

NORTH CAROLINA GENERAL ASSEMBLY
1961 SESSION

CHAPTER 981
SENATE BILL 395

1 AN ACT TO REWRITE ARTICLE 29A OF CHAPTER 143 OF THE GENERAL STATUTES
2 SO AS TO PROVIDE FOR THE ESTABLISHMENT OF THE GOVERNOR'S
3 COMMITTEE ON EMPLOYMENT OF THE HANDICAPPED.
4

5 The General Assembly of North Carolina do enact:
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7 **Section 1.** Article 29A of Chapter 143 of the General Statutes is hereby amended
8 by rewriting the Article in its entirety to read as follows:
9

"Article 29A.

"The Governor's Committee on Employment of the Handicapped

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11 **"G.S. 143-283.1. Title of Article.** This Article may be cited as 'The Governor's Committee on
12 Employment of the Handicapped Act.'

13 **"G.S. 143-283.2. Purpose of Article.** The purpose of this Article is to carry on a continuing
14 program to promote the employment of the physically, mentally, emotionally, and otherwise
15 handicapped citizens of North Carolina by creating State-wide interest in the rehabilitation and
16 employment of the handicapped, and by obtaining and maintaining cooperation with all public
17 and private groups and individuals in this field. The Governor's Committee shall work in close
18 cooperation with the President's Committee on Employment of the Physically Handicapped to
19 more effectively carry out the purpose of this Article, and with State and Federal agencies
20 having responsibilities for employment and rehabilitation of the handicapped.

21 **"G.S. 143-283.3. 'National Employ the Physically Handicapped Week.'** The Governor's
22 Committee shall, by proclamation, designate the first full week in October of each year as
23 'National Employ the Physically Handicapped Week.' The committee shall promote and
24 encourage the holding of appropriate ceremonies throughout the State during said week, the
25 purpose of which ceremonies shall be to enlist public support for and interest in the
26 employment of the physically handicapped. The Governor shall, in his proclamation
27 designating national employ the physically handicapped week, invite the mayors of all cities,
28 heads of other instrumentalities of government, leaders of industry and business, educational
29 and religious groups, labor, veterans, women, farm, scientific and professional, and all other
30 organizations and individuals having an interest to participate in said ceremonies.

31 **"G.S. 143-283.4. The Governor's Committee; How Constituted.** The Governor's Committee
32 shall consist of members composed of State leaders and representatives of industry, business,
33 agriculture, labor, veterans, women, religious, educational, civic, fraternal, welfare, scientific,
34 and medical and other professions, and all other interested groups or individuals who are
35 approved by the Governor's Executive Committee, hereinafter provided for.

36 **"G.S. 143-283.5. The Governor's Executive Committee; How Constituted.** There is hereby
37 also created the Governor's Executive Committee on the Employment of the Handicapped,
38 consisting of fifteen members to be appointed by the Governor, five of whom shall be initially
39 appointed for a term of one year, five for two years, and five for three years. Thereafter as their
40 terms expire, their successors shall be appointed for terms of three years each. Vacancies shall
41 be filled by appointment by the Governor for the unexpired term. In addition to the fifteen
42 appointed members, the Governor, the Commissioner of Labor, the Commissioner of
43 Insurance, the Chairman of the Employment Security Commission and the Director of

1 Vocational Rehabilitation shall serve ex officio as members of the Executive Committee. The
2 Governor shall be honorary chairman of the Executive Committee.

3 **"G.S. 143-283.6. Organization; Meetings; Powers.** The Governor's Executive Committee
4 shall formulate policies and goals, not inconsistent with this Article, for promoting the
5 employment of the handicapped citizens; and its Executive Committee is authorized to appoint
6 such administrative personnel as are necessary to carry out this Article, who shall be subject to
7 all the provisions of the State Personnel Act. The Executive Committee of the Governor's
8 Committee shall elect from its membership, a chairman, vice chairman, secretary and a
9 treasurer. The officers shall be elected for a term of one year, but may succeed themselves. The
10 administrative powers and duties of the Governor's Committee shall be vested in the Governor's
11 Executive Committee. An organizational meeting shall be held within sixty days after ten
12 members of the Executive Committee have been appointed and qualified. The Executive
13 Committee shall meet quarterly in regular sessions but special meetings may be called by six
14 members of the Executive Committee.

15 "The Governor's Executive Committee shall call a meeting at least once a year inviting the
16 members of the Governor's Committee to attend in order to properly inform them of work
17 during the year and program for the ensuing year.

18 **"G.S. 143-283.7. Funds, Expenses and Gifts.** There is hereby created in the State treasury a
19 special revolving fund to be known as 'Employment of the Handicapped Revolving Fund.' The
20 fund shall consist of all monies received by the committee, or in behalf of the committee, from
21 the United States, any Federal or State agency or institution, gifts, contributions, donations and
22 bequests, but not excluding any other source of revenue for the purpose of promoting the
23 employment and rehabilitation of handicapped citizens of North Carolina. The Executive
24 Committee may use said revolving fund to pay the salaries, and general expenses of the
25 administrative office, personnel, materials, supplies, equipment, travel, provide awards,
26 citations, scholarships, but not excluding other purposes for the promoting of the employment
27 and rehabilitation of handicapped citizens. All expenditures from said fund shall be subject to
28 the provisions of the Executive Budget Act.

29 "Any monies remaining in said revolving fund at the end of any fiscal year or biennium
30 shall not revert to the general fund or any other fund but shall continue to remain in said
31 revolving fund to be expended for the purposes of this Article.

32 "The Governor's Executive Committee shall accept, hold in trust, and authorize the use of
33 any grant or devise of land, or any donations or bequests of money or other personal property
34 made to the Committee or Executive Committee so long as the terms of the grant, donation,
35 bequest or will are carried out. The Governor's Executive Committee may invest and reinvest
36 any funds and money, lease, or sell any real or personal property, and invest the proceeds for
37 the purpose of promoting the employment and rehabilitation of the handicapped unless
38 prohibited by the terms of the grant, donation, bequest, gift, or will. If, due to circumstances the
39 requests of the person or persons making the grant, donation bequest, gift, or will, cannot be
40 carried out, the Executive Committee shall have the authority to use the remainder thereof for
41 the purpose of this Article. Said funds shall be deposited in the revolving fund to carry out the
42 provisions of this Article. Such gifts, donations, bequests or grants shall be exempt for tax
43 purposes. The committee shall report annually to the Governor all monies and properties
44 received and expended by virtue of this Section.

45 "All funds and properties in the hands of the North Carolina Commission on Employ the
46 Physically Handicapped on the effective date of this Article shall be transferred to the
47 Governor's Executive Committee created by this Article for use in furtherance of the purposes
48 of this Article.

49 **"G.S. 143-283.8. Committee Nonpartisan and Nonprofit.** The Governor's Committee shall
50 be nonpartisan, nonprofit, and shall not be used for the dissemination of partisan principles, nor
51 for the promotion of the candidacy of any person seeking public office or preferment.

1 **"G.S. 143-283.9. Executive Committee a Governmental Agency.** The Executive Committee
2 is hereby constituted an agency of the State of North Carolina and the exercise by the Executive
3 Committee of the power and duties conferred by this Article shall be deemed to be an exercise
4 of the governmental functions of the State. Members of the Executive Committee shall execute
5 the oath or oaths of office prescribed by the Constitution and Statutes of the State of North
6 Carolina. Members of the Executive Committee shall not receive compensation or expenses for
7 services rendered.

8 "Bond premiums for any bonds which may be required shall be paid by the Executive
9 Committee from its revolving fund.

10 **"G.S. 143-283.10. Allocations from Contingency and Emergency Fund.** The Governor,
11 with the approval of the Council of State, is hereby authorized to allocate to the Executive
12 Committee from the State's Contingency and Emergency Fund from time to time such sum as
13 may be deemed wise and expedient, not exceeding twenty-five hundred dollars (\$2500.00) per
14 fiscal year, to be used for the salaries and expenses of employees, including travel, supplies,
15 materials, equipment, citations, and all other purposes necessary to carry out the provisions of
16 this Article."

17 **Sec. 2.** All laws and clauses of laws in conflict with this Act are hereby repealed.

18 **Sec. 3.** This Act shall become effective July 1, 1961.

19 In the General Assembly read three times and ratified, this the 17th day of June,
20 1961.