administrative purposes.  
22 Sec. 3. By October 31, 1991, the Department of Economic  
23 and Community Development shall have consulted with all other  
24 affected State and local agencies on how to ensure the

1 cooperation and information coordination necessary to enable it  
2 to award the grants and shall report the results of its  
3 consultations to the Legislative Research Commission's Study  
4 Committee on Homeless Persons, if reauthorized, to the Joint  
5 Legislative Commission on Governmental Operations, and to the  
6 Fiscal Research Division, by October 31, 1991.

7           Sec. 4. By October 31, 1992, the Department of Economic  
8 and Community Development shall report the specific results of  
9 the grant program established by Section 1 of this act, together  
10 with specific requests for additional appropriations and any  
11 other recommendations, to the Legislative Research Commission's  
12 Study Committee on Homeless Persons, if reauthorized, to the  
13 Joint Legislative Commission on Governmental Operations, and to  
14 the Fiscal Research Division.

15           Sec. 5. The Department of Economic and Community  
16 Development shall adopt rules to implement this act.

17           Sec. 6. This act becomes effective July 1, 1991.



**DRAFT  
FOR REVIEW ONLY**

**SUMMARY OF LEGISLATIVE PROPOSAL 2**

Legislative Proposal 2 establishes a small grants program to provide State funds for local programs and services to the homeless.

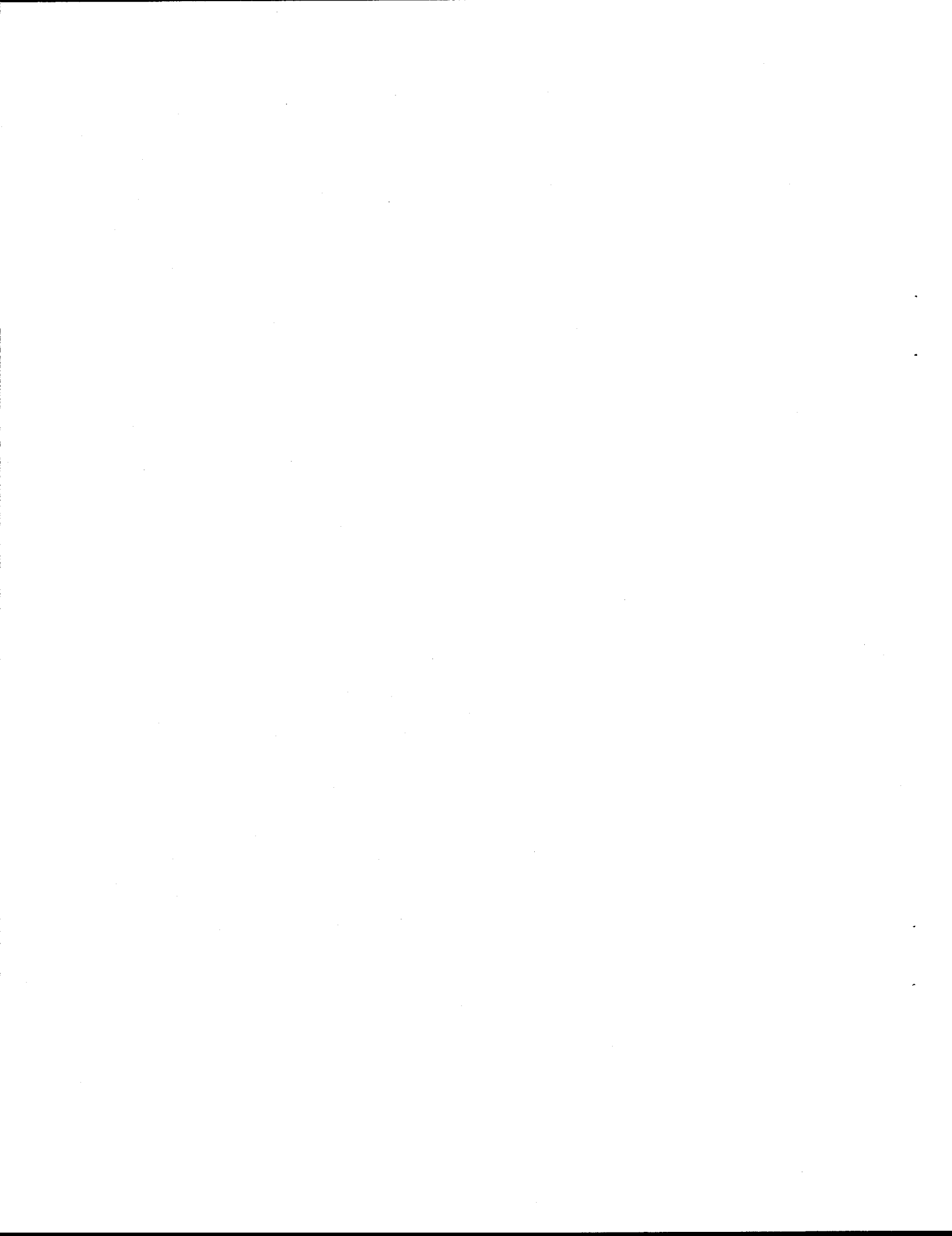
Section 1 appropriates funds of \$50,000 for 1991-90 and \$100,000 for 1992-93 to the Department of Economic and Community Development to establish the grant program.

Section 2 provides that the grants be available beginning January 1, 1992 to any local agencies providing programs and services for the homeless, including shelters, treatment facilities, adult day care facilities, and transitional and permanent housing agencies. For the biennium, grants must be limited to \$5,000. The section further provides that up to seven percent (7%) of the funds may be used for administrative purposes and that, even though the grants will not begin until January 1, 1992, the funds will be available to the Department for administration and starting up of the program as of July 1, 1991.

Section 3 specifies that the Department must have consulted with all other affected State and local agencies by October 31, 1991 on how to administer the grants and provides reporting requirements regarding the decision on how to run the program.

Section 4 provides that the Department report the specific results of the program by October 31, 1992.

Section 5 requires the Department to adopt rules to implement the program.



GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

**DRAFT**  
**FOR REVIEW ONLY**

D

91-LF-10

(THIS IS A DRAFT AND NOT READY FOR INTRODUCTION)

Short Title: State Coordination/Homeless Study. (Public)

Sponsors: .Senator Richardson, & Representative Buchanan

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO REQUIRE STATE AGENCIES STUDY HOW BEST TO COORDINATE  
3 STATE AGENCIES' PROGRAMS AND SERVICES FOR THE HOMELESS.  
4 The General Assembly of North Carolina enacts:  
5 Section 1. The Department of Human Resources, the  
6 Department of Economic and Community Development, The Housing  
7 Finance Agency, the Department of Public Instruction, and all  
8 other affected State agencies, shall collaborate in a study of  
9 how best to coordinate State-level programs and services for the  
10 homeless, including McKinney programs. This study shall include  
11 recommendations as to which agency should have the central State  
12 role, as to whether a State position of coordinator of programs  
13 and services is needed and, if so, where to place the position, as  
14 to what statutes need changing, if any, and as to what additional  
15 legislative action needs to be taken to effect proper  
16 coordination.  
17 Sec. 2. The Departments and other State agencies  
18 performing the study shall consult with the local public and  
19 private agencies and individuals providing services and programs  
20 for the homeless.  
21 Sec. 3. The study required by this act shall be  
22 presented to the Legislative Research Commission's Study  
23 Committee on Homeless Persons, if reauthorized, the Joint

- 1 Legislative Commission on Governmental Operations, and to the  
2 Fiscal Research Division, by October 31, 1991.  
3           Sec. 4. This act is effective upon ratification.

**DRAFT**  
**FOR REVIEW ONLY**

**DRAFT  
FOR REVIEW ONLY**

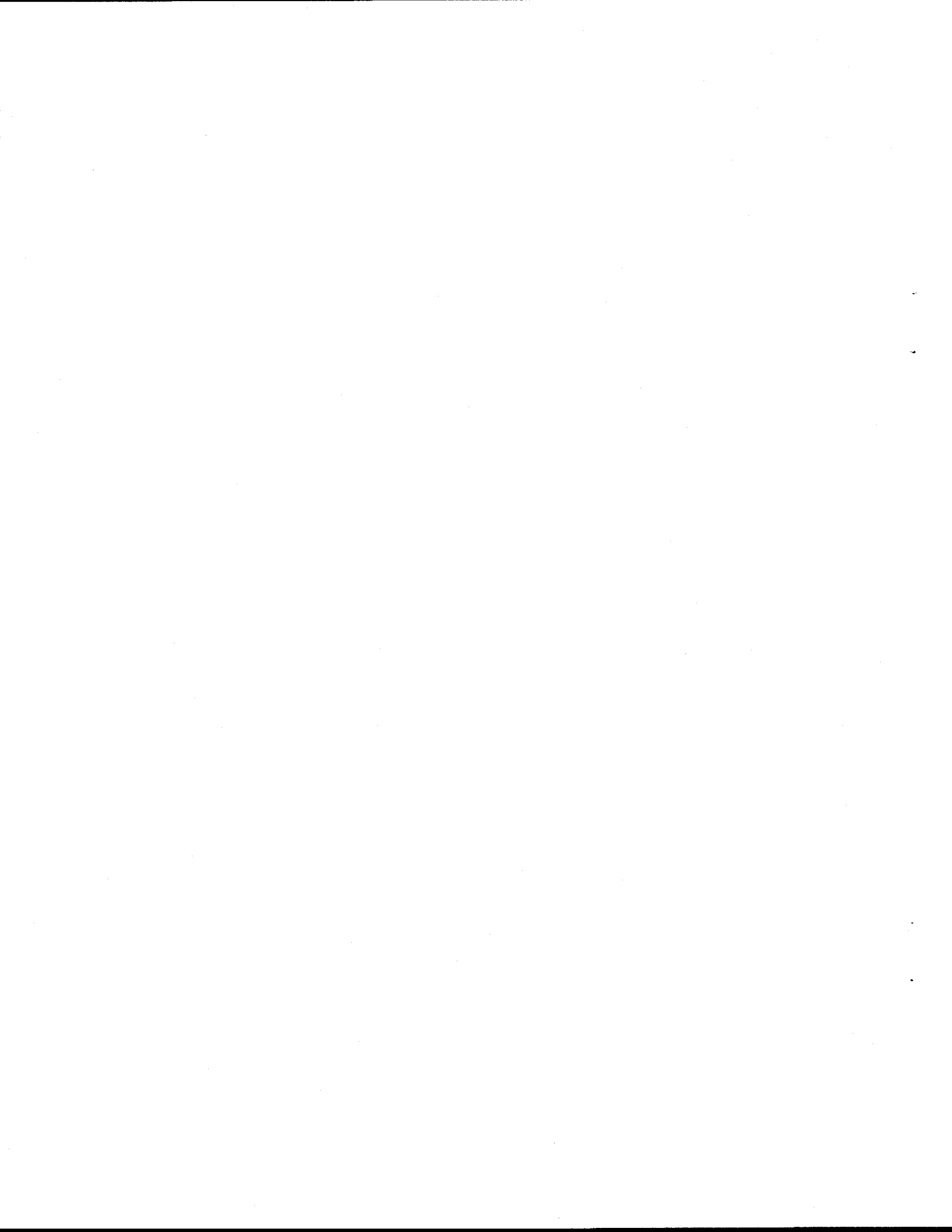
### SUMMARY OF LEGISLATIVE PROPOSAL 3

Legislative Proposal 3 requires that affected State agencies study how best to coordinate programs and services for the homeless.

Section 1 requires all affected State agencies cooperate and collaborate in the study on how best to coordinate State-level programs and services for the homeless, including McKinney programs.

Section 2 requires consultation with local agencies and individuals who serve the homeless.

Section 3 provides that the study be reported to the General Assembly by October 31, 1991.



GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

91-LF-14

(THIS IS A DRAFT AND NOT READY FOR INTRODUCTION)

**DRAFT** D  
**FOR REVIEW ONLY**

Short Title: Homeless Outreach/Funds.

(Public)

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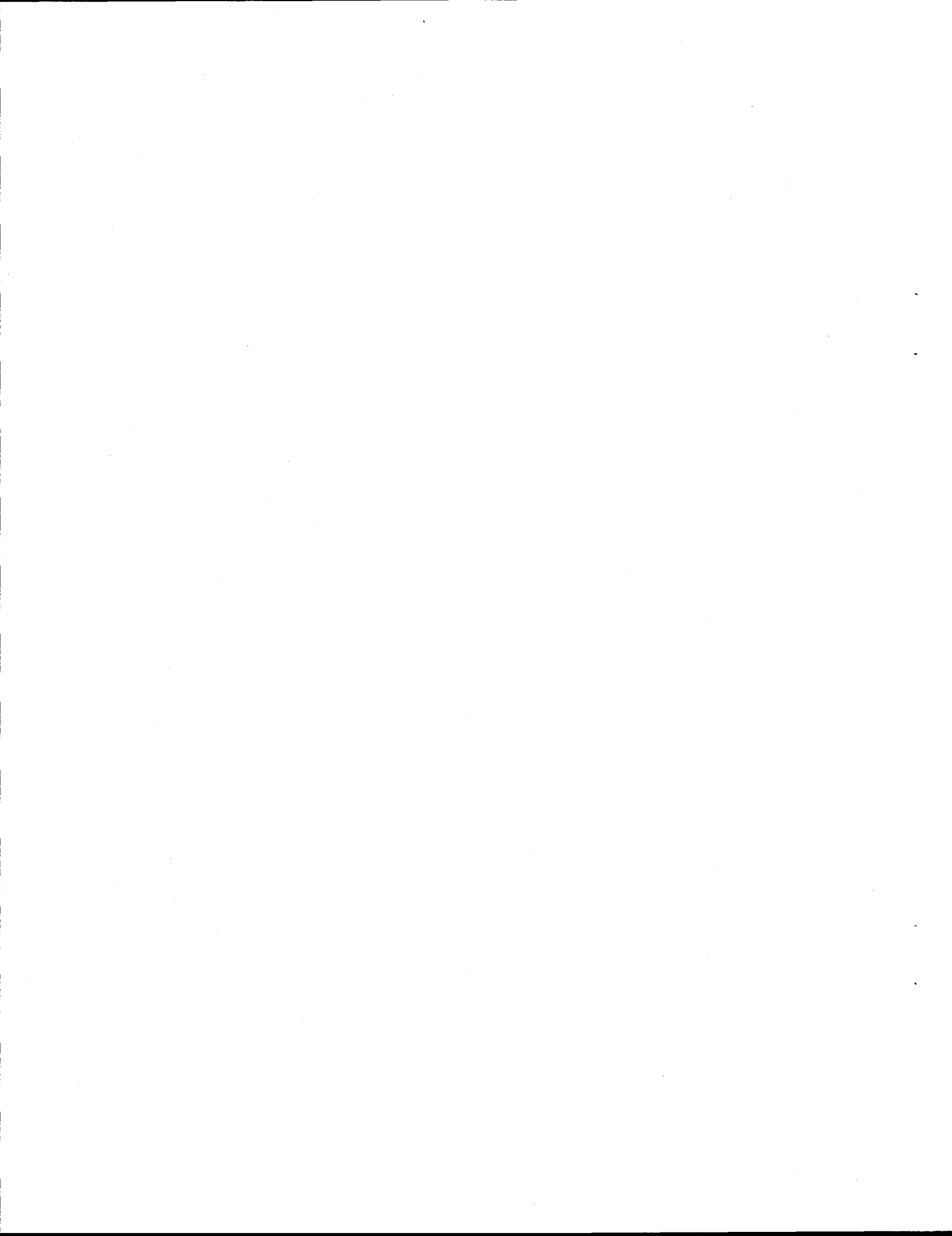
Sponsors: .

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Referred to: Sebator Richardson, Representative Buchanan

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1                                   A BILL TO BE ENTITLED  
2 AN ACT TO REQUIRE A VIGOROUS STATE OUTREACH TO THE HOMELESS AND  
3 TO APPROPRIATE FUNDS .  
4 The General Assembly of North Carolina enacts:  
5                   Section 1. By October 31, 1991, the Department of  
6 Economic and Community Development shall report the specifics of  
7 its planned outreach program established by Section 2 of this act  
8 to the Legislative Research Commission's Study Committee on  
9 Homeless Persons, if reauthorized, the Joint Legislative  
10 Commission on Governmental Operations, and the Fiscal Research  
11 Division.  
12                   Sec. 2. Effective January 1, 1992, the Department of  
13 Economic and Community Development, in consultation and in  
14 cooperation with all other affected State and local agencies and  
15 individuals, shall conduct a vigorous outreach effort to locate  
16 all the homeless in need of services, and to inform them of the  
17 programs and services available to them and how best to receive  
18 these programs and services.  
19                   Sec. 3. There is appropriated from the General Fund to  
20 the Department of Economic and Community Development the sum of  
21 \$25,000 for the 1991-92 fiscal year and the sum of \$50,000 for  
22 the 1992-93 fiscal year to implement Section 1 of this act.  
23 Funds for administrative needs in starting up and operating the  
24 outreach program shall be available on July 1, 1991.





1            Sec. 4. This act becomes effective July 1, 1991.

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**FOR REVIEW ONLY**



SUMMARY OF LEGISLATIVE PROPOSAL 4

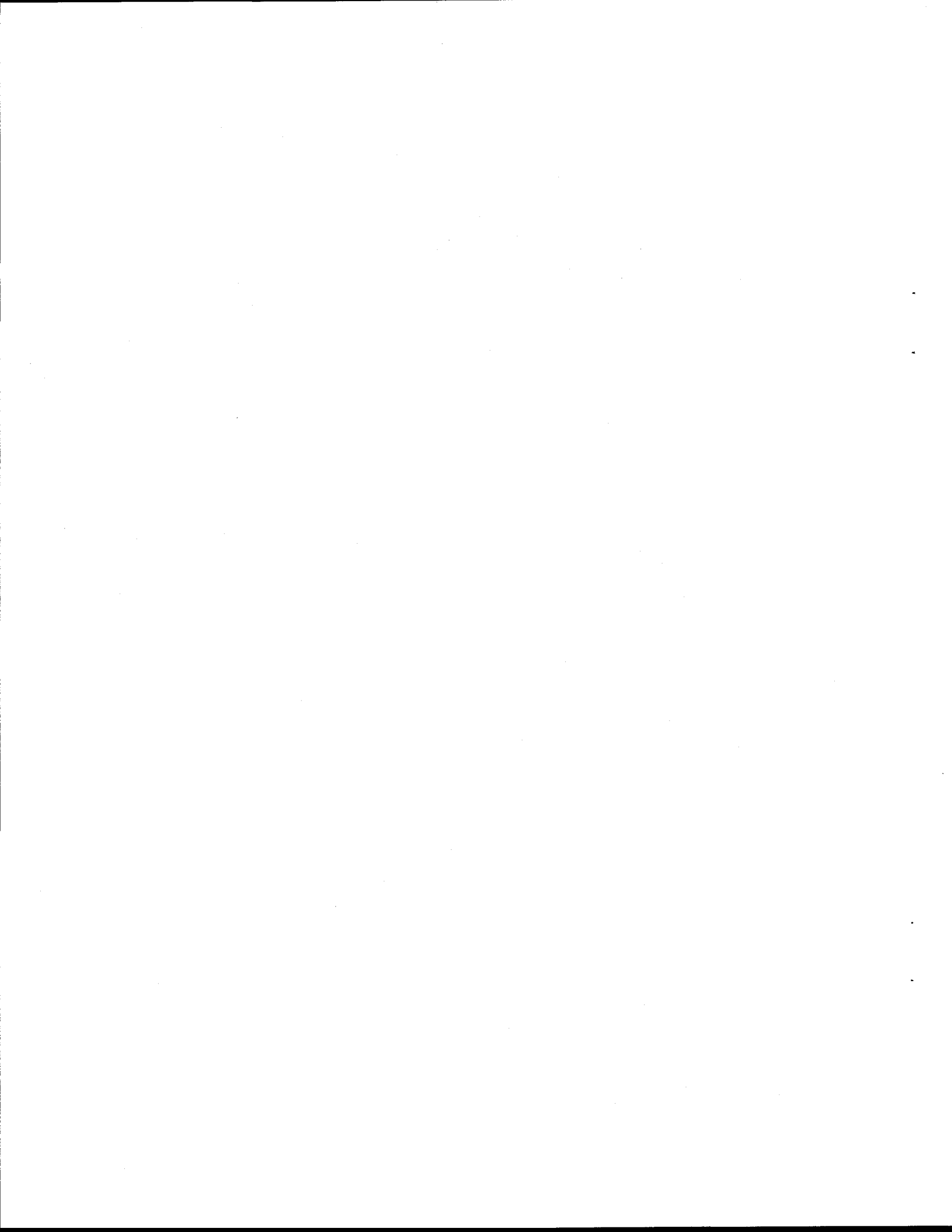
**DRAFT  
FOR REVIEW ONLY**

Legislative Proposal 4 requires that the Department of Economic and Community Development begin to conduct a vigorous outreach effort to locate and inform the homeless about services and programs available to them by January 1, 1992.

Section 1 requires that the Department report the specifics of its planned program to the General Assembly.

Section 2 describes the outreach effort required as a vigorous one designed to locate all the homeless in need of services, and to inform them of the programs and services available and how best to receive these programs and services.

Section 3 appropriated \$25,00 for the 199-92 fiscal year and \$50,000 for the 1992-93 fiscal year for this program. Section 3 also provides that, even though the program will not begin until January 1, 1992, the funds will be available to the Department for administration and starting up of the program as of July 1, 1991.



GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

91-LF-20

(THIS IS A DRAFT AND NOT READY FOR INTRODUCTION)

**DRAFT** D  
**FOR REVIEW ONLY**

Short Title: Low-Income Housing Preservation. (Public)

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Sponsors: .

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Referred to:

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1                                   A BILL TO BE ENTITLED  
2 AN ACT TO ENCOURAGE MAINTAINING AFFORDABLE HOUSING STOCK.  
3 The General Assembly of North Carolina enacts:  
4                   Section 1. G.S. 160A-443 reads as rewritten:  
5   "§ 160A-443. Ordinance authorized as to repair, closing and  
6 demolition; order of public officer.  
7   Upon the adoption of an ordinance finding that dwelling  
8 conditions of the character described in G.S. 160A-441 exist  
9 within a city, the governing body of the city is hereby  
10 authorized to adopt and enforce ordinances relating to dwellings  
11 within the city's territorial jurisdiction that are unfit for  
12 human habitation. These ordinances shall include the following  
13 provisions:  
14                   (1) That a public officer be designated or appointed to  
15                   exercise the powers prescribed by the ordinance.  
16                   (2) That whenever a petition is filed with the public  
17                   officer by a public authority or by at least five  
18                   residents of the city charging that any dwelling is  
19                   unfit for human habitation or whenever it appears  
20                   to the public officer (on his own motion) that any  
21                   dwelling is unfit for human habitation, the public  
22                   officer shall, if his preliminary investigation  
23                   discloses a basis for such charges, issue and cause  
24                   to be served upon the owner of and parties in

**DRAFT  
FOR REVIEW ONLY**

1 interest in such dwellings a complaint stating the  
2 charges in that respect and containing a notice  
3 that a hearing will be held before the public  
4 officer (or his designated agent) at a place within  
5 the county in which the property is located fixed  
6 not less than 10 days nor more than 30 days after  
7 the serving of the complaint; that the owner and  
8 parties in interest shall be given the right to  
9 file an answer to the complaint and to appear in  
10 person, or otherwise, and give testimony at the  
11 place and time fixed in the complaint; and that the  
12 rules of evidence prevailing in courts of law or  
13 equity shall not be controlling in hearings before  
14 the public officer.

- 15 (3) That if, after notice and hearing, the public  
16 officer determines that the dwelling under  
17 consideration is unfit for human habitation, he  
18 shall state in writing his findings of fact in  
19 support of that determination and shall issue and  
20 cause to be served upon the owner thereof an order,  
21 a. If the repair, alteration or improvement of  
22 the dwelling can be made at a reasonable cost  
23 in relation to the value of the dwelling (the  
24 ordinance of the city may fix a certain  
25 percentage of this value as being reasonable),  
26 requiring the owner, within the time  
27 specified, to repair, alter or improve the  
28 dwelling in order to render it fit for human  
29 habitation or to vacate and close the dwelling  
30 as a human habitation; or  
31 b. If the repair, alteration or improvement of  
32 the dwelling cannot be made at a reasonable  
33 cost in relation to the value of the dwelling  
34 (the ordinance of the city may fix a certain  
35 percentage of this value as being reasonable),  
36 requiring the owner, within the time specified  
37 in the order, to remove or demolish such  
38 dwelling.
- 39 (4) That, if the owner fails to comply with an order to  
40 repair, alter or improve or to vacate and close the  
41 dwelling, the public officer may cause the dwelling  
42 to be repaired, altered or improved or to be  
43 vacated and closed; that the public officer may  
44 cause to be posted on the main entrance of any

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FOR REVIEW ONLY

- 1 dwelling so closed, a placard with the following  
2 words: "This building is unfit for human  
3 habitation; the use or occupation of this building  
4 for human habitation is prohibited and unlawful."  
5 Occupation of a building so posted shall constitute  
6 a misdemeanor.
- 7 (5) That, if the owner fails to comply with an order to  
8 remove or demolish the dwelling, the public officer  
9 may cause such dwelling to be removed or  
10 demolished. The duties of the public officer set  
11 forth in subdivisions (4) and (5) shall not be  
12 exercised until the governing body shall have by  
13 ordinance ordered the public officer to proceed to  
14 effectuate the purpose of this Article with respect  
15 to the particular property or properties which the  
16 public officer shall have found to be unfit for  
17 human habitation and which property or properties  
18 shall be described in the ordinance. No such  
19 ordinance shall be adopted to require demolition of  
20 a dwelling until the owner has first been given a  
21 reasonable opportunity to bring it into conformity  
22 with the housing code. This ordinance shall be  
23 recorded in the office of the register of deeds in  
24 the county wherein the property or properties are  
25 located and shall be indexed in the name of the  
26 property owner in the grantor index.
- 27 (5a) If the governing body shall have adopted an  
28 ordinance ordering a dwelling to be repaired or  
29 vacated and closed, as provided in subdivision  
30 (3)a., and if the owner has vacated and closed such  
31 dwelling and kept such dwelling vacated and closed  
32 for a period of one year pursuant to the ordinance,  
33 then if the governing body shall find that the  
34 owner has abandoned the intent and purpose to  
35 repair, alter or improve the dwelling in order to  
36 render it fit for human habitation and that the  
37 continuation of the dwelling in its vacated and  
38 closed status would be inimical to the health,  
39 safety, morals and welfare of the municipality in  
40 that the dwelling would continue to deteriorate,  
41 would create a fire and safety hazard, would be a  
42 threat to children and vagrants, would attract  
43 persons intent on criminal activities, would cause  
44 or contribute to blight and the deterioration of

**DRAFT**  
**FOR REVIEW**

1 property values in the area, and ~~would~~ render  
2 unavailable property and a dwelling which might  
3 otherwise have been made available to ease the  
4 persistent shortage of decent and affordable  
5 housing in this State, then in such circumstances,  
6 the governing body may, after the expiration of  
7 such one year period, enact an ordinance and serve  
8 such ordinance on the owner, setting forth the  
9 following:

- 10 a. If it is determined that the repair of the  
11 dwelling to render it fit for human habitation  
12 can be made at a cost not exceeding fifty  
13 percent (50%) of the then current value of the  
14 dwelling, the ordinance shall require that the  
15 owner either repair or demolish and remove the  
16 dwelling within 90 days; or  
17 b. If it is determined that the repair of the  
18 dwelling to render it fit for human habitation  
19 cannot be made at a cost not exceeding fifty  
20 percent (50%) of the then current value of the  
21 dwelling, the ordinance shall require the  
22 owner to demolish and remove the dwelling  
23 within 90 days.

24 This ordinance shall be recorded in the Office  
25 of the Register of Deeds in the county wherein the  
26 property or properties are located and shall be  
27 indexed in the name of the property owner in the  
28 grantor index. If the owner fails to comply with  
29 this ordinance, the public officer shall effectuate  
30 the purpose of the ordinance.

31 This subdivision only applies to municipalities  
32 located in counties which have a population in  
33 excess of 163,000 by the last federal census.

- 34 (6) That the amount of the cost of repairs, alterations  
35 or improvements, or vacating and closing, or  
36 removal or demolition by the public officer shall  
37 be a lien against the real property upon which the  
38 cost was incurred, which lien shall be filed, have  
39 the same priority, and be collected as the lien for  
40 special assessment provided in Article 10 of this  
41 Chapter. If the dwelling is removed or demolished  
42 by the public officer, he shall sell the materials  
43 of the dwelling, and any personal property,  
44 fixtures or appurtenances found in or attached to



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1 the dwelling, and shall credit the proceeds of the  
2 sale against the cost of the removal or demolition  
3 and any balance remaining shall be deposited in the  
4 superior court by the public officer, shall be  
5 secured in a manner directed by the court, and  
6 shall be disbursed by the court to the persons  
7 found to be entitled thereto by final order or  
8 decree of the court. Nothing in this section shall  
9 be construed to impair or limit in any way the  
10 power of the city to define and declare nuisances  
11 and to cause their removal or abatement by summary  
12 proceedings, or otherwise.

13 (7) If any occupant fails to comply with an order to  
14 vacate a dwelling, the public officer may file a  
15 civil action in the name of the city to remove such  
16 occupant. The action to vacate the dwelling shall  
17 be in the nature of summary ejectment and shall be  
18 commenced by filing a complaint naming as parties-  
19 defendant any person occupying such dwelling. The  
20 clerk of superior court shall issue a summons  
21 requiring the defendant to appear before a  
22 magistrate at a certain time, date and place not to  
23 exceed 10 days from the issuance of the summons to  
24 answer the complaint. The summons and complaint  
25 shall be served as provided in G.S. 42-29. The  
26 summons shall be returned according to its tenor,  
27 and if on its return it appears to have been duly  
28 served, and if at the hearing the public officer  
29 produces a certified copy of an ordinance adopted  
30 by the governing body pursuant to subdivision (5)  
31 authorizing the officer to proceed to vacate the  
32 occupied dwelling, the magistrate shall enter  
33 judgment ordering that the premises be vacated and  
34 that all persons be removed. The judgment ordering  
35 that the dwelling be vacated shall be enforced in  
36 the same manner as the judgment for summary  
37 ejectment entered under G.S. 42-30. An appeal from  
38 any judgment entered hereunder by the magistrate  
39 may be taken as provided in G.S. 7A-228, and the  
40 execution of such judgment may be stayed as  
41 provided in G.S. 7A-227. An action to remove an  
42 occupant of a dwelling who is a tenant of the owner  
43 may not be in the nature of a summary ejectment  
44 proceeding pursuant to this paragraph unless such

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1 occupant was served with notice at least 30 days  
2 before the filing of the summary ejectment  
3 proceeding that the governing body has ordered the  
4 public officer to proceed to exercise his duties  
5 under paragraphs 4 and 5 of this section to vacate  
6 and close or remove and demolish the dwelling.

7 (8) That whenever a determination is made that a  
8 dwelling must be demolished under the provisions of  
9 this section, and following the exhaustion of all  
10 opportunities for appeal by the owner provided  
11 under this section, notice of the order of  
12 demolition shall be given to any organization or  
13 person known to the governing body as being  
14 involved in providing or restoring dwellings for  
15 affordable housing, and in a newspaper of general  
16 circulation, and a minimum period of 60 days from  
17 the publication of such notice shall be given to  
18 allow the opportunity for any organization or  
19 person to negotiate with the the owner to make  
20 repairs, lease, or purchase the property for the  
21 purpose of providing affordable housing."

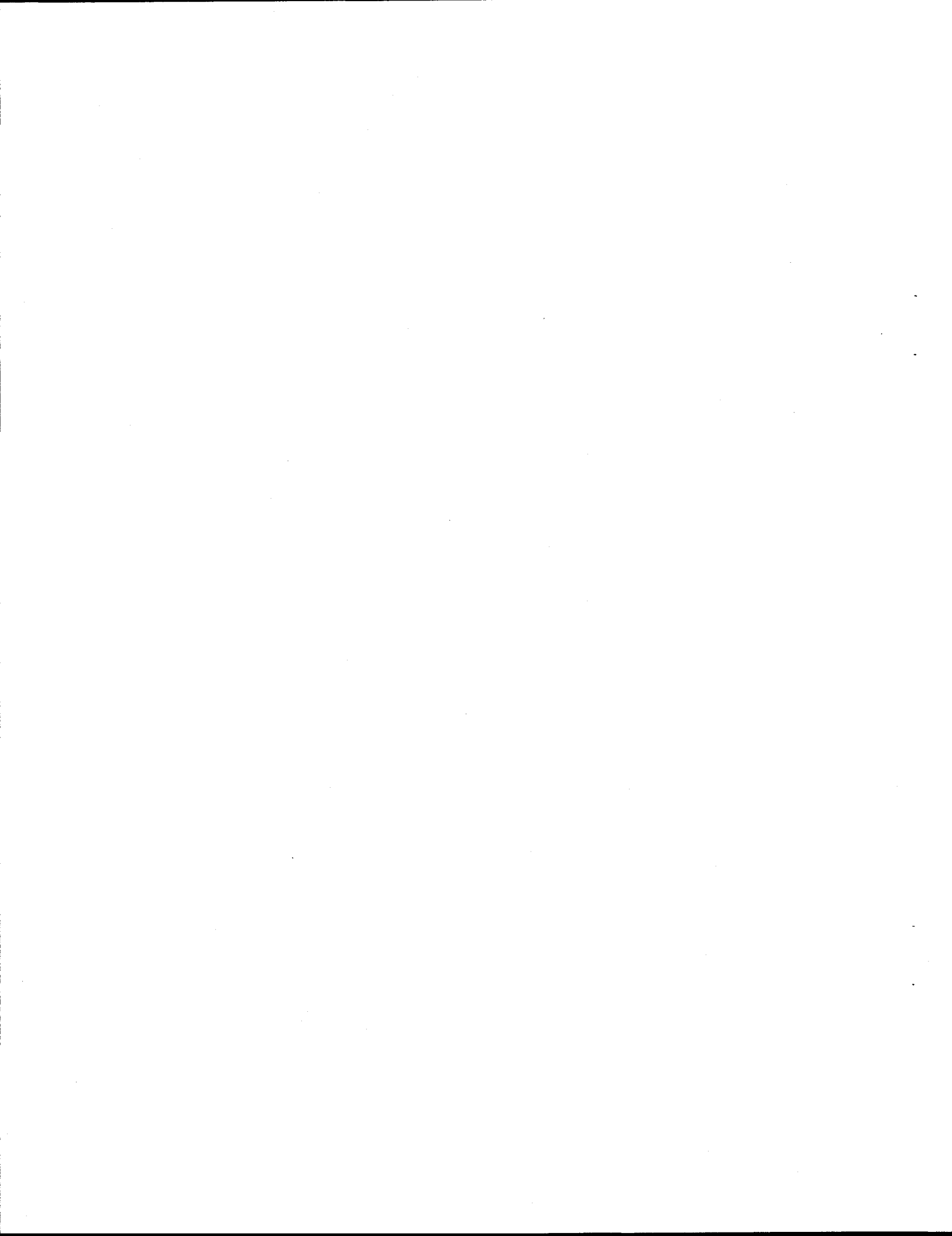
22 Sec. 2. This act becomes effective October 1, 1991.

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## SUMMARY OF LEGISLATIVE PROPOSAL 5

Legislative Proposal 5 amends G.S. 160A-443 to encourage the maintenance of affordable housing stock.

Section 1 adds a new subdivision to G.S. 160A-443. This subdivision authorizes a city to adopt an ordinance with regard to dwellings within the city's jurisdiction that are unfit that would encourage the maintenance of the dwellings as affordable housing stock. If a determination is made pursuant to the procedures of G.S. 160A-443 that a dwelling must be demolished and if all proper due process procedures for the protection of the owner are exhausted, the permissive ordinance would give notice of the proposed demolition and allow for a period of 60 days from the notice to the demolition. The notice and the minimum period of 60 days would allow the opportunity for any organization or person to negotiate with the owner to make repairs, lease, or purchase the property for the purpose of providing affordable housing.



GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

**DRAFT**  
**FOR REVIEW ONLY**

D

91-LF-17

(THIS IS A DRAFT AND NOT READY FOR INTRODUCTION)

Short Title: Homelessness Prevention/Funds.

(Public)

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Sponsors: • Senator Richardson, & Representative Buchanan

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Referred to:

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1   A BILL TO BE ENTITLED  
2 AN ACT TO APPROPRIATE FUNDS TO THE HOUSING FINANCE AGENCY TO AID  
3     IN THE PREVENTION OF HOMELESSNESS.  
4 The General Assembly of North Carolina enacts:  
5             Section 1. The North Carolina <sup>Housing</sup> Finance Agency shall  
6 establish, within funds available, within the Agency's  
7 Multifamily Rental Assistance Fund a security and utility deposit  
8 revolving loan fund to enable people in shelters and transitional  
9 housing projects to borrow utility and security deposits  
10 necessary to enable them to move into permanent housing. The  
11 Agency shall adopt rules to administer this fund, including rules  
12 specifying the eligibility requirements for loans, the number of  
13 times per year the same person may borrow from this fund, the  
14 limit, if any, on the amount that may be borrowed, and the  
15 specific requirements with regards to repayment.  
16             Sec. 2. There is appropriated from the General Fund to  
17 the North Carolina Housing Finance Agency the sum of \$500,000 for  
18 the 1991-92 fiscal year and the sum of \$500,000 for the 1992-93  
19 fiscal year to establish within the Agency's Multifamily Rental  
20 Assistance Fund a revolving loan fund to enable people facing  
21 imminent eviction from their primary residence to borrow rent.  
22 The Agency shall adopt rules to administer this fund, including  
23 eligibility requirements for the loan, the number of months' rent  
24 that the same person may borrow, the limit, if any, on the amount

1 that may be borrowed, and the specific requirements with regards  
2 to repayment.

3           Sec. 3. There is appropriated from the General Fund to  
4 the North Carolina Housing Finance Agency the sum of \$500,000 for  
5 the 1991-92 fiscal year and the sum of \$500,000 for the 1992-93  
6 fiscal year for the Housing Trust Fund, to be designated for  
7 loans to finance specifically emergency and transitional housing.  
8 The Agency shall consult with the Department of Economic and  
9 Community Development and the Department of Human Resources in  
10 administering this section.

11           Sec. 4. There is appropriated from the General Fund to  
12 the North Carolina Housing Finance Agency the sum of \$5,000,000  
13 for the 1991-92 fiscal year and the sum of \$5,000,000 for the  
14 1992-93 fiscal year for the Housing Trust Fund, to establish a  
15 revolving loan fund for public or private nonprofit agencies and  
16 individuals to develop affordable housing to low-income and very  
17 low-income families. Loans may be used for conversion of  
18 existing housing stock and for the development of new housing  
19 units. The Agency shall adopt rules to administer this fund,  
20 including rules giving preference to applicants using existing  
21 housing stock. The Agency shall inventory publicly-owned lands  
22 and buildings to identify those properties suitable for  
23 development into low-income and very-low income housing.

24           Sec. 5. The North Carolina Housing Finance Agency shall  
25 report on the use of the funds appropriated by this act to the  
26 Legislative Research Commission's Study Committee on Homeless  
27 Persons, if reauthorized, to the Joint Legislative Commission on  
28 Governmental Operational, and to the Fiscal Research Division by  
29 October 31, 1991. The funds appropriated by this act shall be  
30 subject to the provisions of the Executive Budget Act.  
31 Subsequent appropriations for these purposes shall be included in  
32 the Agency's continuation budget request.

33           Sec. 6. The Housing Finance Agency shall adopt rules to  
34 administer this act.

35           Sec. 7. This act becomes effective July 1, 1991.

SUMMARY OF LEGISLATIVE PROPOSAL 6

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FOR REVIEW ONLY**

Legislative Proposal 6 authorizes programs and appropriates funds to the North Carolina Housing Finance Agency to aid in the prevention of homelessness.

Section 1 requires the Agency to use available funds to establish a security and utility deposit revolving loan fund within its existing Multifamily Rental Assistance FUND to enable people in shelters and transitional housing projects to borrow utility and security deposits necessary to enable them to move into permanent housing. The Agency is required to adopt rules, including specific ones, to administer this program.

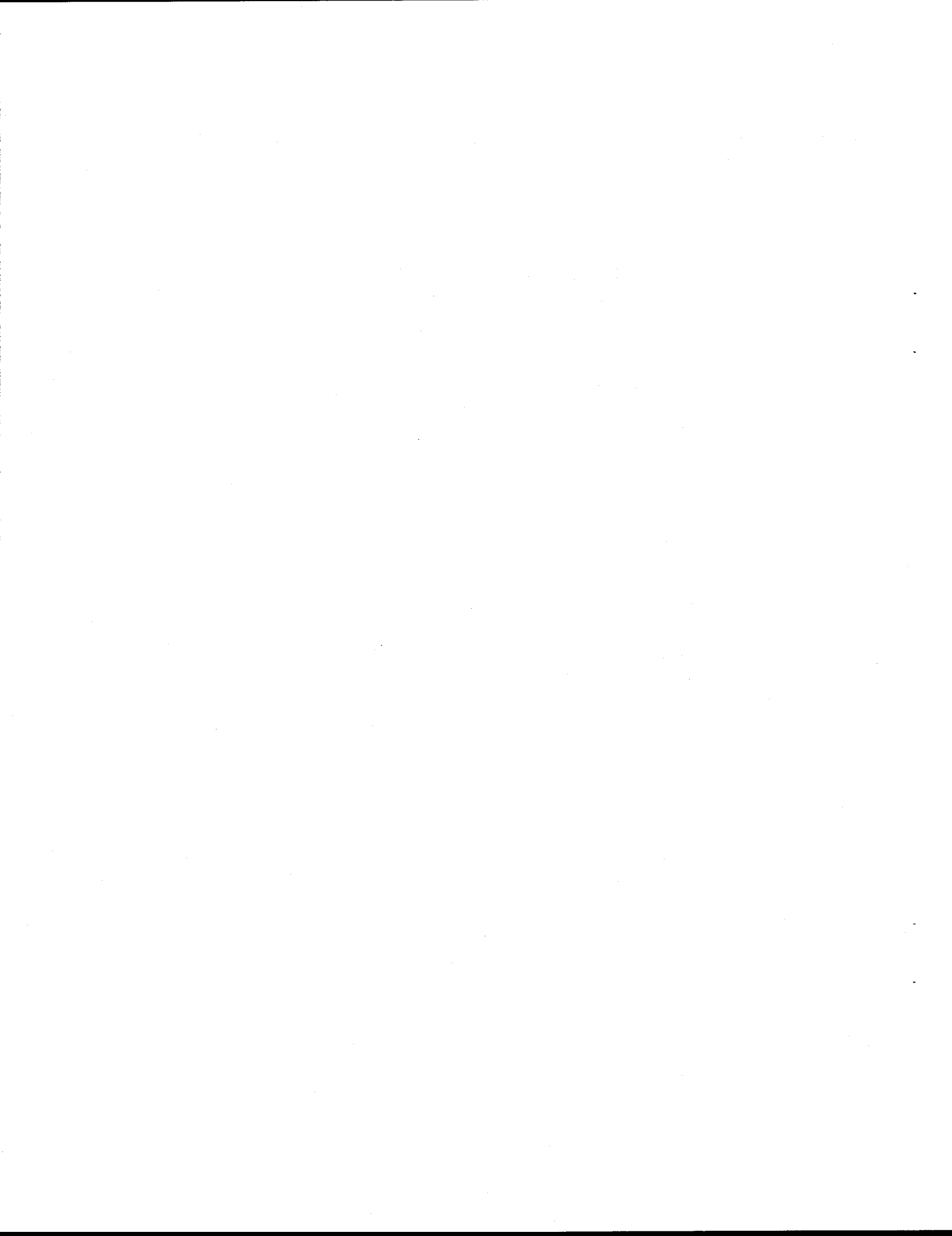
Section 2 appropriates \$500,000 for each of the fiscal years of the 1991-93 biennium to the Agency to establish within the Multifamily Rental Assistance Fund a revolving loan fund for rent for people facing imminent eviction. The Agency is required to adopt rules, including specific ones, to administer this program.

Section 3 appropriates \$500,000 for each of the fiscal years of the 1991-93 biennium to the Agency for the Housing Trust Fund, for loans to finance emergency and transitional housing. It requires that the Agency consult with the Department of Human Resources and the Department of Economic and Community Development in administering this section.

Section 4 appropriates \$5,000,000 for each of the fiscal years of the 1991-93 biennium to the Agency for the Housing Trust Fund, to establish a revolving loan fund for the development of affordable housing for low- and very low-income families. Loans may be used by public or nonprofit agencies and individuals for conversion of existing housing stock and for the development of new housing units. The rules required to be adopted include rules giving preference to applicants using existing housing stock. The Agency is also required to inventory publicly-owned lands and buildings to identify those buildings suitable for development into low-income and very low-income housing. fiscal year and --- for the 1992-93 fiscal year

Section 5 places the funds appropriated by this act under the same budgetary procedures as other State programs.

Section 6 requires that the Agency adopt rules.





**APPENDIX D**  
**Agendas of the Meetings**



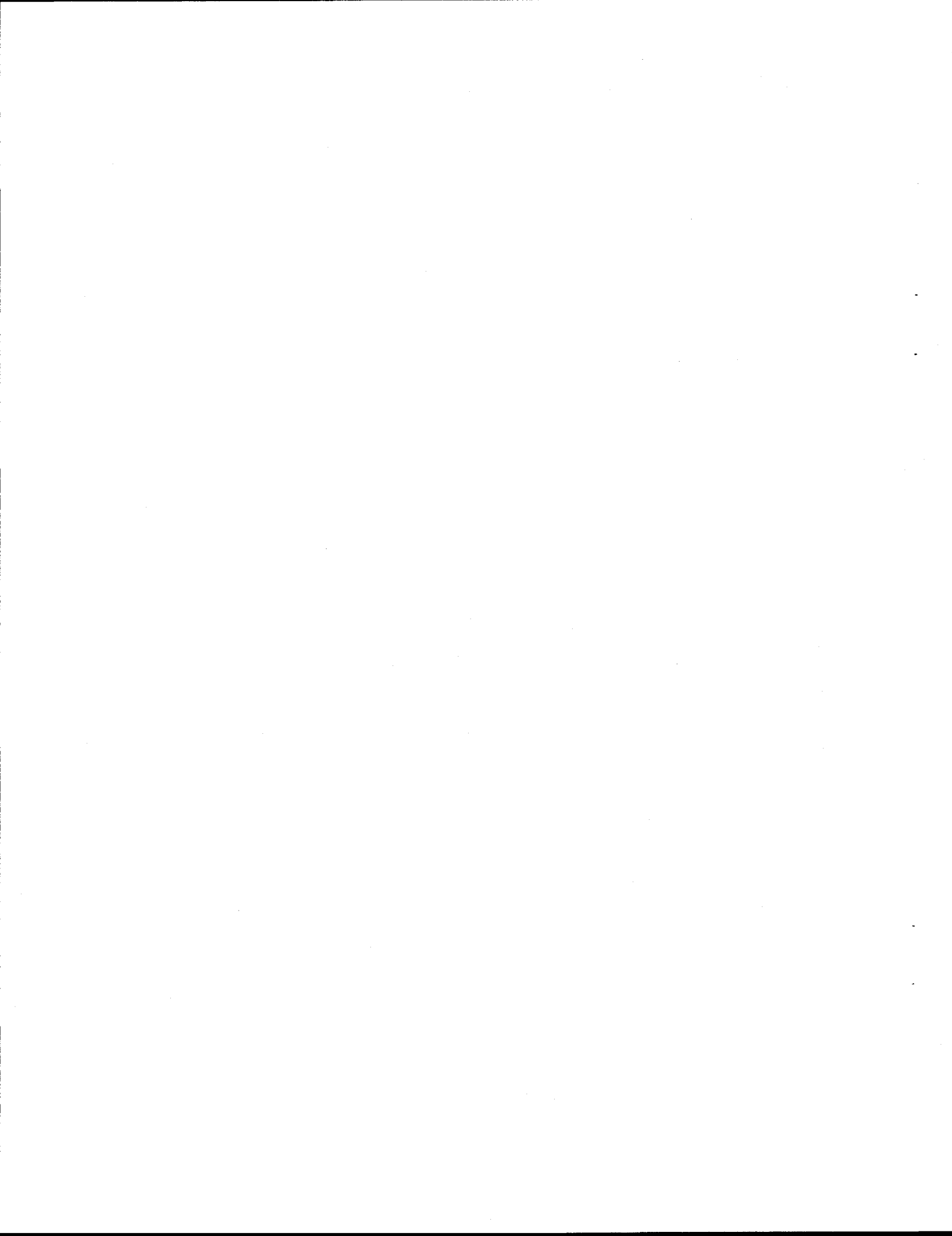
STATE OF NORTH CAROLINA  
LEGISLATIVE RESEARCH COMMISSION  
STATE LEGISLATIVE BUILDING  
RALEIGH 27611



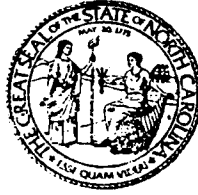
LEGISLATIVE RESEARCH COMMISSION STUDY COMMITTEE  
ON  
HOMELESS PERSONS  
AGENDA

December 13, 1989; 10:00 A.M.  
Room 1124; Legislative Building

- 10:00 A.M.
- I. Charge to Committee, Senator Russell Walker, Legislative Research Commission Member  
Welcome by Co-Chair, Senator James Richardson, Representative Charles Buchanan  
Introduction of Members
  - II. Staff Presentations:
    - (1) Approval of Budget;
    - (2) Discussion of Legislative Research Commission Rules;
    - (3) Discussion of Committee's Legislative Mandate.
  - III. Presentations by Involved Agencies, People
    - (1) Bob Chandler, Director, Division of Community Assistance  
Department of Economic and Community Development;
    - (2) Nita Stewart, Division of Aging,  
Department of Human Resources;
    - (3) Don Willis, Division of Mental Health,  
Developmental Disabilities, and Substance Abuse,  
Department of Human Resources;
    - (4) Dr. John Baggett, Executive Director,  
N.C. Alliance for the Mentally Ill;
    - (5) Lawrence Wilson, Deputy Director,  
Division of Economic Opportunity,  
Department of Human Resources;
    - (6) Sallie Surface, Choanoke Area Development  
Association, Inc.;
    - (7) Patricia Wilkins, Department of Public  
Instruction;
    - (8) Department of Community Colleges (written  
submission).
  - IV. Committee Discussion
  - V. Directions to Staff
  - VI. Setting of Future Meeting Dates
  - VII. Adjournment



STATE OF NORTH CAROLINA  
LEGISLATIVE RESEARCH COMMISSION  
STATE LEGISLATIVE BUILDING  
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LEGISLATIVE RESEARCH COMMISSION STUDY COMMITTEE  
ON  
HOMELESS PERSONS  
AGENDA

MARCH 1, 1990; 10:00 A.M.  
ROOM 1124; Legislative Building

10:00 A.M.

- I. Welcome
- II. Results of Survey - Staff
- III. Presenters on Housing For the Homeless Issue
  - (1) Robert Neigelsky, Housing Programs Officer, Housing Finance Agency
  - (2) Jeff Brown, Weatherization Program Manager, Energy Division, Department of Economic and Community Development
  - (3) Jackie E. McLamb, District Director, Farmer's Home Administration
  - (4) Billy Ray Hall, Rural Economic Development Center
  - (5) Kay Vines, Advocate for the Homeless
  - (6) Chuck Snyder
  - (7) Greg Warren, Executive Director, Downtown Housing Improvement Corporation, Low Income Housing Coalition
  - (8) Dorothy Allen Freeman, Director, Wake Opportunities
  - (9) Anne Burke, Executive Director, Urban Ministry Center
  - (10) Bob Lane, Raleigh/Wake County Coalition for the Homeless

Lunch

At lunch, staff will be playing a tape prepared by Jay Joiner of WRAL-FM and the North Carolina News Network. This tape contains testimony of experts on the issues affecting the homeless and of two homeless persons. Please bring your sandwiches back to Room 1124 and join us.

2:00 P.M.

- IV. Staff Presentation
  - (1) Other State's legislation affecting the issue of housing for the homeless;
  - (2) Model legislation affecting the issue of housing for the homeless
- V. Committee Discussion
- VI. Directions to Staff
- VII. Adjournment

STATE OF NORTH CAROLINA  
LEGISLATIVE RESEARCH COMMISSION  
STATE LEGISLATIVE BUILDING  
RALEIGH 27611



LEGISLATIVE RESEARCH COMMISSION  
STUDY COMMITTEE ON HOMELESS PERSONS  
AGENDA

THURSDAY, MARCH 29; 10:00 A.M.; ROOM 1228, LEGISLATIVE BUILDING

10:00 a.m.

I. Welcome.

II. Adoption of minutes.

III. Update on committee budget -staff.

IV. Presentation of the progress report given to the March 22 meeting of the Legislative Research Commission -staff.

V. Development of proposals for consideration at public hearings after the short session.

A. Policy issues needing consideration in proposals include:

- (1) Roles of State and local governments and private entities, i.e., to what extent should the State develop and administer programs and services for the homeless and to what extent should the State merely be the facilitator for local programs;
- (2) Coordination at State and local levels of federal, local, and any new State programs and services for the homeless;
  - i. Draft proposal that incorporates a State position to facilitate and coordinate programs and services, the designating of liaison persons in affected agencies, and the establishment of a State grant fund for shelters -staff will present this proposal if members wish;
- (3) Scope of help offered by proposals, i.e., will they include proposals on all the aspects of homeless that are address in the Model Act:
  - i. Emergency relief for the homeless; the prevention of homelessness;
  - ii. Prevention of homelessness;
  - iii. Low-income housing for homeless;
- (4) Consideration of how many existing programs can, with "encouragement" handle these areas, and of what commissions and committees other than this one are working to study some of these areas.
- (5) Other issues.

B. Clarification of proposals. Staff will send them out in writing before the short session for the Committee's suggestions before they are sent out across the State for comment at the public hearings after the session.

VI. Consideration of the endorsement by letter to Appropriations Committee Chair of Rep. Barnes' bill, H 682, entitled "AN ACT TO ENSURE THAT NO FULL-TIME, PERMANENT STATE EMPLOYEES ARE PAID AN ANNUAL SALARY LESS THAN THE CURRENT FEDERALLY DEFINED POVERTY LEVEL FOR A FAMILY OF FOUR".

VII. Additional matters.

VIII. Directions to staff.

IX. Adjournment.





STATE OF NORTH CAROLINA  
LEGISLATIVE RESEARCH COMMISSION  
STATE LEGISLATIVE BUILDING  
RALEIGH 27611



AGENDA

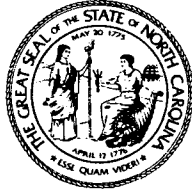
Legislative Research Commission Study Committee on  
Homeless Persons

Thursday, September 20, 1990, 11:00 a.m.; Room 1228,  
Legislative Building

- 11:00 Welcome  
Approval of Minutes
- 11:10 Staff Presentation  
(1) Review of Budget Provision: "ACCELERATED PAY PLAN  
FOR LOWEST STATE EMPLOYEES"  
(2) Review of 1991-93 Budget Shortfall Projection  
(3) Review of Committee Budget  
(4) Review of LRC-mandated scheduling; setting of  
public hearing dates and of remaining meeting  
dates.
- 11:30 Presentation on North Carolina's Homeless - Mike  
McLaughlin, Associate Editor, North Carolina Insight.
- 11:45 Committee Review of Proposals for Discussion at Public  
Hearing:  
(1) Proposals outlined in handout  
(2) Additional Proposals
- 12:30 Additional Matters Relating to Public Hearings:  
(1) Sites (tentative sites were Fayetteville,  
Charlotte).  
(2) Time of hearings; length of presentations.  
(3) Motel accommodation procedures.
- 1:00 Additional Directions to Staff  
Adjournment.



NORTH CAROLINA GENERAL ASSEMBLY  
STATE LEGISLATIVE BUILDING  
RALEIGH 27611



Legislative Research Commission  
Study Committee on Homeless Persons

Public Hearing #1  
Fayetteville Community College  
Fayetteville, N.C.  
October 17, 1990  
10:00 A.M. - 2:00 P.M.

Agenda

Welcome; Introduction of Members

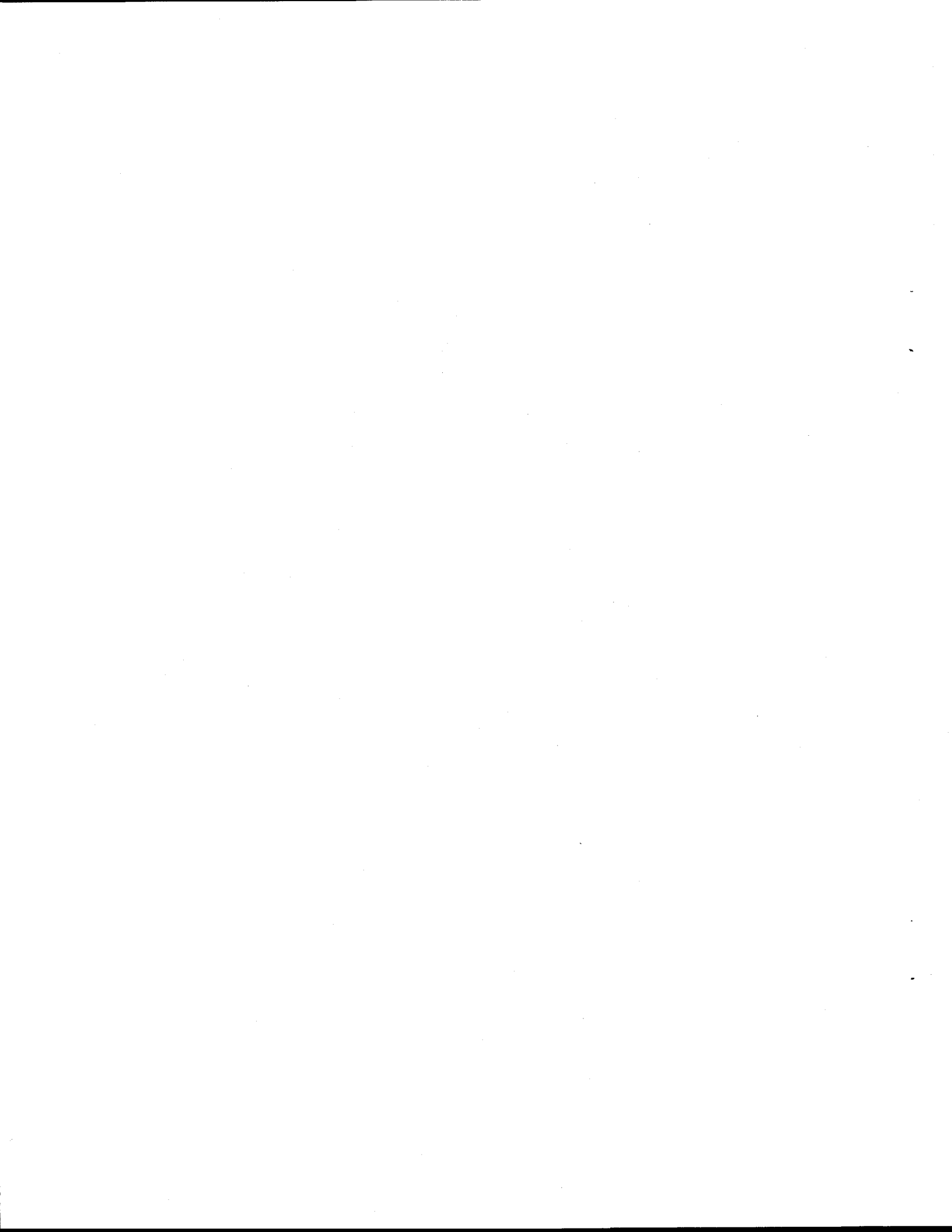
Announcement of November 13th meeting in Raleigh;  
10:00 A.M.; Room 1228, Legislative Building.  
At this meeting the LRC Committee on Homeless Persons  
will be developing proposals to be presented to the  
1991 General Assembly and voting on what proposals  
to include.

Public Hearing Testimony:

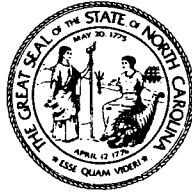
Please state your name and organization, if  
you represent one  
(1) Listed testifiers  
(2) Testifiers from audience

Announcement of Public Hearing #2 at Charlotte-Mecklenburg  
Government Center Meeting Room, Charlotte, N.C. 10:00 A.M. -  
2:00 P.M., October 18, 1990.

Adjourn



NORTH CAROLINA GENERAL ASSEMBLY  
STATE LEGISLATIVE BUILDING  
RALEIGH 27611



Legislative Research Commission  
Study Committee on Homeless Persons

Public Hearing #2  
Charlotte-Mecklenburg Government Center  
Meeting Room  
Charlotte, N.C.  
October 18, 1990  
10:00 A.M. - 2:00 P.M.

Agenda

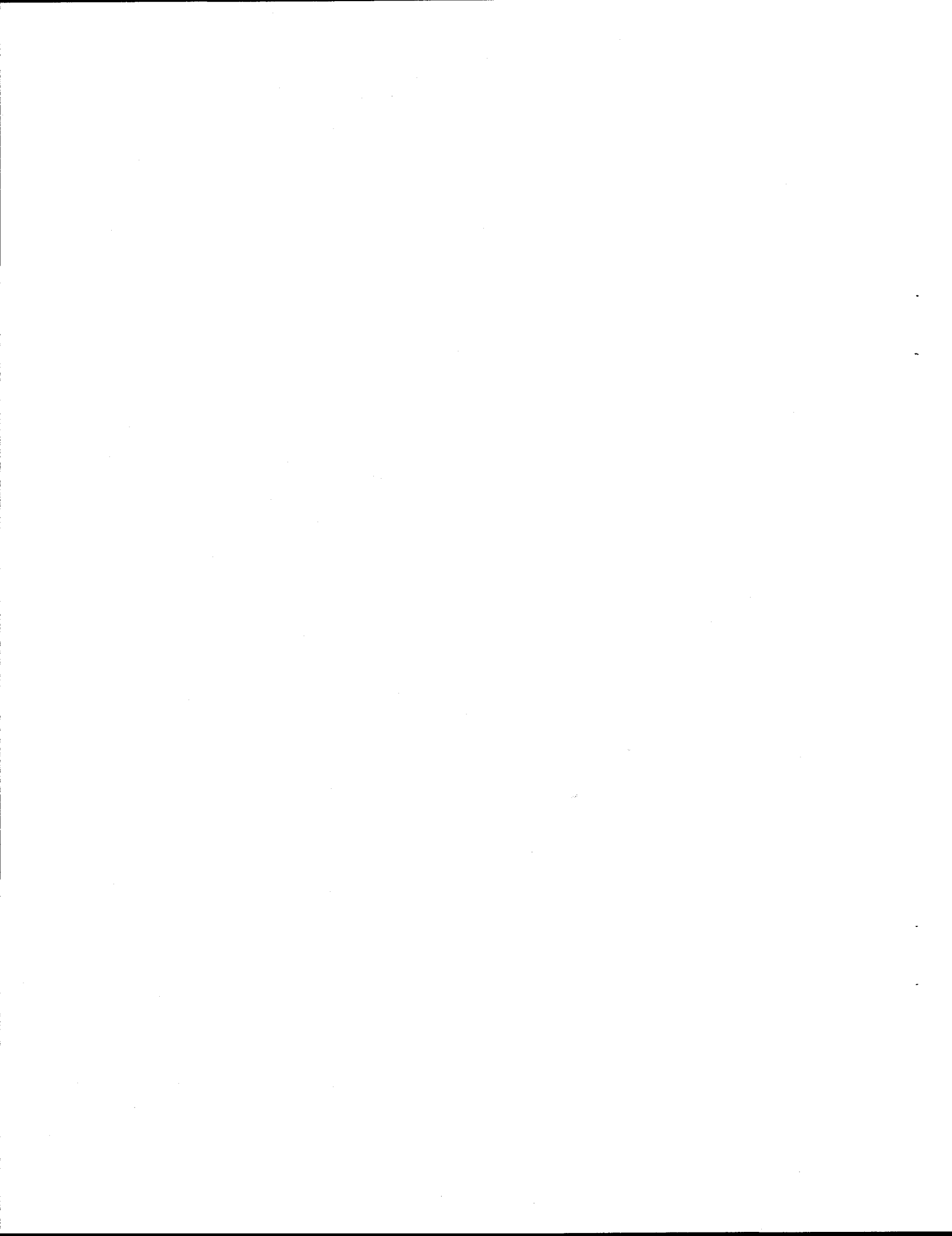
Welcome; Introduction of Members

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At this meeting the LRC Committee on Homeless Persons  
will be developing proposals to be presented to the  
1991 General Assembly and voting on what proposals  
to include.

Public Hearing Testimony:

Please state your name and organization, if  
you represent one  
(1) Listed testifiers  
(2) Testifiers from audience

Adjourn



Legislative Research Commission  
Study Committee  
On Homeless Persons

Public Hearings

Fayetteville, N.C. - October 17, 1990  
Members Present

Senator James Richardson  
Rep. Monroe Buchanan  
Senator Lura Tally  
Rep. Gordon Greenwood  
Ms. Linda Shaw  
Rev. O'Clee Lewis

Charlotte, N.C. - October 18, 1990  
Members Present

Senator James Richardson  
Rep. Monroe Buchanan  
Rep. Gordon Greenwood  
Rep. J.P. Green  
Rep. Coy Privette  
Rev. O'Clee Lewis  
Ms. Linda Shaw

The recommendations from these Public Hearings have been incorporated into previous proposals. Those proposals are included in the November 13, 1990 Committee meeting agenda.





NORTH CAROLINA GENERAL ASSEMBLY  
LEGISLATIVE SERVICES OFFICE  
2129 STATE LEGISLATIVE BUILDING  
RALEIGH 27611

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LEGISLATIVE INFORMATION OFFICER  
TELEPHONE: (919) 733-4200

LRC STUDY OF HOMELESS PERSONS

November 13, 1990; 10:00 a.m.; Room 1228, Legislative Office Building

10:00 a.m.

Welcome

Adoption of minutes of last meeting

Reminder of last meeting, November 29, 10:00 a.m., Room 1228, to approve final report.

Presentations:

- (1) Debby Cryer, Frank Porter Graham Child Development Center;
- (2) Pat Yancey, Legislative Liaison, Department of Public Instruction;

Staff Presentations:

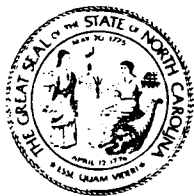
- (1) Review of McKinney programs
- (2) Review of Proposals 1 through 6, and 12, and accompanying legislative proposals;
- (3) Review of remaining Proposals.

Committee Action:

- (1) Action on what Proposals (reviewed above, or presented at this meeting) to include in draft report;
- (2) Action on what additional Proposals should be included in draft report;
- (3) Directions to staff;
- (4) Adjournment.



STATE OF NORTH CAROLINA  
LEGISLATIVE RESEARCH COMMISSION  
STATE LEGISLATIVE BUILDING  
RALEIGH 27611



LRC COMMITTEE ON HOMELESS PERSONS  
November 29, 1990; 10:00 a.m.; Room 1228, Legislative Building  
Agenda

10:00 a.m

Welcome

Approval of last meeting's minutes

Presentation of draft report - staff

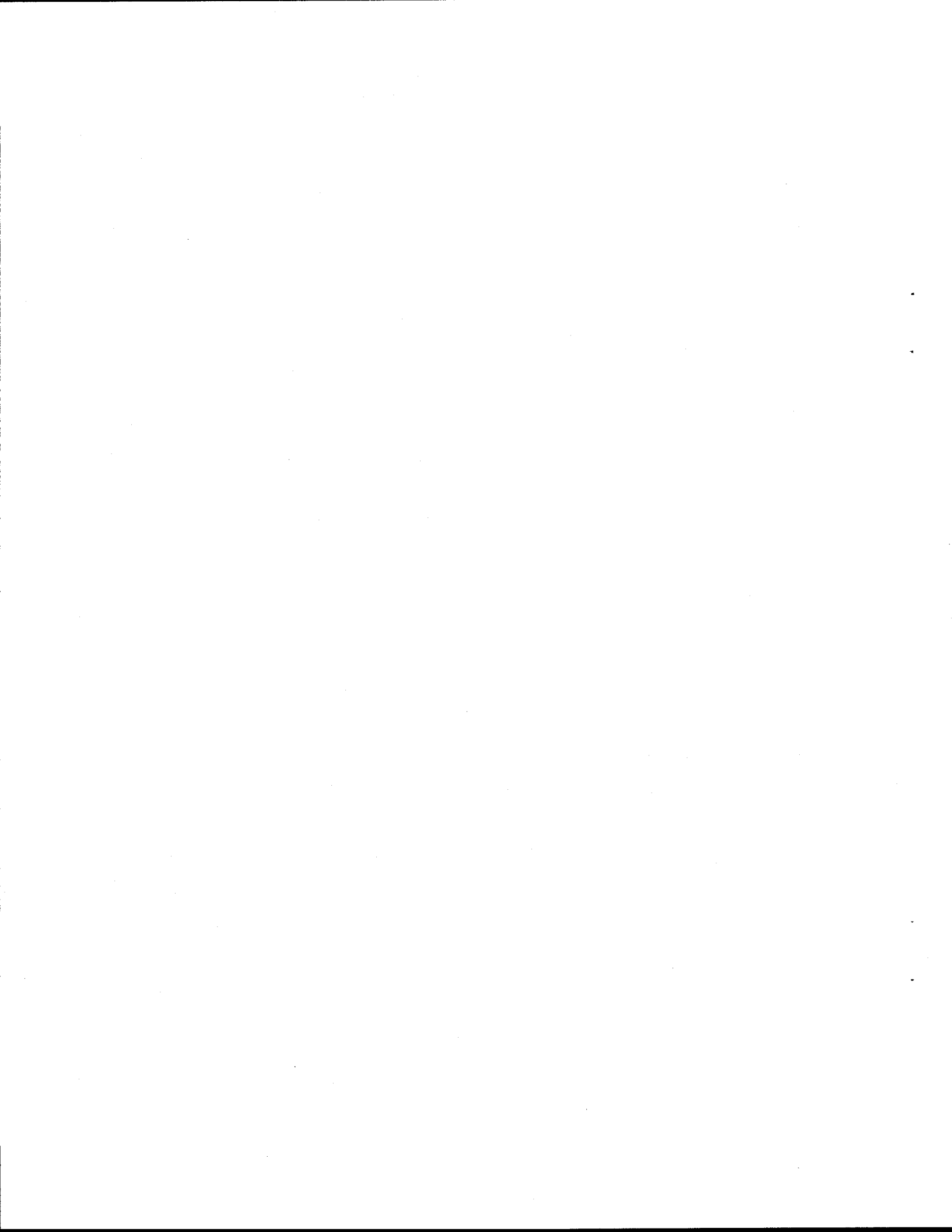
Committee action on draft report:

    Corrections;

    Additions;

    Approval (as ammended, if applicable), of  
    disapproval.

Adjournment.



**APPENDIX E**  
**Minutes of the Meetings**



Legislative Research Commission

Study Committee

on Homeless Persons

December 13, 1989

Minutes

The Legislative Research Commission Study Committee on Homeless Persons met on December 13, 1989 at 10:00 a.m. in Room 1124 of the Legislative Building.

Senator Russell Walker, Legislative Research Commission Member began the meeting by giving the Charge to the Committee and by giving a brief background on what the LRC member's responsibility is to the Commission. He stated that each LRC member is given a number of Committees to oversee to help get the Committee started and to participate whenever possible with the work of the Committee. Senator Walker also stated that the Committee had a small budget but if those funds are depleted with the four meetings scheduled he felt that the Committee should go back to the LRC to request additional funds.

Senator James Richardson, Co-chair of the Committee welcomed everyone and asked each member to introduce him or herself along with all interested persons in the audience. Senator Richardson then voiced his concerns about the homelessness in the State and how he hoped the Committee

would be able to go to certain areas of the State to take a first hand look at the problem. He stated that he had been to the shelters in Charlotte and had become very concerned about what is happening to the homeless. Representative Buchanan, Co-chair then introduced himself and stated his concerns about the many people he had seen sleeping in cardboard boxes and how he felt the federal programs that were cut in the State made the problem of homelessness worse. He hoped that the Committee would be able to formulate recommendations to take to the Legislature.

Susan Sabre, Staff Counsel to the Commission presented the budget for approval. Senator Wanda Hunt voiced a concern about why the budget had been cut from \$25,000 to \$15,000. Susan Sabre stated that the Legislature felt the problem should be studied so they converted an Independent Study Commission with a budget of \$50,000 for the biennium into a Legislative Research Commission study. All Legislative Research Commission Committees were given a budget of \$15,000. Senator Wanda Hunt expressed concern about whether the Committee would be able to accomplish anything with this budget considering the length of the agenda for this meeting and the possible agendas of the remaining four meetings. Susan Sabre then cited the provision in the rules that were adopted whereby an additional \$5,000 is available to all the studies upon the request of the Legislative Research Commission Co-chair. This amount could not be added into the



budget but, it is available. If the funds are needed, the Co-chair should write a letter to Senator Walker who should write to the Co-chair of the Legislative Research Commission to draw down the additional funds. After review of the budget, Senator Wanda Hunt moved that the motion be given to approve the budget subject to the Co-chairs requesting additional funding if necessary for extra meetings. The motion was seconded by Senator N. Leo Daughtry. A voice vote of nay and yea followed. All were in favor.

Senator Walker stated that if the extra funds were needed he would try to get those funds for the Commission. It was stated that those extra funds would be necessary if the Commission wanted to hold a public hearing and perhaps to meet in another part of the state to study Homeless conditions.

Susan Sabre presented the authorizing legislation to the Commission. (Senator Bill 1290 and HB 2018). A copy of the book Homelessness in the States was presented to each Commission member.

Presentations by Involved Agencies followed. They are listed in the order in which they were presented.

1. Bob Chandler, Director, Division of Community Assistance, Department of Economic and Community

Development. (Report attached)

Mr. Chandler's began his presentation by stating the Division of Community Assistance provides assistance through counties and municipalities in the areas of community development, land use, public management, and economic development planning. These services are provided through the Community Development Block Grant Program, Emergency Shelter Grants Program, the Main Street Program, and through direct technical assistance to local governments. He cited the McKinney Act which the Stewart B. McKinney Homeless Assistance Act, signed into law on July 22, 1987, and reauthorized on November 7, 1988. This act created a number of programs to provide urgently needed assistance to protect and improve the lives and safety of the homeless. The programs address the areas of emergency food and shelter, transitional and longer-term housing, primary and mental health care services, education, job training, alcohol and drug abuse programs and income assistance. The funds could not be used for administrative costs.

2. Nita Stewart, Division of Aging, Department of

Human Resources. (Report attached)

Ms. Stewart gave an overview of the Division of Aging's Housing programs. She stated that housing is one of the most important areas facing older adults. The Division has been able to expand existing home repair programs in 5 regions in the state. She also talked about the Home Equity Conversion (HEC) Reverse Mortgages (RM) which is program that allows elderly home owners to increase their income and improve their living conditions by using the equity built up in their homes. However, the program has not been available in North Carolina since June 1989. It is estimated that 11% of the state's homeless are 60 years of age. Many cannot afford the increasing costs of maintenance and are subject to losing their home and becoming homeless. In this age group adequate rental housing is even more of a problem because older adults are on fixed incomes.

3. Don Willis, Division of Mental Health, Developmental Disabilities, and Substance Abuse, Department of Human Resources. (Report attached)

Mr. Willis's presentation centered around the homeless mentally ill. They offer services

through federal block grant programs which have been cut back. Through these block grants they offer outreach to encourage homeless people to seek treatment, medical assistance. The members of the commission expressed concern about the number of persons that are mentally ill being released without having any place to go which leads them back to streets. Senator Richardson stated that this is an area of great concern that has been discussed at length with no solution at this time. Mr. Willis stated that more funding is needed to provide more services.

4. Dr. John Baggett, Executive Director, N.C. Alliance for the Mentally Ill. (Report attached)

Mr. Baggett's presentation centered around his own experiences with his son who is suffering from mental illness. He stated that a strategy is needed to address the mentally ill homeless persons. He also stated that many are released before they have adequate attention or are released against the pleas of family members.

5. Lawrence Wilson, Deputy Director, Division of

Economic Opportunity. (Report attached)

Mr. Wilson briefly explained how the Emergency Community Services Homeless Grant Program is administered through the Division of Economic Opportunity. These funds are provided by the Stewart B. McKinney Homeless Assistance Act through the Community Actions Agencies in the State to assist any individual identified as not having a fixed, regular, or nighttime residence.

6. Patricia Wilkins, Department of Public Instruction.

Ms. Wilkins' presentation centered around homeless children and their education. She began that presentation by stating that DPI had received funds under the Title VIIB of the Stewart B. McKinney Homeless Assistance Act of 1987 and the Provisions in the Act in reference to Education for homeless children and youth. The Act states that no child should be denied an education. A homeless child or youth is between the age of 5 and 18 that lacks a fixed regular resident. There has been problems identifying the special needs of these children. An attempt will be made to correct legislation that may prevent a child from attending school. A report will be submitted to

the U.S. Department of Education about the homeless children in this state. After reports from all states have been submitted then a determination will be made about what programs should be developed to address the special needs of these children. She talked about the problems associated with homeless children. Some of those problems are lack of transportation to get to school, loss of school records, a place to study, lack of clothing, and emotional problems associated with homelessness. Senator Wanda Hunt asked if the McKinney Act really defined all of the reasons for homeless children. Ms. Wilkins responded by saying that they had not defined all the problems but they had described as many as possible with the information they had. Senator Hunt asked that other data be submitted before the Committee concludes. Representative Fussell asked if there will be any communication with the School Boards to determine if a child is homeless. At this time there is no communication. Most school systems are calling the shelters to get an adequate count of how many children are there. Reference by Senator Hunt was made about being sensitive to needs of the children when they are singled out as being homeless.

7. Department of Community Colleges (written submission).

The North Carolina Department of Community Colleges submitted a proposal to the U.S. Department of Education for funds under the Stewart B. McKinney Homeless Assistance Act (PL 100-77) for the purpose of providing literacy training and basic skills for homeless adults in North Carolina. Funds were awarded to four institutions located in the largest urban areas of the state in order to reach the greatest number of homeless adults with funds available. The four institutions that received funding were: Central Piedmont Community College in Charlotte; Durham Technical Community College in Durham; Wake Technical Community College in Raleigh; and Fayetteville Technical Community College in Fayetteville.

After the presentations the Committee discussed different aspects of what the Committee should attempt to study considering the scope of the Homeless situation. Senator Richardson asked that Susan Sabre identify "homelessness". The Committee decided that each Committee

member will receive a list of areas that the Commission should study giving each member the opportunity to prioritize the area(s) that the Committee could study. With no further business, the meeting was adjourned.



Legislative Research Commission

Study Committee

on Homeless Persons

March 1, 1990

Minutes

The Legislative Research Commission Study Committee on Homeless Persons met on March 1, 1990 at 10:00 in Room 1124 in the Legislative Building.

Rep. Buchanan, Co-chair of the Committee began the meeting by asking each presenter to be as brief as possible. Due the possible impending bad weather, the concensus of the Committee was to work through lunch, rather than break and return. The next item on the agenda was the result of the survey. Rep. Buchanan asked Susan Sabre to present results of that survey. She began by stating that a survey was sent to each member of the Committee to find out which area of homelessness should be studied. A clear majority choose the issue of affordable housing for those living in shelters. This issue will be addressed by the presenters at this meeting. Rep. Buchanan then asked the presenters to come forth. Following is a summary of each of those presentations.

1. Bob Kucab, Housing Programs Officer, Housing Finance Agency.

Mr. Kucab began his remarks by stating that his agency had been working since 1973 to help prevent homelessness by operating numerous programs which have expanded the stock of affordable rental housing, created home ownership opportunities and repaired substandard housing units for over 42,000 low-income households. This represents tax exempt bond or tax credit investments of approximately \$1.7 billion. Mr. Kucab continued by stating that homelessness is caused by a number of personal crises as well as by economic conditions and the national housing policy. He also stated that without more federal participation in subsidized housing production, it is difficult to understand how states and local units of government can meet the shelter needs of all disadvantaged citizens, whatever the cause of the problem. His agency believe that homelessness can be partially alleviated, and some part prevented, by continuing the programs of the Housing Trust Fund. Mr. Kucab ended his remarks by recommending that the Committee consider the Housing Trust Fund as part of the State's response to homelessness because of its effectiveness in expanding the low-income housing stock.

2. Jeff Brown, Weatherization Program Manager, Energy Division.

Mr. Brown presentation was centered around the Weatherization Assistance Program and the impact it has on thousands of low-income North Carolina citizens every year. He stated that this program is one of four federal programs administered by the Energy Division. The program provides funds for the purchase and installation of weatherization materials such as caulking, weatherstripping, insulation and storm windows on the homes of low income, elderly and handicapped citizens in order to make the home more energy efficient, reduce monthly utility bills and provide a more healthful living environment. The program is administered statewide through contracts with 45 community action and other public, nonprofit agencies which currently serve 98 of the State's 100 counties.

Rep. Barnes asked Mr. Brown to explain what his agency does to weatherize a house and if there are structure problems what can his agency do. He responded by saying that regulations prohibit his agency from spending more than 25% on an area or room. The repairs have to be linked to the preservation of the materials installed. Rep. Fussell asked if the funding went directly to the agency. He also wanted to know if the county or municipality was involved in this any way at all. He responded by stating that there were some

counties and some municipalities that operate the program. Rep. Fussell also wanted to know what areas the private agencies were in that administered the program. Mr. Brown stated that two are council of governments and that the rest are county governments or municipalities. Mr. Lewis asked if the weatherization program replaced lead pipes in the home. The program does not replace the piping unless it has been damaged. Senator Walker then asked Mr. Brown about the total budget for the last fiscal year. That total budget was 7.4 million. Senator Walker then asked how much of that came over in the budget document as a request for monies in the last budget cycle. That amount was 3.2 million plus 2 million which was short of the 6 million dollar. Monies then had to appropriated from the lobby fund. Senator Walker then stated that this is an important program and that the shortage needs to be addressed so that monies are not taken from the block grants to keep the program operating.

Senator Richardson was recognized to make a statement. He stated that the focus should be on those persons that are homeless. With only three more meetings to be held to formulate a report the presentations should be centered more around those people that have to go to shelters at night. He also said that addressing those problems centered around those that may become homeless is important also, but due to time constraints the priority should be fomulating

solutions to get homes for those that are already homeless.

Rep. Barnes then addressed a question to Mr. Kucab. She wanted to know how his program was tied in to addressing the question of homelessness. Mr. Kucab responded by saying that none of the monies they administer have a direct impact on homelessness. He cited the three rehabilitation projects that have been funded that are directly available to homeless persons in Chapel Hill, Durham and Greenville. Rep. Greenwood also expressed concern about the need to help those that are absolutely homeless with no place to go. He recognized the importance of the Weatherization program and the fine job they are doing in his county, but he is concerned about those that have to go to shelters at night and the need to organize resources to assist those that are homeless.

3. Billy Ray Hall, Rural Economic Development Center

Mr. Hall began his presentation by stating that the homeless situation is one that begins with economics. He also continued by stating that there are homeless people in the rural areas also and that he hope the committee would be able to respond to their needs also. A keep issue surrounding rural homeless people is their isolation. His recommendations were the following:

- a. There are not good numbers on the homeless in our state. We do not know the full make-up and characteristics of the homeless over the state. Non-profits organizations and state agencies need to come together to find out who the homeless are in the state.
  
- b. The need for specific approaches that reach the homeless. More programs like the Housing Partnership that say specifically that people will be found and that they will be helped.
  
- c. There is limited capacity in rural North Carolina to address its own problems. There is a need to connect services from the urban to the rural areas.

Rep. Barnes asked Mr. Hall if he had given any thought to what could possibly be the equivalent of emergency housing shelter in rural areas. He responded by first saying the Community Action Agencies and the local social services programs in the counties are the outreach in rural North Carolina. There should be a way to connect Community Action Agencies in rural North Carolina with social services departments.

4. Kay Vives, Advocate for the Homeless

Ms. Vives represented the program "Homeless but not Helpless". She began by stating that the problem of "homelessness" is a more complex problem than just the lack of low-income housing. It is a lack of services needed by mentally ill persons, the lack of an increase in the minimum wage in eight years, unemployment and a shift to lower paying jobs. Homelessness is also linked to housing availability when cities in North Carolina abandon and demolish low-income housing without replacing this housing, as well as apartment conversion to condominiums. Housing problems cluster around other problems - the feminization of poverty, mental illness and race discrimination in housing placement. Ms. Vives went on to say that she hoped that the committee would do something that had not been done ---hear from the homeless themselves. She suggested on-site job training, treatment programs, day care for shelter children as some of the solutions to help the homeless.

5. Chuck Snyder

Mr. Snyder is employed by Step-one - a substance abuse center as an outreach worker. He is a full time

student of psychology at Forsyth Technical College, a full time volunteer with "Homeless but not Helpless", and at one time a homeless person. He spoke of the conditions that lead to his homelessness; bankruptcy by the company he worked for 5 years, relocation to North Carolina to find work, loss of his drivers license because of D.W.I., and inability to afford an attorney to defend his case on appeals. These conditions soon lead him to living in the streets. He spoke of how the "Homeless but not Helpless" group and Kay Vives helped turn his life around. He hope that the committee would not finish their work until they had heard from other homeless persons.

6. Greg Warren, Executive Director, Downtown Housing Improvement Corporation

Mr. Warren's presentation began by addressing the root cause of homelessness which is a lack of decent and affordable housing. Those who are homeless suffer from chronic problems of mental illness, alcoholism and other substance abuse difficulties. The State should encourage community and church-based programs operating shelters and providing supportive service programs to develop the capacity to build permanent housing for the homeless. Mr. Warren



cited expanded transitional housing to bridge the gap between the shelter and private housing. This can be accomplished through increased and predictable funding to support low cost public financing programs similar to those offered through the North Carolina Housing Partnership, by the creation of state rental tax credits and funding of direct operating costs of rent subsidies, the provision of long term first mortgage financing tailored transitional housing or permanent low cost housing, and by State encouragement of partnership between shelter providers and housing authorities or non-profit housing developers. Mr. Warren lastly recommended that non-profit low-income housing groups and shelter providers be given the right of first refusal to purchase surplus real property scheduled for disposition by local and state government. Special state grant funds should be made available to foster and showcase particularly successful initiatives.

7. Dorothy Allen Freeman, Director, Wake Opportunities

Mrs. Freeman began by stating that there are different varieties of homelessness. There are those who are intransient, and derelict. These are the new homeless. The new homeless have fallen on

hard time through over-extended use of credit, plant closings, and layoffs. Many of the new homeless are persons moving into the area looking for a brighter day and place for themselves and their children. She on went to state that there were approximately 6,166 homeless children in North Carolina during the 1988-89 school year. Mrs. Freeman talked about Wake Opportunities' transitional housing facility to combat the problem. The 15-person facility was designed to afford the inhabitants an array of services that will enable them to become self-sufficient again. Both families and individuals can be housed. The tenants can live in the house until they become self-sufficient or for six months, whichever occurs first. A cook, a vista worker, and three interns from Shaw University Divinity School compose the daily staff. The inhabitants pay a small fee for room and board. The fee is based on income and ranges from zero to \$3.00 per night. Tenants who work are then able to save almost all of their income towards rental security deposits and rent in a traditional housing arrangement, or in public housing if they qualify and if any is available.

8. Anne M. Burke, Executive Director, Urban Ministry Center of Raleigh

The Urban Ministry Center of Raleigh provides low-income and homeless people in Wake County emergency financial and food assistance, referrals, and job placement at the Intervention Center on Edenton Street. She stated that in 1989 her agency helped more than 7,000 people from Wake County. The agency also operated a free medical and dental clinic for medically indigent persons who have no form of health insurance. They offer emergency shelter to homeless men and women at the Ark Shelter. The overnight capacity at the Shelter is 25 men and 10 women. The Shelter has been operational since June, 1984, and has operated at approximately 90-95% capacity, most nights turning people away. Ms. Burke went on to say that she had witnessed over the years in this work that the problem, of homelessness has escalated and will most likely continue to escalate at an alarming rate. The causes of the problem are extensive and complex, but economics is the base of the problem complicated by other factors such as mental illness, substance abuse, and physical abuse. Ms. Burke stated that to help the problem North Carolina could allocate monies to help local government with some of the needs for very low-income rental housing. It could find creative ways to help meet the needs of working parents by providing subsidized day

care for their children. The State could create a general assistance fund to provide monthly checks to adults who are not fully disabled, who do not have dependent children and who are not receiving unemployment. The State could assist in the development of social detox centers where the needs of homeless addicted persons can be met. It could also establish more services and necessary treatment for seriously mentally ill persons to help keep them off the streets and out of the shelters when life is far to unstable and dangerous for them. Ms. Burke ended her presentation by asking that local, state, and federal government do its part as well and work with them to provide what is necessary to restore a more just and equitable system where the basic human needs of all citizens are guaranteed and provided.

9. Robert Lane, President, Raleigh/Wake County Coalition for the Homeless.

The Coalition is a non-profit corporation whose members include both individual citizens, many of whom are volunteers working with the homeless, as well as private agencies serving the homeless that are ill-housed in our community. Mr. Lane stated that by far the most important factor is

the cost and availability of housing. Rents in our area increased by more than 66% from 1980 to 1986. For a growing number of people, wages have not kept pace, resulting in a "affordability gap" in housing. He cited employment and wages that have not kept pace with housing costs as contributing to the homelessness. Mr. Lane stated that the solution must be to build more affordable housing. It is not enough to just build more housing. Mr. Lane ended his presentation by stating that the homeless lack more than just adequate shelter. Their situation make it virtually impossible for them to become full participants in our society. They are on the margins, barely a part of the community. He added that the State's response to their housing needs can go a long way to reclaiming them as our fellow citizens, and, therefore, to restoring that community.

After the presentations, the committee received from staff a model legislation proposal setting up a "State Homeless Persons' Assistance Act" and some legislation affecting the homeless from other States. The Committee decided that its next meeting, on March 28, at 10:00 in room 1124 of the Legislative Building would be devoted to working out concepts for proposals the committee was interested in exploring at public hearings after the short session. These

proposals will embody the committees' ideas on how it feels the 1991 General Assembly might address the problem it has discovered that involve the homeless in North Carolina. The model legislation will be used only as one example of what can be done and it contains many separate pieces, some of which the committee may want to consider more than others.

The committee decided that the next meeting will not schedule any formal testimony but, it stressed this meeting will be a fully open meeting and all interested persons are welcome to help the deliberations. The meeting ajourned.

Legislative Research Commission

Study Committee

on Homeless Persons

March 29, 1990

Minutes

The Legislative Research Commission Study Committee on Homeless Persons met on March 29, 1990 at 10:00 in Room 1228 in the Legislative Building.

Senator James Richardson called the meeting to order. Senator Richardson asked each member to introduce him or herself. He then called upon Rep. Anne Barnes to explain HB 682, "State Pay above Poverty Level", which is a bill to be entitled an act to ensure that no full-time, permanent state employee be paid an annual salary less than the current federally defined poverty level for a family of four. Senator Richardson explained for those not present at the last meeting that the committee decided that many causes of homelessness are those people working under the poverty level. Those people are candidates for homelessness. Rep. Barnes told the committee that the State Employee's Study Commission, of which she is a member has worked out an approach that is different from HB 682, which the State Employee's Study Commission is endorsing. This approach, which could be drafted either as a Committee Substitute for HB 682 or as a special provision for the budget bill, revises the budget to put into

place an accelerated rated performance pay plan for people in grades 50-54. This revision will not elevate the minimum wage but it will offer those employees in the lower grades an opportunity to be interviewed and evaluated in six-month intervals. If they are meeting the requirements of the job, they would thus have an opportunity to move up and receive merit pay over a period of two years to a level near the poverty level. Rep. Barnes hoped that the committee would support that approach and the committee moved to endorse it in whatever form it took. (Note to the Committee: The accelerated pay plan proposal took the form of a special provision which passed as Section 37 of Chapter 1066 of the 1989 Session Laws, Regular Session 1990, the Current Operations Appropriations Act of 1990, entitled "ACCELERATED PAY PLAN FOR LOWEST PAID STATE EMPLOYEES". See Attachment I.)

Senator Richardson then called for the staff to update the committee on the budget. Susan Sabre's update stated that as of February 28, 1990, the budget for the Committee on Homeless Persons would have expended after three meetings a total of \$7,500. With the additional \$5,000 request the committee would have a balance of \$12,500.34 after the short session for the public hearings, the final meetings and printing of the report. She continued on with a review of the presentation of the progress report given to the March 22nd meeting of the Legislative Research Commission. Susan read the presentation to the committee. (See Attachment 2.) At the end of that



presentation Susan stated that Senator Barnes stressed the wisdom of not reporting legislation to the short session, especially that legislation that would cost money due to the funding shortages and the need to keep the short session "short". (Note to the Committee: After the Short Session, on September 4, 1990, the Legislative Research Commission met and approved the Committee's request for funds to ensure five more meetings, two being public hearings.)

Staff began a discussion of the general areas relating to homelessness that could be refined into proposals to be addressed at the public hearings to be scheduled after the Short Session. The following policy issues were identified as ones that might be refined into proposals:

- (1) Roles of State and local governments and private entities, i.e., to what extent should the State develop and administer programs and services for the homeless and to what extent should the State merely be the facilitator for local programs;
- (2) Coordination at State and local levels of federal, local, and any new State programs and services for the homeless;
  - i. Draft proposal that incorporates a State position to facilitate and coordinate programs

and services, the designation of liaison persons in affected agencies, and the establishment of a State grant fund for shelters - staff will present this proposal if members wish;

(3) Scope of help offered by proposals, i.e., will they include proposals on all the aspects of homeless that are address in the Model Act:

i. Emergency relief for the homeless; the prevention of Homelessness;

ii. Prevention of homelessness;

iii. Low-income housing for homeless;

(4) Consideration of how many existing programs can, with "encouragement" handle these areas, and of what commissions and committee other than this one are working to study some of these areas.

(5) Other issues.

Senator Richardson stated tht staff would have to send to each member of the committee the proposals so that each member would have a chance to refine the proposal and add anything else

they feel should be in the proposal. Senator Richardson then opened the floor for suggestions from the committee.

Representative Privette cited an article in the League of Municipalities publication which stated the need for State funding to help with emergency shelters since all of the monies they receive are federal funds, which have limitations.

Representative Privette stated that the State could assist through grants to local governments. he cited the Salvation Army as a possible source to help the committee address this problem because of the fine job they do in this area. He continued that they would be an excellent source of information because they do this as a public service in the private sector, with no additional cost to the taxpayer.

Staff then passed out the draft proposal that is based on the supposition that the local providers know best how to reach their local homeless and that the State facilitate them both with "coordinating" assistance and with small grants for service purchase. (See Attachment 3.) Representative Fussell asked if this proposal was related to State grants. Ms. Sabre responded by saying that this proposal related to number 1 and 2 of the policy issues and also to the substantive issue of emergency shelter. Senator Tally asked what State agency would be handling this coordinating issue. Ms. Sabre continued by saying that the proposal had been worked up by her and Beth Christensen and that the State would be the facilitator. A position could be created under the proposal in the Division of Community Assistance,

Department of Economic and Community Development because this Department is the McKinney facilitator and coordinator or in the Department of Human Resources. This position is not intended to make the State the actual coordinator. The person filling this full-time position would also be available to help local shelters and other sheltering programs in applying for the grant funds that the second proposal proposes be established in the State Treasurer's office for Homeless Services. (See Attachment 3.) These funds would be administered by the person in the position that was established in the first proposal. Local shelters and sheltering programs would apply for up to a certain dollar amount to purchase a needed service or program. Care would need to be given in defining shelters and sheltering programs. The proposal posits a total grant fund of \$100,000. Presently, there are 88 traditional shelters now that would benefit from the \$100,000 (This very low dollar figure was used for explanatory purposes only; it is not intended to represent the amount that maybe allocated) for the first year if it is carefully administered. (Note to the Committee: The low amount of money was given because it was known at the time of the March meeting that there would be little new money available in the 1990-91 fiscal year. As the Short Session developed, it became clear that the fiscal picture was far worse then anticipated and that the picture for the coming fiscal biennium of 1991-1993 was looking increasingly bad also. The General Assembly passed a resolution laying out the dire state of the State's fiscal outlook for the near future. This statement is a very important acknowledgment and, as such,

needs to be carefully regarded by all Committees, Commissions, and Councils considering proposing any new programs to the 1991 General Assembly. See Attachment 4.)

Rep. Privette asked if a new position was necessary since Robert Chandler with Human Resources is already dispersing the McKinney Act money. He continued by saying that he was under the impression that if 1 and 2 million dollars was appropriated then some immediate needs could be met. Ms. Sabre then explained that some of the main stream programs such as the Division of Aging work well when they have one person who is a facilitator who works with the locals to help them locate the services they need. She was not certain if the person currently working to administer funds would be able to do the added responsibility. She did however, suggest that a possibility would be to augment that office. Rev. Lewis then asked if the facilitator would work county-wide to coordinate and work with the shelters. The position would be a State position that would coordinate with the county. Rep. Fussell asked if the State appropriates money through grants would the State have the right to audit even a church if it received funds. Rep. Privette stated that if the church accepts the funds then they must adhere to the regulations associated with accepting the funds.

Senator Richardson then proposed to the committee the need to know with some degree of certainty how many people are homeless. The Committee agreed that this issue needed to be

included on any list of proposals discussed, along with the related issues of how to accomplish the counting and, again, how to coordinate the separate services' counts.

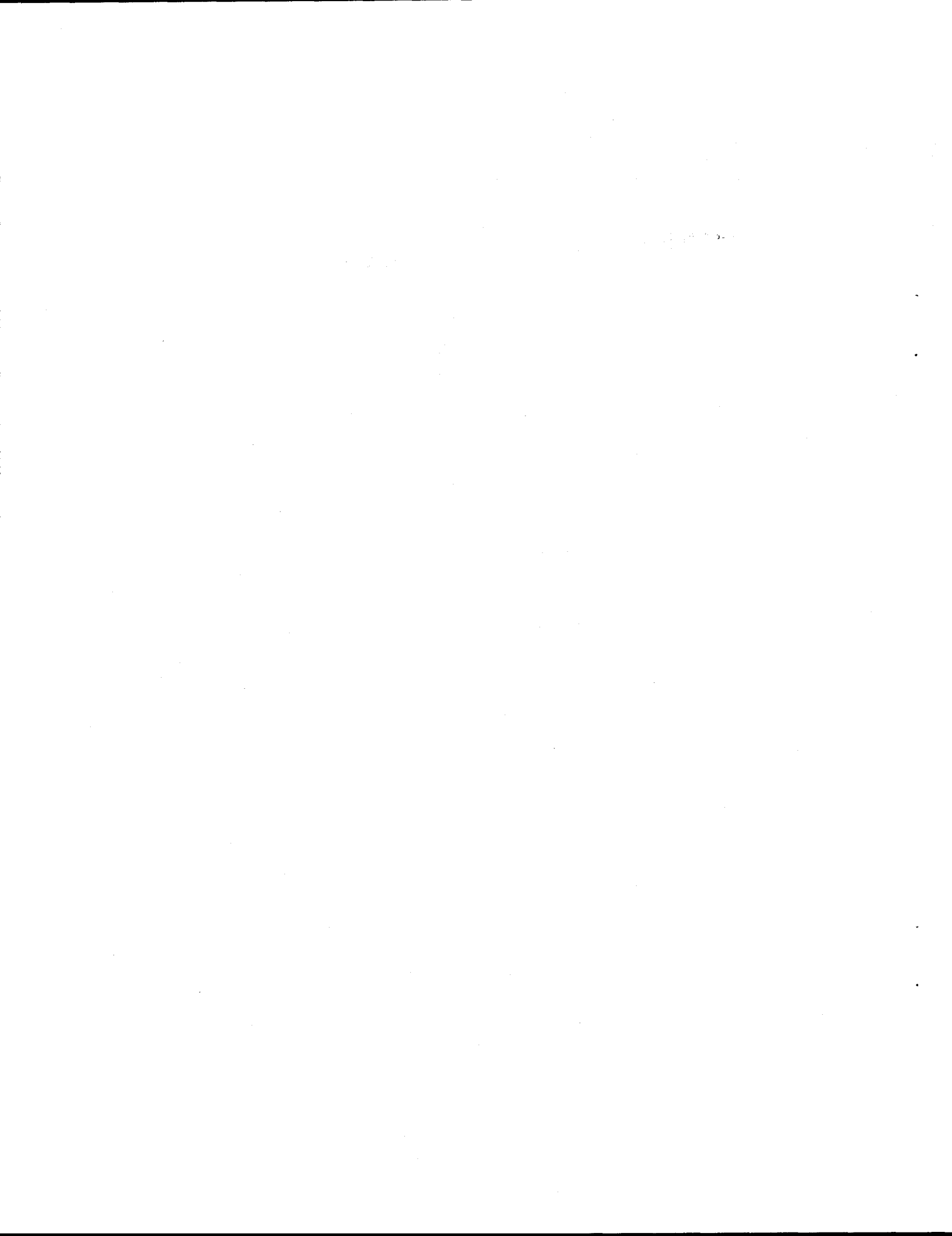
Senator Richardson then asked the Committee for other proposals and opened the floor to the audience to entertain questions and comments. Ms. Shaw stated that she hoped the proposal package would be comprehensive since emergency shelter is only part of the problem. She added that she would support emergency assistance but she hoped the committee would go further and seek out input to alleviate some of the root causes of homelessness and establish some permanent solutions. She cited affordable permanent housing as one avenue to pursue for the homeless.

Rep. Barnes asked Ms. Sabre if staff had considered establishing the position through an existing structure such as the Housing Trust Fund Partnership rather than the Treasury Department or the Department of Economic and Community Development since they already work with grants. Ms. Sabre responded by saying that the housing area might not have an extra person that is trained in services and programs such as mental health, education, and vocational programs. She continued by saying that the dispersing of funds should be done by an entity that has a full service knowledge.

Rep. Privette expressed the need to channel funds

through the office that handles the McKinney Act Funds rather than having a two or more offices disbursing funds. This causes problems related to accountability and the actual tracking of how the money was funded and how much was used.

Senator Richardson then directed staff to formulate all the proposals given by members of the committee. Senator Richardson then asked the members which areas should the public hearings be held. He suggested that a large and small community be considered. After the discussion the committee decided on a public hearing in Charlotte and Fayetteville. With no further business the meeting adjourned.





Legislative Research Commission

Study Committee

on Homeless Persons

September 20, 1990

Minutes

The Legislative Research Commission Study Committee on Homeless Persons met on September 20, 1990 at 10:00 a.m. in Room 1228 in the Legislative Building.

The meeting was called to order by Co-chair, Rep. Monroe Buchanan. Rep. Monroe Buchanan recognized Co-chair, Senator James Richardson, other members present, and the staff. Members Present: Co-chairs, Senator James Richardson; Rep. Monroe Buchanan; Rep. Gordon Greenwood; Rep. Aaron E. Fussell; Ms. Linda Shaw.

Rep. Monroe Buchanan called for approval of the minutes of March 29, 1990. Motion was made by Rep. Aaron Fussell to approve the minutes. Members asked that the roll call be made an official part of the minutes, rather than just having a roll call sheet attached to the minutes. Reference was made to this because several members of the Committee have not been present for any meetings. The Chairman directed Committee staff to let all members know that attendance of the public hearings to be held in October and especially at the last two meetings was most important.

Susan Sabre, Committee Counsel, was recognized to bring the Committee up-to-date on actions taken at the last Committee meeting before the short session. The Committee endorsed a proposal introduced by Rep. Anne Barnes "Accelerated Pay Plan For Lowest State Employees" (developed from HB 682), which was incorporated into Chapter 1066 of the operating budget for the short session. This proposal has a direct affect on the working poor who are State employees and who could possibly become homeless. The proposal allows grade level re-evaluation every six months and accelerated movement up the steps for state employees in the lowest grades.

Ms. Sabre then reviewed the 1991-19 budget shortfall projections. Ms. Sabre discussed Resolution 76 which was passed at the end of the 1989 session. This Resolution evaluates and gives a projection of the General Assembly budget shortfall through the next 4 years. Ms. Sabre brought this resolution to the attention of the Committee because it directs that bills proposed by the committee will be costed out for four years instead of the usual two year period due to budget shortfalls and because it makes clear the severe economic crisis the State is and will be in for at least the next four years. This information was not given to the Committee to stop recommendations for money by the Committee that they feel are essential. This information was presented

to make the Committee aware that the fiscal examination of a proposal should be very carefully worked out before it is submitted to the General Assembly and that the need for the proposal should be very carefully justified.

Ms. Sabre updated the Committee members on the Legislative Research Commission's meeting following the session upon request of the Co-chairmen and LRC member Senator Russell Walker, the Committee was approved for at least five more meetings, two of which would be public hearings, the Committee received the allocation of \$5,000, which had previously been set aside if the Committee needed it, and an additional \$4,000 which brought the budget up to \$17,000, to cover five additional meetings including, two public hearings and the final printing costs of the report.

Ms. Sabre then reviewed the LRC mandated scheduling rules. These rules mandate that the final report be submitted to the Chairman of the Legislative Research Commission no later than December 5th. The last meeting, at which the report is approved, would then have to fall on November 29th or November 30th to give staff adequate preparation and printing time. This mandate additionally specifies that Committee members be sent the final report no later than seven days before the last meeting.

Committee members then decided on the last meetings,

which include two public hearings. The following meeting schedule was approved by the members.

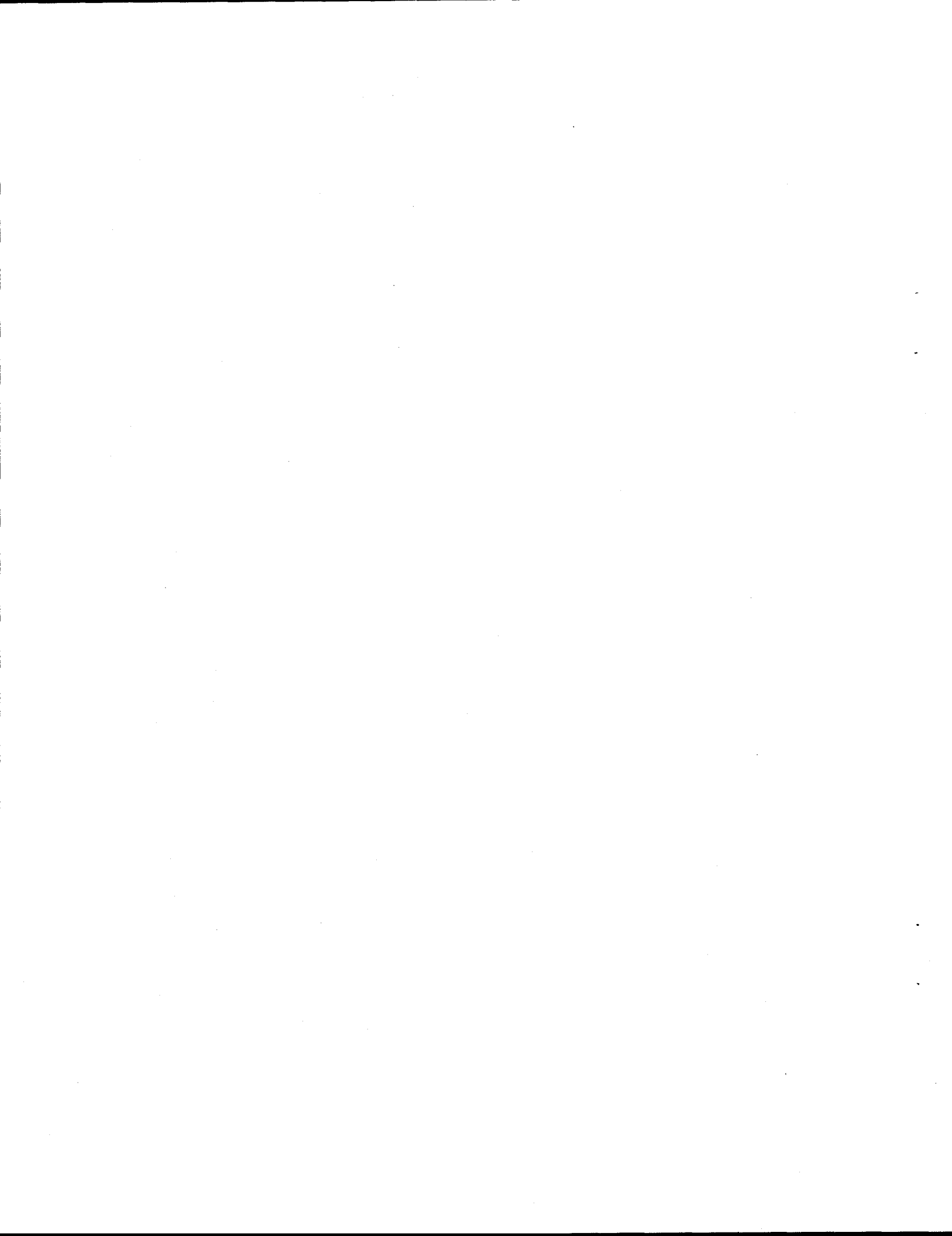
1. September 20, 1990 - 10:00 a.m.- Rm 1228 - Raleigh
2. October 17, 1990 - Public Hearing - 10 a.m.-  
2:00 p.m. - Fayetteville, N.C.
3. October 18, 1990 - Public Hearing - 10 a.m.-  
2:00 p.m. - Charlotte, N.C.
4. November 13, 1990 - 10:00 a.m. - Rm 1228 -Raleigh
5. November 29, 1990 - 10:00 a.m. - Rm 1228 -Raleigh

Rep. Monroe Buchanan recognized Mr. Mike McLaughlin, Associate Editor, North Carolina Insight to give his presentation of the North Carolina's Homeless. (Mr. McLaughlin's presentation is hereto made a part of the official minutes- Attachment 1).

Rep. Monroe Buchanan recognized Susan Sabre, Committee Counsel to review the proposals for discussion at the public hearings. Ms. Sabre explained that the draft proposals were developed from the discussions at the last two meetings and some examination of the model act. Mr. William D. Rowe with the East Central Community Legal Services presented a proposal to the Committee . (Those proposals are hereto made a part of the official minutes - Attachment 2,3 and 4).

Rep. Monroe Buchanan and Senator James Richardson asked

staff to seek presentations from not only agency persons but also from homeless persons for the public hearings. The Committee decided that all proposals should be sent to Ms. Sabre and that the Committee would prefer not to receive proposals at the public hearings as these forums are to hear from the public. With no further directions to staff the meeting was adjourned.



Legislative Research Commission

Study Committee

on Homeless Persons

November 29, 1990

Minutes

The Legislative Research Commission Study Committee on Homeless Persons met on November 29, 1990 at 10:00 a.m. in room 1228 in the Legislative Building.

The meeting was called to order by Co-Chair, Senator James Richardson. Members present were Co-Chairs, Senator James Richardson, Rep. Monroe Buchanan, Senator Frank Ballance, Rep. Coy Privette, Rep. Aaron Fussell, Rep. Anne Barnes, Rep. Gordon Greenwood, Ms. Linda Shaw, Rev. O'Clee Lewis, Susan Sabre, Committee Counsel and Irma Avent, Committee Clerk.

Senator James Richardson asked that each member of the audience introduce him or herself. Senator James Richardson then called for adoption of the minutes of November 13, 1990. Motion was made by Rep. Coy Privette to adopt minutes. Motion was approved by a voice vote of yea from all members present.

Senator James Richardson asked Committee Counsel, Susan Sabre, to review the draft report. Following are the corrections, additions, and action by the committee on each

proposal and recommendation. THE COMPLETE PROPOSALS ONE (1) THROUGH SIX (6) AND RECOMMENDATIONS SEVEN (7) THROUGH NINE (9) REFERRED TO ARE HERETO MADE A PART OF THE OFFICIAL MINUTES.

**Legislative Proposal 1: (Recommendation 1)**

A Joint Resolution Authorizing the Legislative Research Commission to Continue The Study on Homeless Persons.

Line 13 - Add "physical and", to read "treatment of physical and mental illness".

Line 18 - Change "shall" to "may", to read " This study may be divided into formal subcommittees."

Line 19 - Delete "each", to read "to enable in-depth study of the sub-parts".

Motion made by Rep. Barnes to approve the drafting of a bill as amended in the report. Motion approved by Committee.

**Legislative Proposal 2: Recommendation 2**

An Act to Appropriate Funds to Establish State-Funded Grants to Local Agencies Providing Programs and Services To The Homeless.

Add anguage to allow up to 7% of allocated funds per year for administrative costs.



Add language to make clear that the funds will be available for administrative needs at the beginning of the fiscal year, even though the grants will not begin to be distributed until January 1, 1992.

Motion by Rep. Barnes to approve the drafting of a bill as amended in the report. Motion approved.

### **Legislative Proposal 3: Recommendation 3**

An Act To Require State Agencies Study How Best To Coordinate State Agencies' Programs and Services For The Homeless.

Section 1. - Insert language to include the discussing of the possibility of establishing a state coordinator position.

Motion made by Rep. Barnes to approve drafting of a bill as amended in the report. Seconded by Senator Frank Ballance. Motion approved.

### **Legislative Proposal 4: Recommendation 4**

An Act To Require A Vigorous State Outreach To The Homeless and To Appropriate Funds.

Add language to make clear that funds will be available at the beginning of the fiscal year even though the program will not begin until January 1, 1992.

## Legislative Proposal 5: Recommendation 5

### An Act to Encourage Maintaining Affordable Housing Stock

Motion made by Rep. Barnes for staff to find out if there is a similar demolition authority among counties and to get input from the Association of County Commissioners. If so, staff was directed to draft another bill inserting the same additional authority. Seconded by Rep. Greenwood. Motion approved.

## Legislative Proposal 6: Recommendation 6

### An Act to Appropriate Funds To The Housing Finance Agency To Aid In The Prevention of Homelessness.

(Committee dealt with the draft on a section-by-section basis.)

Section 1. Change language to reflect no appropriation of funds. Mandate agency within funds available to establish a security and utility revolving loan fund.

Motion made by Rep. Barnes to approve section as amended. Motion approved.

Section 2.

Line 19 - Insert the sum of \$500,000

Line 20 - Insert the sum of \$500,000

Motion made by Senator Ballance to insert in line 19 and line 20 the sum of \$500,000 and to approve as amended line 21. Seconded by Ms. Linda Shaw. Motion approved.

Section 3.

Line 6 - Insert the sum \$500,000

Line 7 - Insert the sum of \$500,000

Line 9 - Delete the word "projects"

Motion made by Rep. Barnes to insert \$500,000 on lines 6 and 7. Motion approved.

Section 4.

Line 14 - Insert 5 million

Line 15 - Insert 5 million

Add Sec. 6. Housing Finance Agency shall adopt rules to administer this act

Motion made by Senator Ballance to insert on line 14 and 15 the sum of \$5 million and to approved as amended line 35 and adding of an additional section. Motion approved.

Motion made by Rep. Barnes to draft a bill with corrections, additions and changes as amended be approved. Motion approved.

Recommendation 7 - Motion made by Rep. Barnes to approve.  
Motion approved.

Recommendation 8 - Motion made by Rep. Barnes to approve.  
Motion approved.

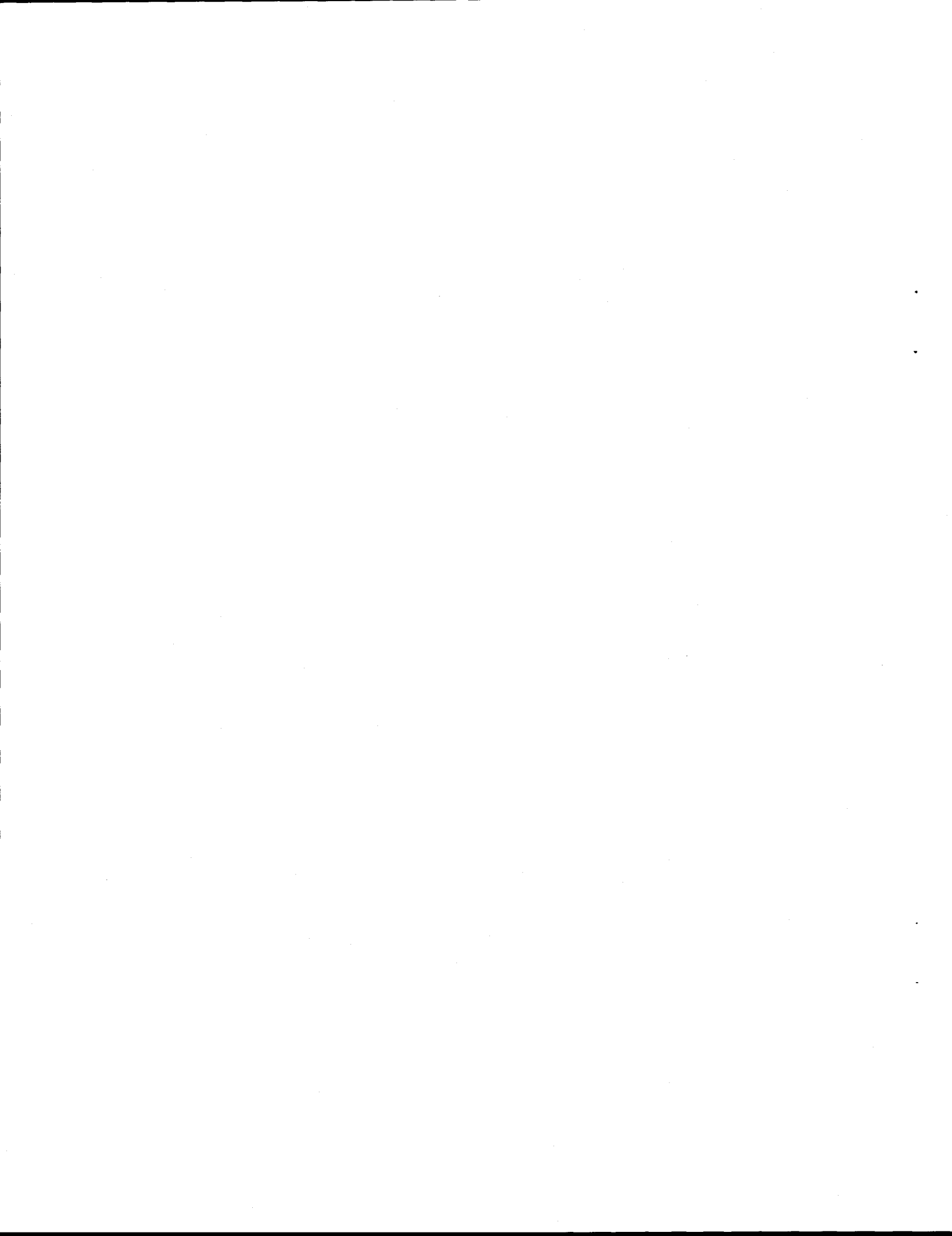
Recommendation 9 - Removal of the word "credit" from  
recommendation. Motion made by Rep. Barnes to approve as  
amended. Motion approved.

The report was approved as amended.

Senator James Richardson recommended that the Committee  
assign the bills for introduction after the convening of the  
1991 legislature and the assigning of committee members to  
committees. The committee agreed on this action.

Senator James Richardson asked each member to give any  
remarks he or she wished. Motion was made to adjourn.

**APPENDIX F**  
**List of People Attending Meetings**



VISITOR REGISTRATION SHEET

Commission on Homeless Persons

December 13, 1989

Name of Committee

Date

VISITORS: Please sign below and return to Committee Clerk.

NAME

FIRM OR AGENCY AND ADDRESS

NAME	FIRM OR AGENCY AND ADDRESS
✓ Hope K. Lucas	2411 Vandyke Ave. Raleigh
✓ Linda Clark	7745 Kelley Ct., Raleigh 27615
✓ Nita Stewart	Division of Aging <sup>Kirby Bldg,</sup> 1085 Umstead Dr.
✓ Mary Bethel	Div. of Aging
✓ Lawrence D. Wilson	2413 Crabtree Blvd, Suite 119, Centenary Plaza
* Roslyn Smith	Division of Economic Opportunity
* Patricia Wilkin	State Council for Social Legislation
* Etton Edwards	State - DPI Edenton St, Raleigh
✓ John Mandeville	City of Greensboro
* Lynne Burke	101 BTAIR Drive, Adams Bldg, State Dept. of Human Resources
* Vivian Brattain	Director: Urban Ministry Center of Raleigh
✓ Bob Chandler	AP Raleigh
✓ Donald S. Harris	DIV OF COMMUNITY ASSISTANCE
✓ Rev. O'Neil Jones	Human Resources Dept CITY OF RALEIGH P.O. Box 590 27602
* Sam WATTS	Apprentice Wayne CO 3rd Dist. Co. Wayne, NC,
✓ CHEERIE BAKER	LRC Report and Newsletter
✓ Andy Romanet	Dept Economic & Comm. Div. Division of Comm Assistance 1307 Glenwood Ave, Suite 250 Rm. 27605
* D. Bolib	N.C. League of Municipalities P.O. Box 3069 Raleigh - 27602
* Angie McMillan	WTVD NEWS
✓ W. WILLIAM R BROWN	DMH MESA S
✓ Noble Carlyle R.A.	RALEIGH RESCUE MISSION
(252-764-2514-6589)	307 Holly Ave Black Mountain NC 28711
(704-24-669-7156)	Stoepf Nursing Clinic - Abc MS shelter - Asheville

VISITOR REGISTRATION SHEET

Commission on Homeless Persons

December 13, 1989

Name of Committee

Date

VISITORS: Please sign below and return to Committee Clerk.

NAME	FIRM OR AGENCY AND ADDRESS
✓ John Berndt	Dept of Econ + Com Dev., Div Com Asst.
* Betha Christensen	Fiscal Research Division
* Menny Marber	" " "
* Bill Jensen	WRAL-TV
* Drew Griffin	WRAL-TV NEWS



VISITOR REGISTRATION SHEET

Commission on Homeless Persons

March 1, 1990

Name of Committee

Date

VISITORS: Please sign below and return to Committee Clerk.

NAME

FIRM OR AGENCY AND ADDRESS

Roslyn Savitt	SO SL
Lester Moore	DuPonza Service Inc, Rose Hill nc 28458
Bob Ray Hall	N. C. Rural Center - RR
Bill Owens	Franklin Vance - Women Opportunity, Inc.
John Mandeville	DHR
Mike Surr	ECP - Energy
Jan Stanford	NCDEED - ENERGY
Jeff Breen	NCDEED - Energy Division
Walter Prescott	MHA/NC - 115 1/2 W. Morgan St Raleigh
KAY VIVES	Homeless BUT NOT Helpless 27103 854 MADISON AVE
Patricia Wilkins	DPI - Homeless Education Program 322 N. Reyn to W-5 NC 27101
Chuck Smith	ABWH 27702
Frank Johnson	OBTHC Durham, NC PO Box 1470 Wake County Community Shelter 567 E. Main St. Durham NC 27701
Sheila M. Thomas	
Dorothy W. Hahn	Wake Co. - Inc.
Eddy Thomas	Wake County Community Shelter Durham Community Shelter for the Homeless 412 Liberty St. Durham, NC 27701
Margelene Stanley	Box 810 Durham County Social Services Durham 27702
Fred Broadwell	
Robert Nagelsky	NC Housing Finance Agency
Alfred	NC Housing Finance Agency
DALE L. ROBERTS	U.S. Department of Education - Vtch

VISITOR REGISTRATION SHEET

Commission on Homeless Person

March 1, 1990

Name of Committee

Date

VISITORS: Please sign below and return to Committee Clerk.

NAME

FIRM OR AGENCY AND ADDRESS

Sam WATTS

LRC Rpt. and Sub. Commission Newsletter

Teich Hussey, Alcohol/Drug Council of NC, POB 25111, Durham 27702

DAVE Keefe

HELP FOR THE HOMELESS 509 W. CORNWALL CARY NC 27511

Keith P. Williams

EHOR

Glen Cobb

DHR

VISITOR REGISTRATION SHEET

COMMISSION ON HOMELESS PERSONS

MARCH 29, 1990

Name of Committee

Date

VISITORS: Please sign below and return to Committee Clerk.

NAME

FIRM OR AGENCY AND ADDRESS

Bellinda Wemack	Salvation Army - 215 South Person St.
Rozlyn Smith	SCSL and NASW
Haysh A. Barnyitt	Fiscal Research
Eleanor H. Armstrong	Greene Lamp, Inc., 205 N. Greene St., Snow Hill, NC
Linda M. Francis	N.C. Division of Social Services
Pat Prescott	Mental Health Assn. (NC), Raleigh
Don Willis	IVC DMDD SAS
Patricia Wilkins	Public Instruction
Minnie Henderson	Franklin Vance Warren Off. Inc.
Connie Hawley	Franklin Vance Warren Off. Inc.
Wayne T. Howell	Wake Co. Opp, Inc. P.O. Box 28105 Raleigh, NC 27611
Barbara Malone Mcann	Wake Co. Opp, Inc. P.O. Box 28105 Raleigh 27611
SAM WATTS	LRC Rept, & Study Commission Newsletter

VISITOR REGISTRATION SHEET

Commission on Homeless Persons

September 20, 1990

Name of Committee

Date

VISITORS: Please sign below and return to Committee Clerk.

NAME

FIRM OR AGENCY AND ADDRESS

NAME	FIRM OR AGENCY AND ADDRESS
Karen Davis	ETHR
Janet Case	DHE-DSS
Tim West	NC Housing Finance Agency
Mike McLaughlin	N.C. Center for Public Policy Research
Anne M. Burke	Urban Ministry Center of Raleigh
Sam Watts	CRC Dept New York
Nehemiah McCune	DOA
Bill Kowal	E. Central Comm. Legal Assn.
Yvonne	NCHFR
Janet Long	DE HHR
Gloria H. Payne	P.O. Box 590 C 17-107 Raleigh, NC 27602
Lester Johnston	" " " "
Ruth Reles	NC Dept Human Resources Adams Bldg Dix Campus 101 Blair Dr. Raleigh NC 27603
Andy Comaret	N.C. League of Municipalities
Joe Hatch	City of Oxford, P.O. Box 1307, 27565
Albena Sample	P.O. Box 641 Raleigh NC 27601

VISITOR REGISTRATION SHEET

PUBLIC HEARING

LRC STUDY COMMITTEE ON HOMELESS PERSONS \_\_\_\_\_ OCTOBER 17, 1990 \_\_\_\_\_  
 Name of Committee Date

VISITORS: Please sign below and return to Committee Clerk.

NAME	FIRM OR AGENCY AND ADDRESS
John Mandeville	State Dept. of Human Resources
Peggy Wilson	Johnston-Lee Community Action P.O. Drawer 711 Smithfield, N.C. 27577
Georgia Evans	Johnston-Lee Community Action
Nommi Martin	Lee Co. Youth Services, P.O. Box 57, Sanford, N.C. 27330
Lisa Shearer	Lee Co. Youth Services, P.O. Box 57, Sanford, N.C. 27330
Grady Watkins, Jr.	2305 Worganton Rd., Fayetteville, NC 28303 AARF
Kim Oriole	Fay. Observer-Times
Jeff Yastine	WPTF-TV
The Rev. S. Elizabeth Kelly	Family Violence Rape Crisis, Chatham Co.
Tim E. England	State Dept. of ECD - Div. of Community Assistance
Deborah McCree	" " " " " " " "
John M. Deeth	Lumber River Legal Services / Cumberland Co. Legal Aid
Yvonne Nichols	Operation Breadthorn Inc. 200 E. Vines St. Durham, N.C.
Oris Bullock	Operation Breadthorn Inc. 205 Lenoir St. P.O. Box 1470
Curtis Harper	Fayetteville Urban Ministry, P.O. 1176, Fayetteville, N.C.
Tim West	NC Housing Finance Agency (Trust Fund) P.O. Box 28000, Raleigh, N.C. 27614
Mark Roberts / Mike White	WRAL-TV

VISITOR REGISTRATION SHEET  
PUBLIC HEARING

LRC STUDY COMMITTEE ON HOMELESS PERSONS \_\_\_\_\_ OCTOBER 18, 1990 \_\_\_\_\_  
Name of Committee \_\_\_\_\_ Date \_\_\_\_\_

VISITORS: Please sign below and return to Committee Clerk.

NAME	FIRM OR AGENCY AND ADDRESS
Robert Flynt	Homeless not Helpless
Kay Viles	H.B.N.H.
Bill Wyant	H.B.N.H.
Bobby Edwards	H.B.N.H.
Alonso Benetti	H.B.N.H.
WARREN LEWIS	H.B.N.H.
Steven Holden	Homeless not Helpless
Caroline Myers	Exec Dir. Crisis Assis Ministry
Cissie Lewis	J Care, Inc
Loa Jennings	J Care, Inc.
Nelbert McNeal	Homeless Shelter Coordinator
Sharon P. Woodson	Division of Community Assistance, Raleigh
Jim Miller	N.C. DMHIDS #3
Roger Seeman	CHOP / Belmont CDC Charlotte
Joe Stratton	Charlotte Shelter

VISITOR REGISTRATION SHEET

LRC STUDY COMMITTEE ON HOMELESS PERSONS \_\_\_\_\_ NOVEMBER 13, 1990 \_\_\_\_\_  
 Name of Committee \_\_\_\_\_ Date \_\_\_\_\_

VISITORS: Please sign below and return to Committee Clerk.

NAME	FIRM OR AGENCY AND ADDRESS
Connie Miller	DHR / <sup>Division of</sup> Mental Health / DD / SAS
John Davis	DECD / DCA
Jane Cautton	Family & Children's Service - 301 East Washington A. Greensboro NC, 2740 CB 2040
Dorothy Cray	Frank Porter Graham Child Dev. Ctr. UNC - CH UNC Chapel Hill 27599
Tim West	NC Housing Finance Agency PO Box 38066 Raleigh 27611
Hinda Gunn	NC Rural Econ. Dev. - Raleigh
Lester New	NC ETHUR
Anne M. Burke	Urban Ministry Center P.O. Box 26476 Raleigh, NC 27611
Elton Edwards	City of Greensboro
Elizabeth Kelly	Family Violence's Rape Crisis - Chatham Co. Pittsboro
John Mandeville	NCDH
K. Vines	854 Madison Ave. W.S. N.C. 27103
Doris Bullock	200 E. Unstead St Durham N.C. 27701 0BT
Ann Nichols	200 E. Unstead St Durham N.C. 27701 0BT
Delores Parker	205 E. Unstead St. Greensboro, NC 27406
Rolande Jason	PO. 98475 Raleigh, NC 27624 N.C.C.A.A
Mike McLaughlin	N.C. Center for Public Policy Research P.O. Drawer 1731
Bill Rowe	East Central Commun. Legal Services Raleigh 27604

VISITOR REGISTRATION SHEET

LRC STUDY COMMITTEE ON HOMELESS PERSONS

NOVEMBER 29, 1990

Name of Committee

Date

VISITORS: Please sign below and return to Committee Clerk.

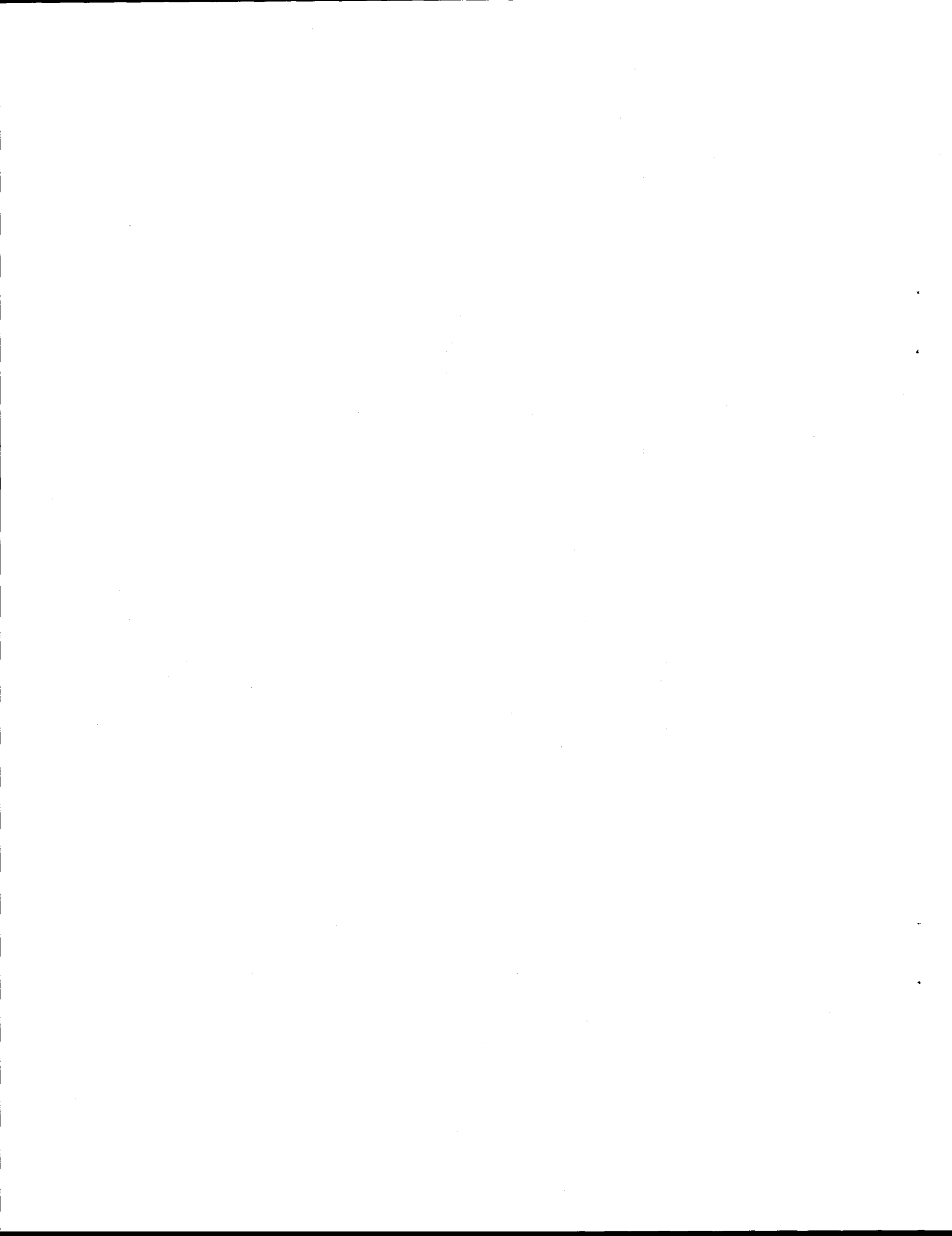
NAME

FIRM OR AGENCY AND ADDRESS

NAME	FIRM OR AGENCY AND ADDRESS
John Berndt	ECD - Community Assistance
Deborah McQueen	ECD - Community Assistance
Karen [unclear]	ETHAL
Linda [unclear]	REDC (Rural Econ. Dev. Ctr)
Tim West	NC Housing Finance Agency
Pat Young	Dept. of Public Ind.
Mac Brooks	Gov. Agency Council on Person Disabilities
Ginni [unclear]	Operation Breathing Durham NC
Patricia Wilkins	DPI
Patricia [unclear]	DPI
Joan Bullock	Operation Breathing Durham NC
Edton Edwards	City of Greensboro
Jimmie [unclear]	Franklin [unclear] Inc.
Ruth [unclear]	DHR Raleigh, N.C.
Chick [unclear]	N.C. Insight



**APPENDIX G**  
**Proposals Presented to and Considered by the Committee**



DRAFT PROPOSALS RECEIVED BY COMMITTEE PRIOR TO PUBLIC HEARINGS

**Proposal 1.** Reauthorization of the LRC Study of Homeless Persons. There is a need for organized further study. It is suggested that the LRC Committee on Homeless Persons be reauthorized, in order to prepare a package of legislation for the 1993 General Assembly, when there may be enough money to contemplate such a package. It is suggested that this package address all the issues, including housing, mental health, and access to services, and including ways to empower the homeless in shelters and sheltering facilities to enable them to play proper roles in operating and managing their lives in the shelters. It is suggested that the Committee appoint three permanent subcommittees to handle these several areas, in particular, to examine all the other states' initiatives. (This proposal, and the next two, are suggested in the June 1990 edition of Insight, in an Article written by David Perkins and Mike McLaughlin, entitled "North Carolina's Homeless: Whose Problems are They?") See Legislative Proposal 1.

**Proposal 2.** Survey of the homeless population. The Department of Human Resources (or of Economic and Community Development) should conduct a survey, in cooperation with the Department of Economic and Community Development, (or of Human Resources) the Department of Public Instruction, and any other involved State and local agencies, through county social services departments, to buttress the 1990 Census findings by counting the homeless and locating them demographically, economically, and socially via a survey that uses a consistent methodology across the 100 counties. See Legislative Proposal 2.

**Proposal 3.** Catalogue of existing resources. The Department of Human Resources, in cooperation with all involved agencies, should catalogue the services and assistance to the homeless provided by all the agencies across North Carolina, including social services, mental health, and housing agencies, the nonprofit sector and churches. The Department of Human Resources should be given the statutory authority to require local departments of social services to compile lists of resources for the homeless in their counties and to forward them to the State. See Legislative Proposal 3.

Proposal 4. State-level position to provide service coordination assistance. See Legislative Proposal 4.

Proposal 4-Alternative. State funds for McKinney agencies' administrative costs in coordinating McKinney services. See Legislative Proposal 4A.

Proposal 5. Grants fund for local service providers. See Legislative Proposal 5.

Proposal 6. The Department of Human Resources and the Department of Economic Community Development and all other involved agencies shall cooperate in establishing a vigorous outreach effort to inform the homeless of available assistance. (This and the following proposals come from the National Coalition for the Homeless' Model State Legislation: State Homeless Persons' Assistance Act of 1988; Draft of October 1988.) See Legislative Proposal 6.

Proposal 7. Eviction prevention. The creation of a revolving fund to assist low-income tenants facing homelessness as a result of imminent eviction from their primary residence. The fund would supply rent relief. The Model Act requires that the tenant must demonstrate that the rent deficiency is caused by temporary financial circumstances beyond his control. The amount of the relief is that amount necessary to limit the tenant's shelter expenses during the temporary financial difficulty to 30% of available income. Rent relief may be received for up to a year. repayments are expected and are returned to the revolving fund when received. See Legislative Proposal 7.

Proposal 8. Rental utility deposits loan fund. A State-initiated revolving loan fund should be set up in either the Housing Trust Fund or elsewhere that will enable people in shelters or transitional housing projects to borrow the rental utility and security deposits necessary to enable them to move into permanent housing. See Legislative Proposal 8.

Proposal 9. State funding for emergency and transitional housing. State funds should be added to the Housing Trust Fund and designated for emergency and transitional housing projects. See Legislative Proposal 9. See Legislative Proposal 9.

**Proposal 10. Preservation of Low-Income Housing.** In order to preserve remaining low-income housing units, including SROs (single-room occupancy units), legislation is required to require local inclusionary zoning, anti-warehousing ordinances, and demolition and conversion controls. Inclusionary zoning guarantees low-income and very low-income housing units are part of any State-assisted new housing construction or major rehabilitation. Anti-warehousing ordinances prevent private landlords of rent-regulated apartments or apartments built or rehabilitated with State funds from keeping vacant, affordable units out of the low-income rental market. Demolition and conversion controls require a certain formula replacement of any lost units (i.e., the Model Act requires a one-to-one replacement.) See Legislative Proposal 10.

**Proposal 11. Affordable Housing Trust Fund.** It is proposed that an Affordable Housing Trust Fund be created, perhaps in accordance with the existing Housing Trust Fund, as a nonlapsing, revolving fund to provide for grants or loans to public or private nonprofit entities to develop affordable housing to low-income and very low-income families. Funds may be used for conversion of existing housing stock and for the development of new public housing units. preferences are given to applicants using existing privately owned housing stock and, secondly, to the use of existing publicly owned stock. In addition, preference is given to applications of local governmental units that have enacted zoning or other controls to preserve SROs.

The entity handling this Fund shall be required to inventory publically owned lands and buildings to identify those properties suitable for development into low-income and very low-income housing.

A certain percentage of the Fund (15% in the Model Act) is set aside for a block grant program to provide for permanent supported housing arrangements, including group living arrangements and other community residence programs, for mentally disabled individuals. See Legislative Proposal 11.

**Proposal 12. Participation in McKinney's Permanent Housing for the Handicapped Homeless.** See Legislative Proposal 12.

PROPOSALS DEVELOPED FROM TESTIMONY AT THE PUBLIC HEARINGS

PUBLIC HEARING  
FAYETTEVILLE TECHNICAL COMMUNITY COLLEGE  
OCTOBER 17, 1990 PROPOSALS

1. Linda Gunn, for Ruth Relos, Chair, Homeless Task Force

A. Long Term Recommendations-

Continue Study Committee on Homeless Persons.  
(See Proposal 1)

Increase availability of low-income housing.  
(See Proposal 11)

Proposal 13 Legislation that would permit local government to use property tax funds.

Increase in the Housing Trust Fund (\$10M).  
(See Proposal 7, 8, 9, 11)

Proposal 14 Increase state's minimum wage.

Proposal 15 Welfare recipients should receive supplements up to the Federal poverty level, also, include continuation of medical and child care.

Proposal 16 In-depth study of the size of the homeless problem by the Institute of Medicine, Center for Urban Affairs, State Agricultural Extension Service and the N.C. Center for Rural Development.

B. Short-Term Recommendations-

Proposal 17 Upgrading of shelters to meet basic health, safety, and privacy needs.

Offer more support to local groups who have, or wish to start homeless shelters. (See Proposals 3, 4, 4A, 5, 6)

Provide fund for operational costs to make full use of McKinney funds. (See Proposal 4A)

Proposal 18 Adoption of set standards for a variety of homeless shelters created by a committee of shelter personnel, homeless people, government health and safety representatives.

Resources for transporting shelter residents to health, mental health, child care, human service agencies, employment and educational facilities.

(Proposal 4)

Proposal 19 Resources to serve children in shelters and transitional housing, educating families in basic life skills and follow-up for families moving from shelters to other housing arrangements.

Funds for a position in the Department of Human Resources to attend to human service issues that confront homeless people. (See Proposal 4)

Proposal 20 Committees formed by the N.C. Employment Security Commission, the Division of Vocational Rehabilitation, and the Community Colleges to help homeless people access jobs.

Development of guidelines for training shelter staff to work with homeless families by an interagency committee. (Proposal 18)

2. Reverend Curtis Harper, Director  
Fayetteville Urban Ministry

Funds for affordable housing for low-income and homeless people. (See Proposals 7, 8, 9, 10, and 11)

Better wages for those underemployed.  
(See Proposal 14)

3. Sharon Hendle and Larry Moore  
Cumberland County Department of Social Services

Funds for affordable housing for families.  
(See Proposals 7, 8, 9, 10, and 11)

Funds to write programs to assist the homeless problems case by case (mentally ill, drugs, assistance to stay in a house or to travel to a family member). (See Proposals 4, 4A, 5 and 6)

4. Georgia Evans and Peggy Wilson  
Johnston-Lee Community Action

Proposal 21 Funds for shelters for battered women and the homeless.

Affordable housing. (See Proposals 7, 8, 9, 10 and 11)

Funds to assist those already in homes from becoming homeless. (Payment of utility bills, deposits). (See Proposals 7, 8 and 9)

5. Annie Nichols  
Operation Breakthrough, Durham, N.C.

Resources to provide comprehensive service to families. (See Proposals 4, 4A, 5 and 19)

Affordable housing. (See Proposals 7, 8, 9, 10 and 11)

Funds to assist those already in homes from evictions. (See Proposals 7, 8 and 9)

6. Reverend Elizabeth Kelly  
Family Violence and Rape Crisis Center  
Preserving Childhood in North Carolina

Suitable and affordable housing.  
(See Proposals 7, 8, 9, 10 and 11)

Adequate resources for children in shelters and adults. (See Proposal 19)

Increase of wage of working poor.  
(See Proposal 14)

7. Dale Dees  
Cumberland County Legal Aide

Proposal 22 Support of Mediation Network for resolution of dispute between landlords and tenants.

No landlord and tenant dispute in the courts.

8. Pam Rolandelli  
Frank Porter Graham Center, UNC-Chapel Hill

Child care in shelters. (See Proposal 19)

Study to find out how many children are actually homeless. (See Proposal 2)



PUBLIC HEARING  
CHARLOTTE-MECKLENBURG GOVERNMENT CENTER

OCTOBER 18, 1990 PROPOSALS

1. Verona Barnes, Coordinator  
Charlotte Area Fund

Revolving fund to assist people facing eviction.  
(See Proposals 7 and 8)

Funds in the form of grants to provide money management or budgeting class to those that needed assistance due to eviction.

Affordable housing. (See Proposals 7, 8, 9, 10 and 11)

2. Kay Vives  
"Homeless But Not Helpless"

Proposal to use all McKinney money being held by the state in the Housing Trust Fund and group homes. (See Proposals 4A and 12)

Proposal 24 Free basic literacy programs, nutritional and health programs.

Coordination of services available, county by county. (See Proposals 3, 4 and 4A)

Funds for transitional and half-way houses. (See Proposal 9)

Proposal 25 Support of "Mickey Leland Bill".

Affordable permanent housing. (See Proposals 7, 8, 9, 10, and 11).

Programs for individual needs. (Drugs or alcohol, mental health, children, handicapped, etc.)

- 2A. Bill Wyatt, Bobby Edwards, Robert Flint, Steven Holden, homeless and formerly homeless people.

Affordable permanent housing.

Transitional housing.

McKinney permanent housing for the Handicapped.

3. Rachel Fesmire, Executive Director  
Shelter for Battered Women

Programs for homeless children. (See Proposal 19)

Definition of homeless, include women and children. (See Proposal 19)

Utilize all existing resources. Programs are fragmented. (See Proposals 3, 4, 4A, 6)

Enactment by the Social Service Commission putting a homeless child in need of daycare at the top of the waiting list. (See Proposal 19)

Establish procedures to give emergency housing assistance to families. (See Proposals 7, 8, 9, and 19)

Proposal 23 Free Health clinic for the homeless.

4. Betsy West, Executive Director  
Charlotte Emergency Housing

Affordable housing. (See Proposals 7, 8, 9, 10, and 11)

Advocate better use of McKinney funds. (See Proposals 4A, 12)

5. Caroline Myers, Executive Director  
Crisis Assistance Ministry

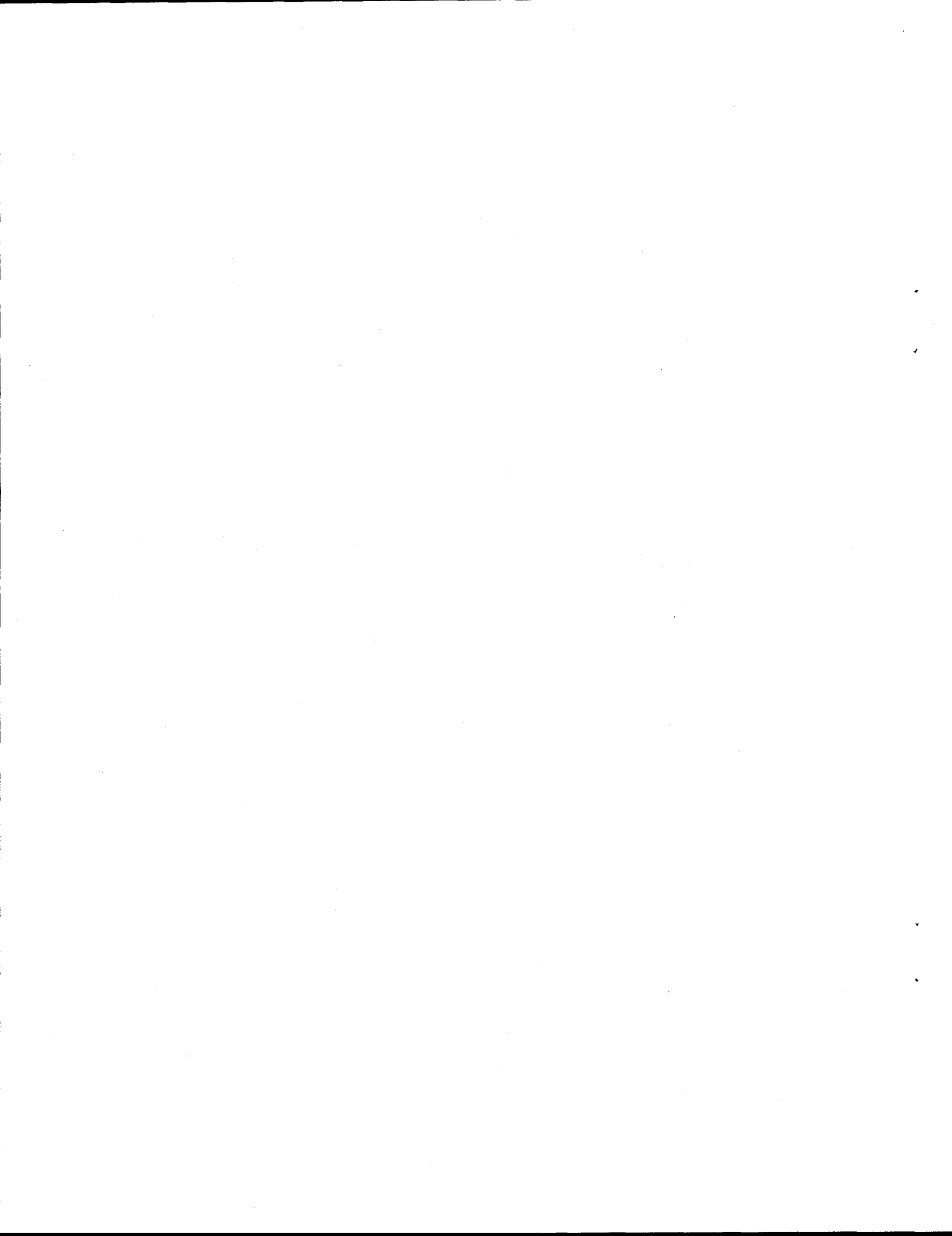
Programs to assist those people in housing from becoming homeless. (See Proposals 7, 8, 9)

Affordable housing. (See Proposals 7, 8, 9, 10, and 11)

Utility Program to assist people with deposits. (See Proposals 7 and 8)

Programs that give people the opportunity to start out even with everyone else instead of behind. (See Proposal 14)

**APPENDIX H**  
**Proposal by Department of Public Instruction**



DRAFT

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THE STUDENT ASSIGNMENT LAW AND TO PROVIDE FOR THE ASSIGNMENT OF CHILDREN OF HOMELESS INDIVIDUALS AND OF HOMELESS CHILDREN.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-366 reads as rewritten:

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"§ 115C-366. Assignment of student to a particular school.

"(a) All ~~pupils~~ students under the age of 21 years who are domiciled in a school ~~district or attendance area~~ administrative unit ~~who have not been removed from school for cause~~, shall be entitled to all the privileges and advantages of the public schools ~~of such district or attendance area~~ in such school buildings to which they are assigned by the local boards of education. ~~Provided, that wherever pupils from nontax units, districts, or attendance areas, are assigned to a school in a tax unit, district, or attendance area, the assignment shall be only for the current school year, unless satisfactory agreements are reached between all units, districts, or attendance areas concerned. Provided, further, that pupils domiciled in one local school administrative unit may be assigned to a school located in another local school administrative unit upon such terms and conditions as may be agreed in writing between the boards of education of the local school administrative units involved and entered upon the official records of such boards. Provided, further, that the assignment of pupils living in one local school administrative unit or district to a school located in another local school administrative unit or district, shall have no effect upon the right of the local school administrative unit or district to which said pupils are assigned to levy and collect any supplemental tax heretofore or hereafter voted in such local school administrative unit or district. Provided, further, the boards of education of adjacent local school administrative units may operate schools in adjacent units upon written agreements between the respective boards of education and approval by the county commissioners and the State Board of Education.~~

(b) Unless otherwise assigned by the local board of education, the following pupils are entitled to attend the schools in the ~~district or attendance area~~ school administrative unit in which they are domiciled: ~~Provided, the superintendent, or the principal with the approval of the superintendent, of the local school administrative unit may, in his discretion, prohibit the enrollment of or remove from school any pupil who has attained the age of 21 years:~~

- (1) All persons of the ~~district or attendance area~~ school administrative unit who have not completed the prescribed course for high school graduation in the high school: and who have not reached age 21;
- (2) All ~~pupils~~ students whose parents have recently moved into the ~~unit, district, or attendance area~~ school administrative unit for the purpose of making it their legal domicile in the same; and
- (3) Any ~~pupil living~~ student who lives with either father, mother a parent or guardian who has ~~made~~ his permanent home within the ~~district~~ school administrative unit.

(c) It is the policy of the State that every child of a homeless individual and every homeless child have access to a free, appropriate public education on the same basis as children who are domiciled in this State. In order to implement this policy, the local board of education having jurisdiction where such a child is located shall either arrange for the continuation of the child's education in the local school administrative unit of origin for the remainder of the school year or enroll the child in the school administrative unit where the child is actually living, whichever is in the child's best interest. In no event shall the child be denied enrollment because of uncertainty regarding

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his domiciliary status, regardless of whether the child is living with the homeless parents or has been temporarily placed elsewhere by the parents. It is the intent of this section that local boards of education shall not deny enrollment or school assignment based on the student's residence where it appears that the student will not otherwise be enrolled or attending school. The student's parent, guardian, or person standing in loco parentis to the student, may apply to the State Board of Education for a determination of whether a particular local board of education shall enroll the student, and this determination shall be binding on the local board of education, subject to judicial review.

~~(b) (d) Each local board of education is hereby authorized and directed to provide for the assignment assign to a public school of each student qualified for assignment under this section, child residing within the local school administrative unit who is qualified under the laws of this State for admission to a public school. Except as otherwise provided in G.S. 115C-366(b), 115C-367 to 115C-370 and 115C-116, the authority of each board of education in the matter of assignment of children to the public schools shall be full and complete, and its decision as to the assignment of any child to any school shall be final. A child residing in one local school administrative unit may be assigned either with or without the payment of tuition to a public school located in another local school administrative unit upon such terms and conditions as may be agreed in writing between the boards of education of the local school administrative units involved and entered upon the official records of such boards. No child shall be enrolled in or permitted to attend any public school other than the public school to which the child has been assigned by the appropriate board of education. In exercising the authority conferred by this subsection, each local board of education shall make assignments of pupils to public schools so as to provide for the orderly and efficient administration of the public schools, and provide for the effective instruction, health, safety, and general welfare of the pupils. Each board of education may adopt such reasonable rules and regulations as in the opinion of the board are necessary in the administration of G.S. 115C-366(b), 115C-367 to 115C-370 and 115C-116.~~

(e) A student domiciled in one local school administrative unit may be assigned either with or without the payment of tuition to a public school in another local school administrative unit upon the terms and conditions agreed to in writing between the local boards of education involved and entered in the official records of the boards. The assignment shall be effective only for the current school year, but may be renewed annually in the discretion of the boards involved.

(f) The boards of education of adjacent local school administrative units may operate schools in adjacent units upon written agreements between the respective boards of education and approval by the county commissioners and the State Board of Education.

(g) This section shall not be construed to allow students to transfer from one local school administrative unit to another for athletic participation purposes in violation of eligibility requirements established by the State Board of Education and the North Carolina High School Athletic Association."

Sec. 2. This act is effective upon ratification.



