

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

H

1

HOUSE BILL 1195

Short Title: Special Needs Commission Modified.

(Public)

Sponsors: Representative Rogers.

Referred to: Ways and Means.

April 15, 1999

A BILL TO BE ENTITLED

AN ACT TO AMEND THE LAW REGARDING THE COMMISSION ON CHILDREN
WITH SPECIAL NEEDS.

The General Assembly of North Carolina enacts:

Section 1. Article 12 of Chapter 120 of the General Statutes reads as rewritten:

"ARTICLE 12.

"COMMISSION ON CHILDREN ~~WITH SPECIAL NEEDS.~~ WITH DISABILITIES.

"§ 120-58. Creation; appointment of members.

There is created a Commission on Children with ~~Special Needs-Disabilities~~ to consist of ~~three Senators and one physician licensed to practice in the State of North Carolina, and who is actively involved in the private practice of pediatrics, six Senators, one parent of a child with disabilities, and one school board attorney~~ appointed by the President Pro Tempore of the Senate, ~~three Representatives and one public member~~ appointed by the Speaker of the House, ~~three parents of children with special needs and one public member~~ appointed by the Governor, and the Superintendent of Public Instruction or the Superintendent's designee. Senate; and six members of the House, one parent of a child with disabilities, and one other public member appointed by the Speaker of the House. The appointing officers shall each designate a member of the Commission to serve as cochairs.

"§ 120-59. Time of appointments; terms of office.

1 Appointments to the Commission shall be made within 15 days ~~subsequent to the close~~
2 ~~of each regular session of the~~ of the convening of each General Assembly. The term of
3 office shall begin on the day of appointment, and shall end on the date when the next
4 appointments are made. Vacancies occurring during a term shall be filled for the
5 unexpired term by the officer who made the original appointment.

6 **"§ 120-60. Organization of Commission.**

7 ~~Upon its appointment, the Commission shall organize by electing from its membership a~~
8 ~~chairman.~~ The Commission shall meet at such times and places as the chairman-cochairs
9 shall designate. The facilities of the State Legislative Building shall be available to the
10 Commission. The Commission is authorized to conduct hearings and to employ such
11 clerical and other assistance, professional advice and services as may be deemed
12 necessary in the performance of its duties, with the approval of the Legislative Services
13 Commission.

14 **"§ 120-61. Members to serve without compensation; subsistence and travel expenses.**

15 Members of the Commission shall serve without compensation but they shall be paid
16 such per diem and travel expenses as are provided for members of State boards and
17 commissions generally pursuant to G.S. 138-5. The Commission shall be funded by the
18 Legislative Services Commission from appropriations made to the General Assembly for
19 that purpose.

20 **"§ 120-62. Assistance to Commission.**

21 The Commission, in the performance of its duties, may request and shall receive from
22 every department, board, bureau, agency, commission, or institution of this State, or from
23 any political subdivision of the State, information, cooperation, and assistance.

24 **"§ 120-63. Duties of Commission.**

25 The Commission is hereby authorized to:

- 26 (1) Pursue an in-depth study of the services provided by other states for
27 children with ~~special needs-~~disabilities.
- 28 (2) Collect and evaluate for comprehensiveness existing legislation in North
29 Carolina which is relevant to programs for children with ~~special needs;~~
30 disabilities; as well as pertinent reports, studies and findings from other
31 states and national bodies.
- 32 (3) Collect and evaluate for comprehensiveness the reports and
33 recommendations of the various agencies, councils, commissions,
34 committees, and associations existing in North Carolina whose primary
35 or partial duties are to make recommendations designed to affect
36 services for children with ~~special needs-~~disabilities.
- 37 (4) Monitor on a continuing basis the progress of the State as it moves
38 toward meeting the service requirements for children with ~~special needs-~~
39 disabilities.
- 40 (5) Make recommendations on funding needed to provide services to
41 children with disabilities.
- 42 (6) Make recommendations regarding changes needed in State law
43 regarding children with disabilities.

1 **"§ 120-64. Reports to General Assembly.**

2 The Commission shall make a report to the General Assembly not later than February 1,
3 1975, and February 1 of each subsequent session. on the convening of each General
4 Assembly in each odd-numbered year and may make a report to the General Assembly
5 prior to March 15 of each even-numbered year. The first report shall contain:

6 (1) ~~A comparison of services provided by the State with those services~~
7 ~~provided by other states.~~

8 (2) ~~Legislation designed to strengthen the role of the State in meeting its~~
9 ~~responsibilities to children with special needs.~~

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

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

14 **"§ 120-65. Assistance of Department of Health and Human Services, State Board of**
15 **Education, and Department of Public Instruction.**

16 The Department of Health and Human Services, the State Board of Education, and the
17 Department of Public Instruction are vital departments of State government to assist
18 especially the Commission and to furnish it with information, and to the extent permitted
19 by the Commission, to participate actively in the work and deliberations of the
20 Commission.

21 **"§§ 120-66 through 120-70: Reserved for future codification purposes."**

22 Section 2. This act is effective when it becomes law.