

NORTH CAROLINA GENERAL ASSEMBLY
1971 SESSION

CHAPTER 935
HOUSE BILL 203

AN ACT TO AMEND CHAPTER 110 OF THE GENERAL STATUTES TO ESTABLISH
THE GOVERNOR'S ADVOCACY COMMISSION ON CHILDREN AND YOUTH.

The General Assembly of North Carolina enacts:

Section 1. Chapter 110 of the General Statutes is hereby amended by inserting immediately after Article 5 a new Article to be numbered Article 6 and to read as follows:

"Article 6.

"Governor's Advocacy Commission on Children and Youth.

"§ 110-65. Short Title. — This Article may be cited as the Governor's Advocacy Commission on Children and Youth Act.

"§ 110-66. Legislative purpose and intent. — The General Assembly finds there is need for better planning and more effective coordination among public and private agencies serving children and youth in North Carolina in order to improve inadequate programs, to avoid duplication of effort and waste of resources, to provide for unmet needs, and to improve delivery of services. By this act creating a unit of State government to be an advocate for the broad needs and interests of children, the General Assembly intends to provide an answer to these problems so that public and private agencies may be more responsive to the needs of children and youth in this State.

"§ 110-67. Advocacy Commission established. — (a) The Governor's Advocacy Commission on Children and Youth (hereinafter called the 'Commission') is hereby established in the North Carolina Department of Administration to serve as an advocate of the interests of the children and youth within the State and local governments and with private agencies serving children and youth.

(b) The Commission shall be advisory to all agencies of State and local government that provide services to children and youth or their families.

(c) The Commission shall not operate any programs providing direct services to children or youth or their families, since the provision of services is incompatible with its primary role as child advocate.

"§ 110-68. Membership of Commission. — The Commission shall consist of the following 20 members:

two members of the Senate, appointed by the President of the Senate;
two members of the House of Representatives, appointed by the Speaker of the House of Representatives;
the State Health Director;
the Commissioner of Social Services;
the Commissioner of Mental Health
the State Superintendent of Public Instruction;
the Commissioner of Juvenile Correction;
seven other adult citizens appointed by the Governor;
four youth members to be appointed by the Governor, two of whom shall be male, two of whom shall be female.

Any ex officio member may designate another person to represent him on the Commission, and that designee shall have all the powers of other Commission members.

"§ 110-69. Terms and eligibility. — (a) The members of the General Assembly appointed to the Commission shall serve a term of two years. The seven adult citizen members of the Commission shall serve a term of four years, except that of the initial appointments, two shall be for a term of one year, two shall be for a term of two years, two shall be for a term of three years, and one shall be for a term of four years, in order to provide for staggered terms. In selecting the seven adult citizen members of the Commission, the Governor shall include persons who have an interest in and knowledge of children and youth, persons who work with children, and representatives of organizations concerned with problems of children and youth of 16 and 21 years of age and two who are less than 16 years of age at the time of their appointments. The four youth members shall serve terms of two years, except that two of the initial appointments shall be for terms of one year and two shall be for terms of two years, in order to provide staggered terms.

(b) Vacancies. Any vacancy occurring in any appointive position prior to the regular expiration of the term shall be filled by appointment of the Governor or the presiding officer authorized to make the initial appointment for the remainder of the unexpired term.

"§ 110-70. Organization of the Commission. — (a) The Commission shall annually elect its own Chairman, who shall be one of the members appointed from the General Assembly or by the Governor. No member of the Commission shall serve as Chairman for more than four consecutive terms of one year. The Commission may elect such other officers from its membership as it deems necessary. The members of the Commission who are not officers or employees of the State shall receive for their services the per diem and allowances prescribed in G.S. 138-5.

(b) Meetings. The Commission shall meet quarterly or upon call of the Chairman. Ten members of the Commission shall constitute a quorum for the purpose of conducting its business.

"§ 110-71. Powers and duties of Commission. — The Commission shall have the following powers and duties:

- (1) It shall appoint the administrator of the Commission with the approval of the Governor. The administrator shall be a qualified professional person with substantial knowledge of and experience in State government and related to the problems of children and youth.
- (2) It shall act as an advocate for children and youth within State and local governments, and with private agencies serving children and youth, and it shall provide assistance in the development and coordination of child advocacy systems at the regional and local levels within the State.
- (3) It shall conduct a continuing review of existing programs of State government for children and youth and their families by gathering data, studying existing services, evaluating the delivery of services, and in other ways that it deems appropriate.
- (4) After appropriate review and study, it shall identify needs of children and youth and their families that are not being met by existing programs or that are being met inadequately, and when such gaps or inadequacies in services are identified, it shall recommend such new programs or improvements in existing services as it finds are needed, planning cooperatively with the appropriate State, local, or private agencies.
- (5) It shall work with State and local agencies, both public and private, to help them to coordinate existing services more effectively, to engage in joint endeavors, to avoid duplication of services, and in other ways to make more effective use of available resources.

- (6) It shall review any new programs affecting children and youth that are proposed by any State agency in order to make to that agency recommendations intended to avoid duplication of services, to promote better planning, to indicate ways in which the proposed program could be improved, or otherwise to make more effective use of available resources.
- (7) It shall make reports and recommendations to the Governor and the General Assembly from time to time when it accumulates data which could aid in State planning or whenever the Commission finds that it would be helpful to make a report.
- (8) It shall provide information to State and local agencies serving children and youth and their families, both public and private, as it finds to be appropriate, and provide information to the public concerning the activities of the Commission and its findings.

"§ 110-72. Powers and duties of the administrator. — The administrator of the Commission shall have the following powers and duties:

- (1) He shall administer and implement the recommendations and findings of the Commission, working cooperatively with the appropriate agencies, both public and private.
- (2) He shall conduct such studies as are directed by the Commission with respect to the needs of children and youth, the programs and services of State and local agencies, both public and private, and he shall furnish such information, data, or reports as may be needed for the Commission to be an effective child advocate.
- (3) He may appoint such subordinate personnel as may be approved by the Director of Administration.
- (4) He shall encourage the development of child advocacy systems on the regional and local levels in the State by working cooperatively with local leadership within the State."

Sec. 2. This act shall become effective on July 1, 1971.

In the General Assembly read three times and ratified, this the 19th day of July, 1971.