

1998

**SENATE
CHILDREN & HUMAN
RESOURCES
COMMITTEE**

MINUTES

CHILDREN & HUMAN RESOURCES

Chair - Lucas

**Vice-Chairs - Dannelly
Bill Martin
Winner
Kinnaird**

Ranking Minority - Forrester

Members: Allran	Kerr
Cooper	Moore
Clark	Phillips
Cochrane	Purcell
East	Warren
Foxx	Wellons
Kincaid	

NORTH CAROLINA GENERAL ASSEMBLY

COMMITTEE SUMMARY REPORT

SENATE: CHILDREN & HUMAN RESOURCES

Valid Through 16-DEC-1998

1997-98 Regular Session		SENATE: CHILDREN & HUMAN RESOURCES		Valid Through 16-DEC-1998	
BILL	INTRODUCER	SHORT TITLE	LATEST ACTION ON BILL	IN DATE	OUT DATE
H 28	BAKER	DSS BOARD CHANGE	*R -CH. SL 97-0135	03-10-97	05-15-97
H 77	HOWARD	DISSOLVE CERTAIN MENTAL HEALTH AUTH	R -CH. SL 97-0007	02-26-97	03-12-97
H 81=	CLARY	RESIDENCY REQ/SPECIAL ASSISTANCE	*R -CH. SL 97-0210	03-13-97	04-16-97
H 143=	WILSON G	ADULT CARE HOMES ANNUAL REPORTING	*R -CH. SL 97-0073	03-11-97	04-09-97
H 153=	EASTERLING	DEPENDENT JUVENILE DEFINITION	R -CH. SL 97-0113	03-20-97	05-14-97
H 165=	REDWINE	LODGING ESTABLISHMENTS/SANITATION	*S -RE-REF COM ON CH&HUMRS	05-06-97	05-14-97
H 165=	REDWINE	LODGING ESTABLISHMENTS/SANITATION	*S -RE-REF COM ON CH&HUMRS	05-15-97	
H 186=	MITCHELL	FOSTER CARE CRIMINAL CK. CORRECTION	S -REF TO COM ON CH&HUMRS	03-26-97	
H 303	ALDRIDGE	BAN PARTIAL-BIRTH ABORTIONS	*S -REF TO COM ON CH&HUMRS	05-06-97	
H 327	MITCHELL	AREA MENTAL HEALTH BD./APPT.	S -REF TO COM ON CH&HUMRS	04-02-97	
H 363	GARDNER	CHILD SUPPORT OPTIONS/FEES	*R -CH. SL 97-0223	04-07-97	05-21-97
H 455=	DOCKHAM	GLAUCOMA PROGRAM REPEALED	*R -CH. SL 97-0137	04-17-97	05-21-97
H 456=	DOCKHAM	REG DEEDS - NO ABUSE INFO.	R -CH. SL 97-0136	04-29-97	05-21-97
H 536	WILSON C	ABORTION/RIGHT TO KNOW	*S -REF TO COM ON CH&HUMRS	05-06-97	
H 564	GARDNER	SUPERVISING DENTAL HYGIENISTS	*S -REF TO COM ON CH&HUMRS	05-06-97	
H 896	GARDNER	CHILD WELFARE CHANGES	*R -CH. SL 97-0390	05-06-97	07-24-97
H 897	MCCOMAS	NURSING/REST HOME ADV. COMM.APPTS.	*R -CH. SL 97-0176	05-06-97	05-28-97
H 948	GARDNER	PHARMACY REHABILITATION PROGRAM	R -CH. SL 97-0177	05-06-97	05-28-97
H 949=	GARDNER	IMPROVE CHILD PROTECTION/RECORDS	*R -CH. SL 97-0459	08-07-97	08-13-97
H1051	MILLER G	ORGAN DONATION/PROCUREMENT	*R -CH. SL 97-0192	05-06-97	05-29-97
H1376=	SHERILL	CLARIFIED CHILD CARE PUBLICATION	*S -REF TO COM ON CH&HUMRS	07-13-98	
S 44=	LUCAS	GRANDPARENT VISITATION	S -REF TO COM ON CH&HUMRS	02-04-97	
S 52=	CARPENTER R	ADULT CARE HOMES ANNUAL REPORTING	S -REF TO COM ON CH&HUMRS	02-06-97	
S 53=	DANNELLY	ADULT CARE/NURSING HOME PENALTIES	*R -CH. SL 97-0431	02-06-97	04-23-97
S 54=	COCHRANE	RESIDENCY REQ./SPECIAL ASSISTANCE	S -REF TO COM ON CH&HUMRS	02-06-97	
S 207=	FOXX	FOSTER CARE CRIMINAL CK CORRECTION	*R -CH. SL 97-0140	02-20-97	04-01-97
S 212=	WEBSTER	DAY CARE PLAYGROUND EQUIPMENT	S -REF TO COM ON CH&HUMRS	02-20-97	
S 213=	WEBSTER	AMEND FAMILY CARE HOME REPORTING	S -REF TO COM ON CH&HUMRS	02-20-97	
S 304=	ODOM	DISAPPROVAL OF CERTAIN RULES-2	*S -REF TO COM ON WAYS&MNS	03-05-97	04-23-97
S 305	ODOM	SOLICITOR'S SECURITY OPTION	R -CH. SL 97-0124	03-05-97	04-09-97

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BOLDLED LINE INDICATES BILL INDEXED AS AFFECTING APPROPRIATIONS.

NORTH CAROLINA GENERAL ASSEMBLY

COMMITTEE SUMMARY REPORT

SENATE: CHILDREN & HUMAN RESOURCES

Valid Through 16-DEC-1998

1997-98 Regular Session

BILL	INTRODUCER	SHORT TITLE	LATEST ACTION ON BILL	IN DATE	OUT DATE
S 307=	MARTIN W	TANF/FIRST STOP EMPLOYMENT	*H -RE-REF COM ON RULES	03-05-97	04-30-97
S 308=	MARTIN W	DEPENDENT JUVENILE DEFINITION	S -REF TO COM ON CH&HUMRS	03-05-97	
S 332	LUCAS	FOSTER CARE TRAINING	H -REF TO COM ON HR	03-10-97	04-02-97
S 346	DANNELLY	JUVENILE GUARDIANS	*H -REF TO COM ON HR	03-10-97	04-09-97
S 351	MILLER B	SOCIAL SERVICES COMM'N AUTHORITY	*S -RE-REF COM ON RULES &	03-10-97	04-02-97
S 351	MILLER B	SOCIAL SERVICES COMM'N AUTHORITY	*S -RE-REF COM ON RULES &	04-03-97	04-29-97
S 367=	DANNELLY	ELIMINATE MEDICAID RX LIMIT	S -RE-REF COM ON APPROP	03-11-97	04-30-97
S 383=	PERDUE	HEALTH TO DHR/DEHNR NAME CHANGE	*H -REF TO COM ON HR	03-13-97	04-03-97
S 413	KINNAIRD	OB-GYN ACCESS/MEDICAID RECIPIENTS	S -REF TO COM ON CH&HUMRS	03-18-97	
S 422=	CONDER	REDUCE COUNTY SHARE/PAYMENTS	S -REF TO COM ON CH&HUMRS	03-19-97	
S 445	RAND	ALLOW NURSING INTERSTATE COMPACTS	R -CH. SL 97-0491	03-20-97	04-23-97
S 479=	LUCAS	REG. DEEDS-NO ABUSE INFO	H -REF TO COM ON HR	03-25-97	04-16-97
S 481=	LUCAS	GLAUCOMA PROGRAM REPEALED	S -RE-REF COM ON CH&HUMRS	03-25-97	04-16-97
S 481=	LUCAS	GLAUCOMA PROGRAM REPEALED	S -RE-REF COM ON CH&HUMRS	04-17-97	
S 483=	LUCAS	PHYSICIAN SERVICES FEE	*R -CH. SL 97-0508	03-25-97	04-16-97
S 484=	LUCAS	VITAL RECORDS ACCESS	*S -RE-REF COM ON FINANCE	03-25-97	04-29-97
S 485=	LUCAS	MEDICAL INVESTIGATORS	S -RE-REF COM ON COMMERCE	03-25-97	04-23-97
S 486=	LUCAS	CLARIFY FOOD ESTAB. DEFINITION	*H -RE-REF COM ON RULES	03-25-97	04-24-97
S 488	KINNAIRD	VOC. REHAB. COUNCIL CHAIR	R -CH. SL 97-0509	03-25-97	04-09-97
S 521	CARPENTER R	DOC PILOT/SEXUAL ASSAULT	*R -CH. SL 97-0288	03-26-97	04-29-97
S 536	PAGE	BAN PARTIAL-BIRTH ABORTIONS-2	S -REF TO COM ON CH&HUMRS	03-27-97	
S 583	FORRESTER	PHYSICIAN EDUCATION & REGISTRATION	*R -CH. SL 97-0481	04-01-97	04-16-97
S 595	LUCAS	PHYSICIAN ASSISTANT LICENSURE	R -CH. SL 97-0511	04-01-97	04-09-97
S 626	FORRESTER	OFFICE OF WOMEN'S HEALTH	*R -CH. SL 97-0172	04-01-97	04-23-97
S 636	HARTSELL	PUBLIC HEALTH AUTHORITY ACT	*R -CH. SL 97-0502	04-01-97	04-29-97
S 690=	LUCAS	NEEDLE EXCHANGE PILOT PROGRAM	*S -RE-REF COM ON CH&HUMRS	04-03-97	04-29-97
S 690=	LUCAS	NEEDLE EXCHANGE PILOT PROGRAM	*S -RE-REF COM ON CH&HUMRS	04-30-97	
S 735	ODOM	COUNTY CONTROL OF HUMAN SERVICES	S -REF TO COM ON CH&HUMRS	04-07-97	
S 754	REEVES	UNEMPL. BENEFITS SPOUSAL CHANGES	S -RE-REF COM ON APPROP	04-07-97	04-29-97
S 757	MILLER B	ADVANCE INSTR./MENTAL HEALTH	*R -CH. SL 97-0442	04-08-97	04-30-97

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NORTH CAROLINA GENERAL ASSEMBLY

COMMITTEE SUMMARY REPORT

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S 774	RAND	DHR SECRETARY SALARY FLEXIBILITY	S -REF TO COM ON CH&HUMRS	04-09-97	
S 780=	GULLEY W	TELEMEDICINE BY LICENSED DOCTORS	*R -CH. SL 97-0514	04-10-97	04-23-97
S 806	CONDER	CHILDHOOD LEAD EXPOSURE CONTROL	*H -REF TO COM ON HR	04-10-97	04-17-97
S 851	KINNAIRD	LIMIT PROVISIONAL LICENSE	*R -CH. SL 97-0522	04-15-97	04-30-97
S 876	FORRESTER	CRIMINAL CHECKS/CONTRACT AGENCIES	R -CH. SL 97-0125	04-15-97	04-30-97
S 889	MARTIN W	STUDY AMERICAN SIGN LANGUAGE	*S -RE-REF COM ON RULES &	04-16-97	04-30-97
S 924	ODOM	CRIMINAL RECORDS CHECKS/DHR	*R -CH. SL 97-0260	04-17-97	04-30-97
S 929	COOPER	ENHANCE CHILD CARE	*R -CH. SL 97-0506	04-17-97	04-28-97
S 946=	COCHRANE	IMPROVE CHILD PROTECTION/RECORDS	S -REF TO COM ON CH&HUMRS	04-17-97	
S 962	MARTIN W	VOL. ADMISSION/FAMILY UNIT	*R -CH. SL 98-0047	04-17-97	04-30-97
S1015	MARTIN W	WELFARE REFORM ACT OF 1997-2	*H -ASSIGNED TO APP-HRES	04-21-97	04-30-97
S1016=	MARTIN W	DIR. PAY/SUBS. ABUSE PROF.	H -ASSIGNED TO INS-HLTH	04-28-97	04-30-97
S1023	FOXX	FAMILY FOSTER HOME STANDARDS	*R -CH. SL 97-0110	04-21-97	04-30-97
S1047	LUCAS	AMEND PSYCHOLOGY PRACTICE ACT	S -REF TO COM ON CH&HUMRS	04-24-97	
S1202=	DANNELLY	CONVEYANCE SURPLUS AUTOMOBILES	*R -CH. SL 98-0195	05-21-98	06-24-98
S1232=	PHILLIPS	CLARIFIED CHILD CARE PUBLICATION	S -REF TO COM ON CH&HUMRS	05-21-98	
S1233=	PHILLIPS	CHILD CARE CHANGES	S -REF TO COM ON CH&HUMRS	05-21-98	
S1287=	RAND	ADVANCE DIRECTIVES CORRECTIONS	*R -CH. SL 98-0198	05-27-98	08-06-98
S1305=	ODOM	CHILDHOOD LEAD EXPOSURE AMENDMENTS	S -REF TO COM ON CH&HUMRS	05-27-98	
S1321=	MARTIN W	BIOMETRICS TECHNICAL CORRECTIONS	S -REF TO COM ON CH&HUMRS	05-27-98	
S1323=	MARTIN W	WELFARE LAW CORRECTIONS	S -REF TO COM ON CH&HUMRS	05-27-98	
S1394=	LUCAS	ADOPTION REGISTRY	*S -RE-REF COM ON APPROPR	05-27-98	07-23-98
S1422	HARTSELL	CABARRUS WORKFARE LAW CHANGE	*R -CH. SL 98-0106	05-28-98	06-24-98
S1526=	LUCAS	WELFARE LAW IMPROVEMENT/FUNDS	S -REF TO COM ON CH&HUMRS	06-01-98	

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Agenda

SENATE COMMITTEE ON CHILDREN & HUMAN RESOURCES

June 24, 1996

11:00 AM

Call to Order

**SB1202 Senator Dannelly
Conveyance Surplus Automobiles.**

**SB1422 Senator Hartsell
Cabarrus Workfare Law Change.**

**Sergeant at Arms: Archie McMillan
Charles Marsalis
Collis Brown
George Robinson**

**Pages: Elizabeth Pearson Gastonia, N. C./Senator David Hoyle-Sponsor
Jessica Hubbard Fuquay-Varina, N. C/Senator Eric Reeves-Sponsor**

Next Meeting

**Wednesday, July 1, 1998
11:00am Room 544 LOB**

Senate Committee on Children & Human Resources
Minutes of Wednesday, June 24, 1998


The Senate Committee on Children & Human Resources met at 11:00 a.m. on Wednesday, June, 24, 1998 in room 544 of the State Legislative Office Building. There were 18 members in attendance.

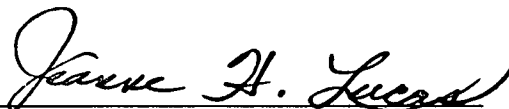
Senator Jeanne H. Lucas, Chair of the committee, called the meeting to order, with introductions of staff, pages and Sergeant at Arms.

Senate Bill 1202 entitled Conveyance Surplus Automobiles... The bill was presented by its sponsor Senator Dannelly. Senator Dannelly explained the bill. Senator cooper added a committee substitute to this bill. After some discussion Senator Martin moved for a favorable report. The bill was reported as unfavorable as to bill, but favorable as to the committee substitute bill.

Senate Bill 1422 entitled Cabarrus Workfare Law Change. The bill was presented by its sponsor Senator Hartsell who also submitted an amendment. After some discussion Senator Cochran moved for a favorable report. The bill was reported out as favorable, as amended.

The business being completed the meeting was adjourned. The next meeting is scheduled for Wednesday July 1, 1998.


Bernadette David-Yerumo, Committee Clerk


Senator Jeanne H. Lucas, Chair

**NORTH CAROLINA GENERAL ASSEMBLY
SENATE**

CHILDREN & HUMAN RESOURCES COMMITTEE REPORT
Senator Jeanne H. Lucas, Chairman

Wednesday, June 24, 1998

SENATOR JEANNE H. LUCAS,
submits the following with recommendations as to passage:

UNFAVORABLE AS TO BILL, BUT FAVORABLE AS TO C.S. BILL

S.B. 1202	Conveyance Surplus Automobiles.
	Draft Number: PCS6849
	Sequential Referral: None
	Recommended Referral: None
	Long Title Amended: No

TOTAL REPORTED: 1

Committee Clerk Comment:

**NORTH CAROLINA GENERAL ASSEMBLY
SENATE**

CHILDREN & HUMAN RESOURCES COMMITTEE REPORT
Senator Jeanne H. Lucas, Chairman

Wednesday, June 24, 1998

SENATOR JEANNE H. LUCAS,
submits the following with recommendations as to passage:

FAVORABLE, AS AMENDED

S.B. 1422	Cabarrus Workfare Law Change.
	Sequential Referral: None
	Recommended Referral: None
	Long Title Amended: No

TOTAL REPORTED: 1

Committee Clerk Comment:

(Please type or use ballpoint pen)

DATE _____

Amendment No. _____

(to be filled in by
Principal Clerk)

)

1

by _____

SIGNED _____

ADOPTED _____ FAILED _____ TABLED _____

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

H. B. No. _____

DATE

June 24, 1998

S. B. No. 1422

Amendment No. _____

(to be filled in by
Principal Clerk)

Rep.)

W. Wilson

Sen.)

moves to amend the bill on page 3, line 7

by inserting words: "adult members of the"
between the word "the" and "household".

SIGNED

[Signature]

Adopted by the Committee on Children & Hum. Res.

ADOPTED _____

FAILED _____

TABLED _____

VISITOR REGISTRATION SHEET

Children & Human Resources
 Name of Committee

6/24/98
 Date

VISITORS: Please sign below and return to Committee Clerk.

NAME

FIRM OR STATE AGENCY AND ADDRESS

Shi Schmitt

NCNCP

Mike Clark

JAMES (GEN) SCALE

TOWN OF STONEVILLE N.C.

Crissy Parker

Bane and Associates

John Bowditch

Zeb Alley P.A.

Mary Cornelia

Mecklenburg County

Nancy H. Brown

Kay Michaels

Planned Parenthood of Orange Durham

Barbara Holt

NCRTZ KSD

W. Farmer

DHHS/DCD

Robbie Selby

Charlotte Observer

Juris Langmuir

NCATA

Jan Smith

DAHS/DSS

Pat Campbell

DENR

Patrick Cannon

CHARLOTTE CITY COUNCIL

NASIF MAJEE

CHARLOTTE CITY COUNCIL

Principal Clerk
Reading Clerk

SENATE
NOTICE OF COMMITTEE MEETING
and Bill Sponsor Notice

The Senate Committee on **Children and Human Resources** will meet at the following time:

DATE: Wednesday June 24, 1998
TIME: 11:00 A.M.
ROOM: 544

The following bills or resolutions will be considered:

SB 1202	Conveyance Surplus Automobiles	Senator Dannelly
SB 1232	Clarified Child Care Publication	Senator Phillips
SB 1233	Child Care Changes	Senator Phillips
SB 1422	Cabarrus Workfare Law Change	Senator Hartsell

Senator Jeanne H. Lucas, Chair

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

H. B. No. _____

DATE _____

S. B. No. 1202

Amendment No. _____

(to be filled in by
Principal Clerk)

Rep.)

Sen.)

Coopermoves to amend the bill on page 1, line 15-20by rewriting those lines to read.

Provided, however, that a city or county may convey to any public or private entity which is authorized to receive appropriations from a city or county surplus automobiles without compensation or without the requirement that the automobiles be used for a public purpose. Provided, however, this conveyance is conditioned upon conveyance by the public or private entity to Work First participants selected by the County Department of Social Services. This subsequent conveyance by the public or private entity to the Work First participant shall be without compensation except that the participant may be required to pay for license, tag, and/or title.

SIGNED _____

ADOPTED _____

FAILED _____

TABLED _____



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June 8, , 1998

MEMORANDUM

TO: Senate Children and Human Resources Committee

FROM: John Young, Committee Staff

RE: Senate Bill 1202-Conveyance of Surplus Automobiles
Senator Dannelly

G.S. 160A-279(a) authorizes cities and counties to convey by private sale any real or personal property to a public or private entity which carries out a public purpose and to which the county or city is authorized to appropriate funds. The city or county shall attach covenants to the conveyance which assures that the property is used for a public purpose.

SB 1202 would amend G.S. 160A-279(a) to authorize only Mecklenburg County to convey, without compensation and without covenants or conditions, surplus automobiles to any public or private entity to which the county is authorized to appropriate funds. The automobiles would subsequently be required to be conveyed to Work First participants selected by the county department of social services.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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1

SENATE BILL 1202

Short Title: Conveyance Surplus Automobiles.

(Local)

Sponsors: Senators Dannelly; Albertson, Ballance, Forrester, Hoyle, Jordan, Kerr, Kinnaid, Lucas, Martin of Pitt, Martin of Guilford, Odom, Phillips, Rand, Rucho, Wellons, and Winner.

Referred to: Children & Human Resources.

May 21, 1998

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE COUNTY CONVEYANCE OF SURPLUS
3 AUTOMOBILES TO A NOT-FOR-PROFIT RECIPIENT FOR SUBSEQUENT
4 CONVEYANCE TO WORK FIRST PARTICIPANTS.
5 The General Assembly of North Carolina enacts:
6 Section 1. G.S. 160A-279(a) reads as rewritten:
7 "(a) Whenever a city or county is authorized to appropriate funds to any public or
8 private entity which carries out a public purpose, the city or county may, in lieu of or
9 in addition to the appropriation of funds, convey by private sale to such an entity any
10 real or personal property which it owns; provided no property acquired by the
11 exercise of eminent domain may be conveyed under this section; provided that no
12 such conveyance may be made to a for-profit corporation. The city or county shall
13 attach to any such conveyance covenants or conditions which assure that the property
14 will be put to a public use by the recipient entity. The procedural provisions of G.S.
15 160A-267 shall apply. Provided, however, that a city or county may convey surplus
16 automobiles, without compensation, and without imposing covenants or conditions
17 which assure that the recipient entity itself use the automobiles for a public purpose,
18 to any public or private entity that it is authorized to appropriate funds to, for
19 subsequent conveyance by said entity to Work First participants selected by the
20 county department of social services."
21 Section 2. This act applies to Mecklenburg County only.
22 Section 3. This act is effective when it becomes law.



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June 9, 1998

MEMORANDUM

TO: Senate Children and Human Resources Committee

FROM: John Young, Committee Staff

RE: Senate Bill 1422-Cabarrus County Workfare Law Change

The 1995 General Assembly (Chapter 317) authorized Cabarrus County to conduct a pilot "workfare" program in Cabarrus County which preceded the State and federal welfare reform legislation. The bill required DHR to designate Cabarrus County as a pilot county to conduct a demonstration program for certain AFDC and food stamp recipients, and to seek all federal waivers necessary. Under the "workfare" demonstration, the county had to (1) require certain able-bodied recipients to pursue and accept employment as a condition of eligibility; (2) create job opportunities through "grant-diversion"; (3) expand work incentives by excluding all or a portion of the wages in determining eligibility; and (4) take other specified actions to encourage employment of unemployed, able-bodied AFDC and food stamp recipients who were not eligible for the Job Opportunities or JOBS program. DHR was required to evaluate the project and report the results to the General Assembly on or before March 1, 1997. The demonstration expires July 1, 1998.

Senate Bill 1422 would:

1. Extend the demonstration project until July 1, 2002;
2. Make conforming language changes to reflect welfare reform legislation and the new Department of Health and Human Services;
3. Allow the demonstration project to require Work First and food stamp recipients to participate in the Work First employment program and to withhold entire Work First benefits for month following month in which household fails to comply with participation requirements; and
4. Delete "adjunct" program to demonstration (p3, lines 17-31).

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1997

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SENATE BILL 1422

Short Title: Cabarrus Workfare Law Change.

(Local)

Sponsors: Senator Hartsell.

Referred to: Children & Human Resources.

May 28, 1998

- 1 A BILL TO BE ENTITLED
2 AN ACT TO EXTEND AND IMPROVE THE CABARRUS COUNTY WORK
3 OVER WELFARE PROGRAM.
4 The General Assembly of North Carolina enacts:
5 Section 1. Chapter 368 of the 1995 Session Laws, as rewritten by Section
6 24.16A of Chapter 18 of the 1995 Session Laws, reads as rewritten:
7 "Section 1. Notwithstanding any law to the contrary, the Department of ~~Human~~
8 ~~Resources~~ Health and Human Services shall designate Cabarrus County as a pilot
9 county for the purpose of conducting a demonstration Workfare Program for certain
10 ~~Aid to Families with Dependent Children (AFDC)~~ Work First and Food Stamp
11 recipients. Immediately upon the ratification of this act, the Department shall seek
12 all federal waivers necessary to allow this demonstration program. To the extent that
13 this act or the program established pursuant to it conflicts with any State law, the
14 program supersedes that law.
15 Sec. 2. ~~(a)~~ The Cabarrus County demonstration Workfare Program for certain
16 ~~AFDC Work First~~ and Food Stamp recipients shall:
17 (1) Provide job opportunities to all able-bodied ~~AFDC Work First~~ and
18 Food Stamp recipients ~~who:~~
19 a. ~~Are not eligible for the JOBS program;~~
20 b. ~~Are between the ages of 18 and 64;~~
21 c. ~~Are not caring for a child under one year of age;~~
22 d. ~~Are working less than 30 hours per week; and~~

- 1 e. ~~Are not full-time high school students or the equivalent; are~~
2 required to participate in the Work First employment
3 program.
- 4 (2) Create job opportunities in the public, the private, nonprofit, and
5 the private, for-profit sector, primarily in the human services areas
6 by allowing Cabarrus County to use grant diversions, consisting of
7 the ~~AFDC~~ Work First benefits and the cash value of Food Stamps
8 that would be paid to otherwise eligible recipients to match
9 employer funds, to subsidize the employment of these recipients.
10 Human service area jobs will meet such socially necessary needs as
11 day care work, nursing home aide work, and in-home aide work;
- 12 (3) Allow wages paid to these recipients, which contain grant-diverted
13 funds, to be exempt from income for purposes of determining
14 eligibility for assistance;
- 15 (4) Structure payment of wages to these recipients such that they will
16 be considered income, in order to make recipients eligible for the
17 federal earned income tax credit;
- 18 (5) Create work experience opportunities in the private sector more
19 realistically to reflect the world of work;
- 20 (6) Require these recipients to participate in the development of an
21 opportunity contract, outlining the responsibilities of the recipient
22 and agency, as well as the incentives for compliance and the
23 sanctions for noncompliance;
- 24 (7) Require all these recipients who participate in the program to
25 pursue and accept employment, full or part time, subsidized or
26 unsubsidized, as a condition for continued eligibility for ~~AFDC~~
27 Work First and Food Stamp assistance;
- 28 (8) Require job search training of all participants;
- 29 (9) Require monitored job search of all participants until employment
30 is found or until other work activities of up to 40 hours per week
31 are in place;
- 32 (10) Provide child care by allowing Cabarrus County to use grant
33 diversions, consisting of the ~~Family Support Act~~ child day care
34 subsidies that would be paid to otherwise eligible recipients, and
35 transportation as required;
- 36 (11) Create a positive work incentive by providing wage incentives to
37 participants who are in compliance with the program, equal to the
38 first thirty dollars (\$30.00) and one-third of the remainder of
39 monthly gross income for a period of up to two years;
- 40 (12) Provide enhanced Food Stamp benefits after participants are
41 employed and are in program compliance by using the thirty dollar
42 (\$30.00) and one-third of the remainder wage incentive as an
43 income exemption;

- 1 (13) ~~Provide time-limited sanctions, or withholding of benefits for the~~
2 ~~adult members of the household of all AFDC and Food Stamp~~
3 ~~benefits for noncompliance, beginning with the first sanction~~
4 ~~period equal to the time necessary to come into compliance,~~
5 ~~second sanction period — four months, third and subsequent~~
6 ~~sanctions — eight months; a pay-for performance system that~~
7 ~~withholds the entire Work First benefits for the household for the~~
8 ~~month following any month in which it fails to comply with Work~~
9 ~~First participation requirements and restores these benefits for the~~
10 ~~month following any month in which it successfully complies with~~
11 ~~Work First participation requirements;~~
12 (14) Provide automatic Medicaid coverage for children and pregnant
13 adults of sanctioned families by transferring the children
14 administratively to the Medicaid for Indigent Children (MIC)
15 Program and by transferring the pregnant adults administratively to
16 the Medicaid for Pregnant Women (MPW) Program.
17 ~~(b) An adjunct program to the demonstration program prescribed in~~
18 ~~subsection (a) of this section shall:~~
19 (1) ~~Require AFDC recipients who are mandated JOBS participants to~~
20 ~~pursue and accept employment, full or part time, subsidized or~~
21 ~~unsubsidized, as part of their job plan. The maximum number of~~
22 ~~hours delegated to job activities, including employment, shall be 40~~
23 ~~hours per week. AFDC recipients who are JOBS eligible and who~~
24 ~~are caring for children under five years of age shall, in this~~
25 ~~program, not be limited to 20 hours per week;~~
26 (2) ~~Require AFDC recipients who are potential JOBS participants to~~
27 ~~engage in job search until either employment is found or they~~
28 ~~become JOBS eligible; and~~
29 (3) ~~Ensure that sanctions for noncompliance and provision of~~
30 ~~Medicaid coverage shall be as provided in subdivisions (13) and~~
31 ~~(14) of subsection (a) of this section.~~
32 Sec. 3. This act shall be funded by Cabarrus County using the grant diversions
33 and administrative transfers prescribed in Section 2 of this act, together with federal
34 and State administrative funding allocated to Cabarrus County for the public
35 assistance and JOBS programs.
36 ~~Sec. 4. The Department of Human Resources shall evaluate the Cabarrus County~~
37 ~~Demonstration Project and report to the General Assembly on or before May 1, 1998.~~
38 Sec. 5: 4. This act becomes effective July 1, 1995 and shall expire on January 1,
39 1999: July 1, 2001.
40 Section 2. This act is effective when it becomes law.

Agenda

SENATE COMMITTEE ON CHILDREN & HUMAN RESOURCES

July 8, 1998

11:00 AM

Call to Order

**SB1394 Senator Lucas
Adoption Registry.**

Sergeant At Arms: Mary Perry
Ronald Spann
George Robinson
Charles Marsalis

Pages: Allison Bardinelli/Durham/Senator Lucas
Carl Spann II/Morehead City/Senator Perdue
Philip Worsham/Raleigh/Senator Albertson

Next Meeting

Wednesday, July 15, 1998

11:00am Room 544 LOB

SB1305 Childhood Lead Exposure Amendment

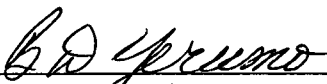
Senate Committee on Children & Human Resources
Minutes of Wednesday, July 8, 1998

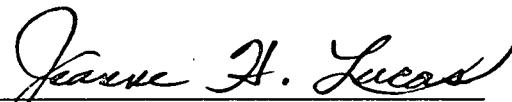
The Senate Committee on Children & Human Resources met at 11:00 a.m. on Wednesday, July, 8, 1998 in room 544 of the State Legislative Office Building. There were 18 members in attendance.

Senator Jeanne H. Lucas, Chair of the committee, called the meeting to order, with introductions of staff, pages and Sergeant at Arms. Senator Lucas turned the meeting over to Senator Martin so that she could introduce her bill.

Senate Bill 1394 entitled Adoption Registry. The bill was presented by its sponsor Senator Lucas. Senator Lucas explained the bill, with staff giving additional comments. Senator Lucas had an amendment for this bill Senator Moore moved that the amendment be accepted. There was a great deal of discussion for this bill. Senator Lucas and Senator Martin allowed several constituents to speak on the bill. Senator Martin made a suggestion that this bill be carried over till the next meeting.

The business being completed the meeting was adjourned. The next meeting is scheduled for Wednesday July 15, 1998.


Bernadette David-Yerumo, Committee Clerk


Senator Jeanne H. Lucas, Chair

Principal Clerk
Reading Clerk

SENATE
NOTICE OF COMMITTEE MEETING

The Senate Committee on **Children and Human Resources** has been canceled and has been rescheduled to meet at the following time:

DATE: Wednesday July 8, 1998
TIME: 11:00 A.M.
ROOM: 544

The following bill will be considered:

SB 1394

Adoption Registry

Senator Lucas

Senator Jeanne H. Lucas, Chair

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S

1

SENATE BILL 1394*

Short Title: Adoption Registry.

(Public)

Sponsors: Senators Lucas, Moore; Ballance, Ballantine, Forrester, Hartsell, Martin of Guilford, Rucho, Shaw of Cumberland, Shaw of Guilford, Warren, Weinstein, and Winner.

Referred to: Children & Human Resources.

May 27, 1998

- 1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE ADOPTION LAWS PERTAINING TO ACCESS TO
3 ADOPTION RECORDS, AND TO ESTABLISH AN ADOPTION REGISTRY.
4 The General Assembly of North Carolina enacts:
5 Section 1. Chapter 48 of the General Statutes is amended by adding the
6 following new Article to read:
7 "ARTICLE 11.
8 "Adoption Registry.
9 "§ 48-11-101. Department to maintain mutual consent voluntary adoption registry;
10 when disclosure authorized.
11 (a) The Department shall establish and maintain a statewide, confidential, mutual
12 consent, voluntary adoption registry for receiving, filing, and retaining documents that
13 request, authorize, or deny authorization of the release of identifying information.
14 The purpose of the registry shall be to facilitate voluntary contact between mutually
15 consenting adopted persons and their biological relatives.
16 (b) The use of the registry shall be limited to adoptees who have reached the age
17 of 18 years and their biological relatives. For purposes of this section, 'biological
18 relative' includes only:
19 (1) The biological mother of an adoptee; and
20 (2) The biological father of an adoptee if such person:
21 a. Is presumed by law to be the biological father of the
22 adoptee;

- 1 b. Has established paternity judicially or by affidavit that has
2 been filed in a central registry maintained by the
3 Department;
- 4 c. Has legitimated the adoptee pursuant to the provisions of
5 G.S. 49-10 or by marriage to the biological mother of the
6 adoptee; or
- 7 d. Has provided substantial financial support or consistent care
8 with respect to the adoptee and the biological mother prior
9 to the adoption; and
- 10 (3) An adoptee's biological sibling or biological half-sibling who has
11 reached the age of 18 years. A half-sibling related to an adoptee
12 through the adoptee's biological father shall only be eligible to use
13 the registry if the biological father is eligible to use the registry.
- 14 (c) No person shall be permitted to use the registry to obtain identifying
15 information until the person about whom the information is requested has reached
16 the age of 18 years.
- 17 (d) A person eligible to use the registry may consent to the disclosure of
18 identifying information about the person or request the disclosure of identifying
19 information about an adoptee or a biological relative by filing with the Department a
20 consent form that sets forth the following information to the extent known by the
21 person submitting the form:
- 22 (1) The current name, address, and telephone number of the person
23 submitting the form;
- 24 (2) Any prior names used by that person;
- 25 (3) The original or adopted name of the adoptee;
- 26 (4) The place and date of birth, and sex, of the adoptee;
- 27 (5) The name and address of the agency that placed the adoptee or
28 prepared the report to the court;
- 29 (6) The persons to whom identifying information about the person
30 submitting the consent form may be disclosed; and
- 31 (7) If submitted by a biological relative, the relationship of the relative
32 to the adoptee.
- 33 (e) The person submitting the consent form shall notify the registry of any change
34 in the person's name, address, or telephone number that occurs after the person files
35 the consent form.
- 36 (f) No identifying information about an adoptee may be disclosed to a biological
37 relative unless that relative has been designated to receive identifying information by
38 the adoptee on the adoptee's consent form.
- 39 (g) An adoptee or a biological relative may submit a denial of consent form with
40 the registry, which shall remain in effect until such time, if ever, the person revokes
41 the form.
- 42 (h) Any form filed with the registry:
- 43 (1) Shall be notarized;
- 44 (2) Is effective as of the time it is filed with the registry; and

- 1 (3) May be revoked at any time by the person who submitted it.
- 2 (i) No consent or revocation form shall be accepted by the registry until the
3 person submitting it presents satisfactory proof of the person's identity in accordance
4 with rules adopted by the Social Services Commission.
- 5 (j) The Department shall recommend to a person submitting any form with the
6 registry that the person obtain counseling, voluntarily, at that person's own cost, from
7 a licensed counselor.
- 8 (k) The Department shall process each consent form filed with the registry in an
9 attempt to match the adoptee with a biological relative. The Department shall
10 determine that there is a match when an adoptee and a biological relative have both
11 filed consent forms with the registry designating the other as a person to whom
12 identifying information may be disclosed.
- 13 (l) If it is determined that there is a match, then the Department shall, within one
14 month of the filing of the second of the corresponding consent forms, send a copy of
15 the corresponding consent forms to the agency that placed the adoptee or prepared
16 the report to the court. That agency shall contact the persons who submitted the
17 consent forms. The agency shall then notify the persons submitting the consent forms
18 of the match and the agency shall disclose to them the identifying information
19 contained in the consent forms. No identifying information shall be disclosed
20 pursuant to this section until it is determined there is a match.
- 21 (m) If the adoptee was placed by a licensed child-placing agency that is no longer
22 in existence at the time the consent form is filed with the registry, then any
23 notification or disclosure required by this section shall be made by an employee or
24 agent of the Department.
- 25 (n) All communications with adoptees and biological relatives required by this
26 section shall be made in a confidential manner by a social worker who has expertise
27 in postadoption services.
- 28 (o) If the agency has information that the person about whom identifying
29 information is requested is deceased, the fact of the person's death shall be disclosed
30 to the requesting person. No identifying information about the deceased person shall
31 be disclosed, except pursuant to G.S. 48-9-104(b), unless the registry has on file an
32 unrevoked consent form filed by the deceased authorizing the disclosure of
33 identifying information to the requesting person.
- 34 (p) Users fees shall be collected to offset the costs of maintaining the registry.
35 The user fee shall be fifty dollars (\$50.00) and shall be charged to persons who use
36 the registry. Any fees authorized by this subsection may be waived for any person
37 who provides an affidavit of financial inability to pay the fee.
- 38 (q) The Social Services Commission shall adopt rules for use of and access to the
39 registry in accordance with the requirements of this Article.
- 40 (r) The registry shall obtain only information necessary for identifying registrants.
41 In no event shall the registry obtain or release information of any kind pertaining to
42 the adoptive parents or siblings to the adult adoptee who are children of the adoptive
43 parent.

1 (s) Any employee or authorized agent of an agency or the Department who
2 releases information or makes authorized contacts in good faith and in compliance
3 with this Article shall be immune from civil and criminal liability for the release of
4 information or authorized contact.

5 **"§ 48-11-102. Department to publicize the registry.**

6 The Department shall announce and publicize to the general public the existence
7 of the registry and the procedure for the consensual release of identifying
8 information.

9 **"§ 48-11-103. Department to provide necessary forms and cooperate with registries in
10 other states.**

11 The Department shall develop and furnish any forms necessary to carry out the
12 provisions of this act. The Department shall cooperate with registries in other states
13 to facilitate the matching of documents filed pursuant to this Article by individuals in
14 different states."

15 Section 2. G.S. 48-9-103(e) reads as rewritten:

16 "(e) If the court or the agency receives information from an adoptee's former
17 parent or from an adoptee's former relative about a health or genetic condition that
18 may affect the health of the adoptee or the adoptee's child, an appropriate employee
19 shall make a reasonable effort to contact and forward the information to an adoptee
20 who is 18 or more years of age, or an adoptive parent of an adoptee who is under 18
21 years of age. If an adoptee, who is 18 years of age or older, or an adoptive parent of
22 a minor adoptee submits medical documentation to the agency showing a need for
23 accurate, updated information about a health or genetic condition that may affect the
24 health of the adoptee or the adoptee's child, then an appropriate employee of the
25 agency shall make a reasonable effort to contact the adoptee's former parent or
26 former relative to obtain current information, and shall forward the nonidentifying
27 information to the adoptee or the adoptive parent of a minor adoptee. If at any time
28 during contact with the adoptee's former parent the former parent expresses a desire
29 to make contact with the adoptee, then the employee shall provide the former parent
30 and the adoptee or the adoptive parent of a minor adoptee with information about
31 the adoption registry established under G.S. 48-11-101."

32 Section 3. Article 1 of Chapter 48 of the General Statutes is amended by
33 adding the following new sections to read:

34 **"§ 48-1-110. Agency responsibility upon dissolution of adoption.**

35 If after an adoption becomes final under this Chapter, the minor adoptee is placed
36 into foster care or otherwise eligible for adoption, the agency that placed the minor
37 adoptee in the initial adoption or, in a direct placement, the agency that prepared the
38 report to the court shall notify a member of the adoptee's biological family of the
39 placement. If requested by a member of the adoptee's biological family, that agency
40 shall review the biological family's current circumstances for possible readoption
41 under this Chapter.

42 **"§ 48-1-111. Agency may disclose a past occurrence of an adoption dissolution to**
43 **biological parent.**

1 Upon written request of the biological parent, the agency that placed the minor
2 adoptee in the initial adoption or, in a direct placement, the agency that prepared the
3 report to the court may disclose to that biological parent the fact that a finalized
4 adoption was dissolved."

5 Section 4. G.S. 48-9-104 reads as rewritten:

6 "§ 48-9-104. Release of identifying information.

7 (a) Except as provided in subsection (b) of this section, No no person or entity
8 shall release from any records retained and sealed under this Article the name,
9 address, or other information that reasonably could be expected to lead directly to
10 the identity of an adoptee, any siblings to the adoptee who are children of the
11 adoptive parent, an adoptive parent of an adoptee, an adoptee's parent at birth, or an
12 individual who, but for the adoption, would be the adoptee's biological sibling or
13 grandparent, except upon order of the court for cause pursuant to G.S. 48-9-105.

14 (b) The Department may release to an adoptee aged 55 years or older, upon
15 request, identifying information about the adoptee's deceased biological mother or
16 deceased biological father, or both, from the records retained and sealed under this
17 Article. The Department shall not release identifying information about a biological
18 parent under this subsection unless the Department is able to confirm through death
19 records or otherwise, that the biological parent is deceased at the time of the
20 request."

21 Section 5. There is appropriated from the General Fund to the
22 Department of Health and Human Services the sum of three hundred sixteen
23 thousand four hundred eighty-six dollars (\$316,486) for the 1998-99 fiscal year to
24 establish and maintain the registry.

25 Section 6. Section 5 of this act becomes effective July 1, 1998. The
26 remainder of this act becomes effective January 1, 1999.

LEGISLATIVE RESEARCH COMMISSION

ADOPTION REGISTRY



REPORT TO THE
1997 GENERAL ASSEMBLY
OF NORTH CAROLINA,
REGULAR SESSION, 1998.

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STATE OF NORTH CAROLINA
LEGISLATIVE RESEARCH COMMISSION
STATE LEGISLATIVE BUILDING
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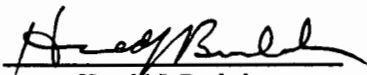


May 11, 1998

TO THE MEMBERS OF THE 1997 GENERAL ASSEMBLY (REGULAR SESSION 1998):

The Legislative Research Commission herewith submits to you for your consideration its interim report on an Adoption Registry. The report was prepared by the Legislative Research Commission's Committee on an Adoption Registry pursuant to G.S. 120-30.17(1).

Respectfully submitted,


Harold J. Brubaker
Speaker of the House


Marc Basnight
President Pro Tempore

Cochairs
Legislative Research Commission



LEGISLATIVE RESEARCH COMMISSION
1997-1999
Membership

President Pro Tempore

Sen. Marc Basnight

Pro Tem's Appointments

Sen. Austin M. Allran

Sen. Jeanne H. Lucas

Sen. Frank W. Ballance, Jr.

Sen. R.L. "Bob" Martin

Sen. Ed N. Warren

Staff:

Terry D. Sullivan

Speaker of the House

Rep. Harold J. Brubaker

Speaker's Appointments

Rep. Michael P. Decker, Sr.

Rep. Jerry Dockham

Rep. Beverly M. Earle

Rep. W. Eugene McCombs

Rep. Gregory J. Thompson

Clerk:

DeAnne Mangum

PREFACE

The Legislative Research Commission, established by Article 6B of Chapter 120 of the General Statutes, is the general purpose study group in the Legislative Branch of State Government. The Commission is cochaired by the Speaker of the House 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)).

The Legislative Research Commission, prompted by actions during the 1997 Session, 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 CochaIRS 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. CochaIRS, one from each house of the General Assembly, were designated for each committee.

The study of an Adoption Registry was authorized by Part II of Session Law 1997-483. Part II of Session Law 1997-483 allows for studies authorized by that Part for the Legislative Research Commission to consider House Bill 1206 in determining the nature, scope and aspects of the study. The relevant portions of Session Law 1997-483 and House Bill 1206 are included in Appendix A. The Legislative Research Commission authorized this study under authority of G.S. 120-30.17(1) and grouped this study in its Regulation Grouping under the direction of Representative Beverly Earle. The Committee was chaired by Representative Marvin W. Aldridge and Ms. Pat Wheeler. 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.



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 1422

AMENDMENT NO. _____
(to be filled in by
Principal Clerk)
Page 1 of ____

S1422-ASE-004

Date June 24, 1998

Comm. Sub. [☐
Amends Title [☐

Senator _____

1 moves to amend the bill on page 2, line 1,
2 by deleting the word "are".
3

SIGNED Steve Cochran
Amendment Sponsor

SIGNED Leanne Lucas
Committee Chair if Senate-Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 1394

AMENDMENT NO. _____
(to be filled in by
Principal Clerk)
Page 1 of ____

S1394-ARM-001

Date 7/8, 1998

Comm. Sub. []
Amends Title []

Senator Moore

1 moves to amend the bill on page 4, between line 15,
2 by inserting the following:

3
4 "§ 48-11-104 Violation and Penalty.

5 (a) It is unlawful for a person having custody of or access to
6 documents filed pursuant to this Article to disseminate or permit
7 dissemination of information contained in them except as authorized
8 under this Article.

9 (b) Any person who wilfully violates the provisions of G.S. 48-
10 11-101 is guilty of a Class I felony."; and further

11
12 moves to amend the bill on page 5, line 26 by adding the following
13 to the end of that line:

14
15 "G.S. 48-11-104 becomes effective on January 1, 1999 and applies to
16 offenses committed on or after that date."

SIGNED *Sen Moore*
Amendment Sponsor

SIGNED *[Signature]*
Committee Chair if Senate Committee Amendment

ADOPTED X FAILED _____ TABLED _____

Introduce
Pat Wheeler - Senate Co-Chair

Memorandum

To: Senator Jeanne Lucas
From: Senator Ken Moore
Date: June 29, 1998

Subject: Adoption Registry Bill

I assume we are still "on go" to present the Adoption Registry Bill to Children & Human Resources Committee this Wednesday at 11:00 a.m.

If so, I recommend we recognize Charles Recktenwald, private citizen from Iredell County, for a few brief comments on the bill.

Charles was a Senate-appointed participant on the Study Commission earlier this year. Although he would favor a more aggressive, "active" registry, he will speak in support of our current bill - as is!

He has also talked in great length to Senator Phillips.

I would appreciate your consideration of this request. If possible, let me know the feasibility of him speaking before Wednesday.

Thank you.



Brenda Kinney

Prof. at Duke

Oppose

John Reuster

N.C. Family Policy Council

Edith Vatta
1-800-632-1400

The Children's Home Society of NC
Survey - Access to Adoption Information

Approximately 6,000 surveys were mailed to 900 adoptees, 100 birth parents, and 5,000 adoptive parents.

2,263 surveys were returned. Of those who responded, 1,782 were adoptive parents, 66 were birth parents, and 392 were adoptees.

. . . Results . . .

1. Do you feel that members of the adoption triad should ever be allowed access to identifying information from adoption records?

Yes	1,628	72%
No	490	22%
No answer	145	6%

2. Should adoptees be allowed access to identifying information?

• Age 18 upon request	279	12%
• Age 18 with birth parent consent only	233	10%
• Age 21 upon request	485	21%
• Age 21 with birth parent consent only	805	36%
• Only in medical emergency with court order	322	14%
• Never	113	5%
• No answer	26	1%

3. Should birth parents be allowed access to identifying information?

• When adoptee reaches age 18 upon request	154	7%
• When adoptee reaches age 18 only with adoptee consent	272	12%
• When adoptee reaches age 21 upon request	206	9%
• When adoptee reaches age 21 only with adoptee consent	983	43%
• Never	617	27%
• No answer	31	1%

4. Should adoptive parents be allowed access to identifying information?

• When and if they feel a search is in the best interest of their child before the child is of legal age (age 18) upon request	835	37%
• When and if they feel a search is in the best interest of their child only with birth parent approval	1,010	45%
• Never	359	16%
• No answer	59	2%

5. Do you feel that an agency should be used as an intermediary if access to identifying information were allowed?

Yes	1,994	88%
No	195	9%
No answer	74	3%

Should this be...	mandatory?	1,171	52%
	by choice?	752	33%
	No answer	340	15%

6. Should counseling be required if access to identifying information were allowed?

Yes	1,548	68%
No	567	25%
No answer	148	7%

July 8, 1998
Wednesday, 11:00 AM

Children & Human Resources Committee
Committee Meeting on Senate Bill 1394
A State Passive Adoption Registry

Madam Chair,

I am Charles Recktenwald. I thank the Chair and the other committee members for allowing me to speak this morning.

I am a lay member of the LRC/Adoption Registry Committee. I am grateful to the Senate leadership and to Senator Jim Phillips, for giving me an opportunity to serve on this important committee. As you are aware, the committee gave a unanimous vote for a report that endorses legislation, calling for the creation of a state, passive adoption registry. I am hopeful that this senate committee and the General Assembly at large, will support Senate Bill 1394.

I would like to share with you why my wife and I support the passive adoption registry legislation, that is under consideration.

Madam Chair, Jane and I have three adult children, two of whom were born unto us through the process of adoption. It is in their interest that I am a participant in the movement that supports a state, passive adoption registry.

Some persons who are present today, have been involved in the campaign for an adoption registry for some 18 years. When I consider this fact, I sometimes hear the now famous question ringing in my ear:

"How long is too long?" After having served on the Adoption Registry Committee, and thus, being privy to an enormous amount of information, that was supplied to the committee by advocates, committee members and staff; and having communicated with adult adoptees, adoptive parents and birth relatives, there is no doubt in my mind that it is time to pass legislation that calls for the creation of a state, passive adoption registry system.

I offer the following observations concerning Senate Bill 1394:

-A passive registry is a million miles from being an open records system that neither my wife, our children, nor I, support.

-Under the passive system, both the adult adoptee and the birth relative must submit a registration form, for a match to take place. When, and only when, the state receives a registration form from both an adult adoptee and a birth relative, does the state contact the parties to let them know that both persons desire to meet. I emphasize that--IF EITHER THE ADULT ADOPTEE OR THE BIRTH RELATIVE, STATES THEY DO NOT WISH TO PARTICIPATE IN SUCH A MEETING, THE PROCESS ENDS, WITH THE STATE NOT HAVING SHARED ANY IDENTIFYING INFORMATION ABOUT EITHER PARTY.

-If passed, for the first time, adoption agencies will be allowed to seek out birth parents, to collect important family health information that can be shared with the adoptive parents and with an adult adoptee. Both of our children currently have serious health problems, and it would be

Page Three

helpful if they could present to the adoption agency, a request for the family history of their birth relatives. Under present law, the agency can only share information that is on record.

-When we adopted our children, Jane and I followed the sound advice offered by the Children's Home Society. We told our children they are adopted. We did so at an age when we felt they could comprehend the meaning of adoption. We have always been open to their questions concerning their being adopted. But because the adoption agency is restricted by law, as to what information it can share with adoptive parents, we were put in the position of not being able to provide them with much information about their birth relatives. Seldom have they inquired about the events surrounding their adoption, simply because they knew that we had very little information to offer. And I suspect they also did not want us to feel that they were not grateful for the love and support that we have given them.

Beginning with their teen years, we have told our children we will support their effort to locate their birth relatives, if they so choose. Both of our children wish to do so, but they don't want to run the risk of surprising and or embarrassing a birth relative, that could come as the result of a private investigator, or some other source, making contact with a birth relative. They favor attempting to locate their birth parents through a state system that would protect the birth parents from unsolicited contacts from them.

Page Four

I think that it is interesting that the current state system, encourages adoptees to use means in their search for birth relatives, that contributes to a situation which the state is attempting to prevent--that is, unsolicited contact by birth parents and adult adoptees.

You may be wondering why as an adoptive parent, I would support our children's effort to reunite with their birth parents. My wife and I are not alone in taking such a position. We are among the 78% of adoptive parents, who responded to a recent survey conducted by the Children's Home Society, which is the largest adoption agency in the state. We were among the majority who expressed the belief that an adult adoptee, our children, should have the opportunity to reunite with birth relatives if the two parties agree to such a meeting. In that the state regulates the adoption process, and acts as the legal guardian for children who are waiting to be placed for adoption, it seems that the state should have in place a system that enables an adult adoptee, and a birth relative, to reunite, when, as two consenting adults, they elect to do so.

We support our children's desire to reunite with their birth parents because we love them and because we are aware that they wish to obtain information about their birth relative's family tree or family history. They want to know the events that lead to their being adopted. They want to ask questions that only their birth relatives can answer.

Page Five

As our daughter recently commented to me..."Dad, you will always be my dad, and mom will always be my mom. You are the only parents I have ever had, and you know that I love you both dearly. But you also know that you can't answer the many questions that I have concerning my birth relatives.

In closing, I respectfully ask this committee to support the passive registry legislation, and to encourage your colleagues to do like wise. And while you may be confronted by some members of an outspoken minority, who may oppose the legislation, I urge you to support fairness and justice.

Thank you.

VISITOR REGISTRATION SHEET

Name of Committee Children & Human Resources

Date 7/8/98

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Myra Ph. 16	NASW-NC
Kay Michaels	PPOD
Margaret Baker	SEJ
Sharon Muhammad	S.E.J.
Patricia Faison	S.E.J.
Esther High	NC DSS
Edith Vatta	The Children's Home Society of NC
MARIE Hill-Faison	Southerners FOR Economic Justice
Kamari Faison	S.E.J.
Daman Faison	S.E.J.
Parker Kent	205 Glen Hill Ln, Climax Hill, NC 27514

VISITOR REGISTRATION SHEET

Name of Committee Children & Human Resources

Date 7/8/98

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME _____

FIRM OR AGENCY AND ADDRESS

Kathy Boyd

National Assoc of Social Workers
North Carolina chapter

Branda Kurney
J. B. i.

Gilgier - Durham NC

Jan Reisch

" Chapel Hill, N.C.

John Rustin

NC FPC

Stacey Slaughter

Legislative Intern

Laura Ingner

1 ASW - NC

Agenda

SENATE COMMITTEE ON CHILDREN & HUMAN RESOURCES

July 15, 1998

11:00 AM

Call to Order

**SB1394 Senator Lucas
Adoption Registry.**

Sergeant At Arms: **George Robinson
Ronald Spann
Stanley Johnson
Katherine Miller**

Pages: **Amy Gordon/Monroe/Senator Plyler
Katie Miles/Monroe/Senator Plyler
Brian Wood/Clyde/Senator Jenkins**

Next Meeting

Wednesday, July 22, 1998

11:00am Room 544 LOB

SB1305 Childhood Lead Exposure Amendment


Senate Committee on Children & Human Resources
Minutes of Wednesday, July 15, 1998

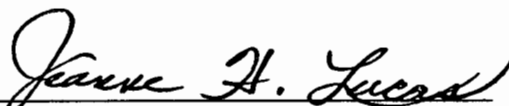
The Senate Committee on Children & Human Resources met at 11:00 a.m. on Wednesday, July, 15, 1998 in room 544 of the State Legislative Office Building. There were 17 members in attendance.

Senator Jeanne H. Lucas, Chair of the committee, called the meeting to order, with introductions of staff, pages and Sergeant at Arms. Senator Lucas turned the meeting over to Senator Martin so that she could introduce her bill.

Senate Bill 1394 entitled Adoption Registry. The bill was presented by its sponsor Senator Lucas. Senator Martin allowed the constituents who did not get to speak at the last meeting to speak at this time. Senator Martin asked all members with amendments to present them at this time. All amendments were voted on and accepted except one. Senator Moore presented an amendment with a technical error from the previous week, this amendment was voted on and passed with the correction. Again there was a great deal of discussion on this bill.

Time having run out, the meeting was adjourned. The next meeting is scheduled for Wednesday July 22, 1998


Bernadette David-Yerumo, Committee Clerk


Senator Jeanne H. Lucas, Chair

Principal Clerk
Reading Clerk

—
—

SENATE
NOTICE OF COMMITTEE MEETING
and Bill Sponsor Notice

The Senate Committee on **Children and Human Resources** will meet at the following time:

DATE: Wednesday July 15, 1998
TIME: 11:00 A.M.
ROOM: 544

The following bill will be considered:

SB 1394

Adoption Registry

Senator Lucas

Senator Jeanne H. Lucas, Chair

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S

1

SENATE BILL 1394*

Short Title: Adoption Registry.

(Public)

Sponsors: Senators Lucas, Moore; Ballance, Ballantine, Forrester, Hartsell, Martin of Guilford, Rucho, Shaw of Cumberland, Shaw of Guilford, Warren, Weinstein, and Winner.

Referred to: Children & Human Resources.

May 27, 1998

- 1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE ADOPTION LAWS PERTAINING TO ACCESS TO
3 ADOPTION RECORDS, AND TO ESTABLISH AN ADOPTION REGISTRY.
4 The General Assembly of North Carolina enacts:
5 Section 1. Chapter 48 of the General Statutes is amended by adding the
6 following new Article to read:
7 "ARTICLE 11.
8 "Adoption Registry.
9 "§ 48-11-101. Department to maintain mutual consent voluntary adoption registry;
10 when disclosure authorized.
11 (a) The Department shall establish and maintain a statewide, confidential, mutual
12 consent, voluntary adoption registry for receiving, filing, and retaining documents that
13 request, authorize, or deny authorization of the release of identifying information.
14 The purpose of the registry shall be to facilitate voluntary contact between mutually
15 consenting adopted persons and their biological relatives.
16 (b) The use of the registry shall be limited to adoptees who have reached the age
17 of 18 years and their biological relatives. For purposes of this section, 'biological
18 relative' includes only:
19 (1) The biological mother of an adoptee; and
20 (2) The biological father of an adoptee if such person:
21 a. Is presumed by law to be the biological father of the
22 adoptee;

b. Has established paternity judicially or by affidavit that has been filed in a central registry maintained by the Department;

c. Has legitimated the adoptee pursuant to the provisions of G.S. 49-10 or by marriage to the biological mother of the adoptee; or

d. Has provided substantial financial support or consistent care with respect to the adoptee and the biological mother prior to the adoption; and

(3) An adoptee's biological sibling or biological half-sibling who has reached the age of 18 years. A half-sibling related to an adoptee through the adoptee's biological father shall only be eligible to use the registry if the biological father is eligible to use the registry.

(c) No person shall be permitted to use the registry to obtain identifying information until the person about whom the information is requested has reached the age of 18 years.

(d) A person eligible to use the registry may consent to the disclosure of identifying information about the person or request the disclosure of identifying information about an adoptee or a biological relative by filing with the Department a consent form that sets forth the following information to the extent known by the person submitting the form:

(1) The current name, address, and telephone number of the person submitting the form;

(2) Any prior names used by that person;

(3) The original or adopted name of the adoptee;

(4) The place and date of birth, and sex, of the adoptee;

(5) The name and address of the agency that placed the adoptee or prepared the report to the court;

(6) The persons to whom identifying information about the person submitting the consent form may be disclosed; and

(7) If submitted by a biological relative, the relationship of the relative to the adoptee.

(e) The person submitting the consent form shall notify the registry of any change in the person's name, address, or telephone number that occurs after the person files the consent form.

(f) No identifying information about an adoptee may be disclosed to a biological relative unless that relative has been designated to receive identifying information by the adoptee on the adoptee's consent form.

(g) An adoptee or a biological relative may submit a denial of consent form with the registry, which shall remain in effect until such time, if ever, the person revokes the form.

(h) Any form filed with the registry:

(1) Shall be notarized;

(2) Is effective as of the time it is filed with the registry; and

1 (3) May be revoked at any time by the person who submitted it.

2 (i) No consent or revocation form shall be accepted by the registry until the
3 person submitting it presents satisfactory proof of the person's identity in accordance
4 with rules adopted by the Social Services Commission.

5 (j) The Department shall recommend to a person submitting any form with the
6 registry that the person obtain counseling, voluntarily, at that person's own cost, from
7 a licensed counselor.

8 (k) The Department shall process each consent form filed with the registry in an
9 attempt to match the adoptee with a biological relative. The Department shall
10 determine that there is a match when an adoptee and a biological relative have both
11 filed consent forms with the registry designating the other as a person to whom
12 identifying information may be disclosed.

13 (l) If it is determined that there is a match, then the Department shall, within one
14 month of the filing of the second of the corresponding consent forms, send a copy of
15 the corresponding consent forms to the agency that placed the adoptee or prepared
16 the report to the court. That agency shall contact the persons who submitted the
17 consent forms. The agency shall then notify the persons submitting the consent forms
18 of the match and the agency shall disclose to them the identifying information
19 contained in the consent forms. No identifying information shall be disclosed
20 pursuant to this section until it is determined there is a match.

21 (m) If the adoptee was placed by a licensed child-placing agency that is no longer
22 in existence at the time the consent form is filed with the registry, then any
23 notification or disclosure required by this section shall be made by an employee or
24 agent of the Department.

25 (n) All communications with adoptees and biological relatives required by this
26 section shall be made in a confidential manner by a social worker who has expertise
27 in postadoption services.

28 (o) If the agency has information that the person about whom identifying
29 information is requested is deceased, the fact of the person's death shall be disclosed
30 to the requesting person. No identifying information about the deceased person shall
31 be disclosed, except pursuant to G.S. 48-9-104(b), unless the registry has on file an
32 unrevoked consent form filed by the deceased authorizing the disclosure of
33 identifying information to the requesting person.

34 (p) Users fees shall be collected to offset the costs of maintaining the registry.
35 The user fee shall be fifty dollars (\$50.00) and shall be charged to persons who use
36 the registry. Any fees authorized by this subsection may be waived for any person
37 who provides an affidavit of financial inability to pay the fee.

38 (q) The Social Services Commission shall adopt rules for use of and access to the
39 registry in accordance with the requirements of this Article.

40 (r) The registry shall obtain only information necessary for identifying registrants.
41 In no event shall the registry obtain or release information of any kind pertaining to
42 the adoptive parents or siblings to the adult adoptee who are children of the adoptive
43 parent.

1 (s) Any employee or authorized agent of an agency or the Department who
2 releases information or makes authorized contacts in good faith and in compliance
3 with this Article shall be immune from civil and criminal liability for the release of
4 information or authorized contact.

5 "§ 48-11-102. Department to publicize the registry.

6 The Department shall announce and publicize to the general public the existence
7 of the registry and the procedure for the consensual release of identifying
8 information.

9 "§ 48-11-103. Department to provide necessary forms and cooperate with registries in
10 other states.

11 The Department shall develop and furnish any forms necessary to carry out the
12 provisions of this act. The Department shall cooperate with registries in other states
13 to facilitate the matching of documents filed pursuant to this Article by individuals in
14 different states."

15 Section 2. G.S. 48-9-103(e) reads as rewritten:

16 "(e) If the court or the agency receives information from an adoptee's former
17 parent or from an adoptee's former relative about a health or genetic condition that
18 may affect the health of the adoptee or the adoptee's child, an appropriate employee
19 shall make a reasonable effort to contact and forward the information to an adoptee
20 who is 18 or more years of age, or an adoptive parent of an adoptee who is under 18
21 years of age. If an adoptee, who is 18 years of age or older, or an adoptive parent of
22 a minor adoptee submits medical documentation to the agency showing a need for
23 accurate, updated information about a health or genetic condition that may affect the
24 health of the adoptee or the adoptee's child, then an appropriate employee of the
25 agency shall make a reasonable effort to contact the adoptee's former parent or
26 former relative to obtain current information, and shall forward the nonidentifying
27 information to the adoptee or the adoptive parent of a minor adoptee. If at any time
28 during contact with the adoptee's former parent the former parent expresses a desire
29 to make contact with the adoptee, then the employee shall provide the former parent
30 and the adoptee or the adoptive parent of a minor adoptee with information about
31 the adoption registry established under G.S. 48-11-101."

32 Section 3. Article 1 of Chapter 48 of the General Statutes is amended by
33 adding the following new sections to read:

34 "§ 48-1-110. Agency responsibility upon dissolution of adoption.

35 If after an adoption becomes final under this Chapter, the minor adoptee is placed
36 into foster care or otherwise eligible for adoption, the agency that placed the minor
37 adoptee in the initial adoption or, in a direct placement, the agency that prepared the
38 report to the court shall notify a member of the adoptee's biological family of the
39 placement. If requested by a member of the adoptee's biological family, that agency
40 shall review the biological family's current circumstances for possible readoption
41 under this Chapter.

42 "§ 48-1-111. Agency may disclose a past occurrence of an adoption dissolution to
43 biological parent.

1 Upon written request of the biological parent, the agency that placed the minor
2 adoptee in the initial adoption or, in a direct placement, the agency that prepared the
3 report to the court may disclose to that biological parent the fact that a finalized
4 adoption was dissolved."

5 Section 4. G.S. 48-9-104 reads as rewritten:

6 "**§ 48-9-104. Release of identifying information.**

7 (a) Except as provided in subsection (b) of this section, No no person or entity
8 shall release from any records retained and sealed under this Article the name,
9 address, or other information that reasonably could be expected to lead directly to
10 the identity of an adoptee, any siblings to the adoptee who are children of the
11 adoptive parent, an adoptive parent of an adoptee, an adoptee's parent at birth, or an
12 individual who, but for the adoption, would be the adoptee's biological sibling or
13 grandparent, except upon order of the court for cause pursuant to G.S. 48-9-105.

14 (b) The Department may release to an adoptee aged 55 years or older, upon
15 request, identifying information about the adoptee's deceased biological mother or
16 deceased biological father, or both, from the records retained and sealed under this
17 Article. The Department shall not release identifying information about a biological
18 parent under this subsection unless the Department is able to confirm through death
19 records or otherwise, that the biological parent is deceased at the time of the
20 request."

21 Section 5. There is appropriated from the General Fund to the
22 Department of Health and Human Services the sum of three hundred sixteen
23 thousand four hundred eighty-six dollars (\$316,486) for the 1998-99 fiscal year to
24 establish and maintain the registry.

25 Section 6. Section 5 of this act becomes effective July 1, 1998. The
26 remainder of this act becomes effective January 1, 1999.



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 1394

AMENDMENT NO. _____
(to be filled in by
Principal Clerk)
Page 1 of ____

S1394-ARM-002

Date 7/15/98, 1998

Comm. Sub. []
Amends Title []

Senator Moore

1 moves to amend the bill on page 4, between line ^{14 &} 15,
2 by inserting the following:

3
4 "§ 48-11-104 Violation and Penalty.

5 (a) It is unlawful for a person having custody of or access to
6 documents filed pursuant to this Article to disseminate or permit
7 dissemination of information contained in them except as authorized
8 under this Article.

9 (b) Any person who wilfully violates the provisions of G.S. 48-
10 11-104(a) is guilty of a Class I felony."; and further

11
12 moves to amend the bill on page 5, line 26 by adding the following
13 to the end of that line:

14
15 "G.S. 48-11-104 becomes effective on January 1, 1999 and applies to
16 offenses committed on or after that date."

SIGNED Sen Moore
Amendment Sponsor

SIGNED [Signature]
Committee Chair if Senate Committee Amendment

ADOPTED X FAILED _____ TABLED _____



North Carolina General Assembly
Legislative Services Office

George R. Hall, Legislative Services Officer
(919) 733-7044

W. Robinson, Director
Administrative Division
Room 5, Legislative Building
16 W. Jones Street
Raleigh, NC 27603-5925
(919) 733-7500

Gerry F. Cohen, Director
Bill Drafting Division
Suite 401, LOB
300 N. Salisbury St.
Raleigh, NC 27603-5925
(919) 733-6660

Thomas L. Covington, Director
Fiscal Research Division
Suite 619, LOB
300 N. Salisbury St.
Raleigh, NC 27603-5925
(919) 733-4910

Tony C. Goldman, Director
Information Systems Division
Suite 400, LOB
300 N. Salisbury St.
Raleigh, NC 27603-5925
(919) 733-6834

Terrence D. Sullivan, Director
Research Division
Suite 545, LOB
300 N. Salisbury St.
Raleigh, NC 27603-5925
(919) 733-2578

TO: Senator Jeanne Lucas
FROM: Linda Attarian, Committee Counsel
DATE: July 15, 1998
RE: SB 1394, Adoption Registry – Constitutional Issues

Senate Bill 1394 proposes to establish a state-wide, mutual consent adoption registry to assist adult adoptees and their biological relatives who are trying to find one another. Currently, confidential information contained in sealed adoption records are obtainable only under the authority of a court order. The proposed legislation will allow for the disclosure of previously confidential adoption information by child placement agencies, but only with the mutual consent of all parties.

The constitutionality of this type of legislation has been challenged based on the following premises:

1. Disclosure of previously confidential adoption information violates the familial privacy and autonomy rights of adoptive and biological parents (i.e., the birth parent's right to have another family free of the intrusion of the adoptee or the right of adoptive parents to raise their adoptive children free from the intrusion of the birth parent).
2. Retroactive application of the legislation violates the prohibition against "ex post facto" laws, which are laws punishing acts committed before the existence of such laws, or laws that retrospectively tax sales or purchases.
3. Disclosure of previously confidential adoption information violates the sanctity of contracts already entered into and violates the constitutional rights of parties to contract.

Privacy Issues:

Despite the fact that almost every state has enacted some form of an adoption registry, there is very little case law dealing with the above issues. However, a recent Sixth Circuit Court of Appeals case arising out of Tennessee, held that such laws do not violate federal constitutional right to familial privacy, if such a right exists, and further held that a "right to avoid disclosure of confidential information" does not exist under the US Constitution. [*Doe v. Sundquist*, 943 F.Supp. 886; 106 F. 3d. 702 (6th Cir. 1997)]. The *Sundquist* case challenged a Tennessee statute allowing adult adoptees access to their adoption records.

Plaintiffs challenging the proposed North Carolina legislation would likely lose on the federal privacy grounds, and would prevail in State Court only if they can show that the North Carolina Constitution provides broader privacy protections than the United States Constitution.

Ex Post Facto Laws and Impairment of Contract:

In general, ex post facto laws are laws retroactively imposing criminal punishments on actions that when done before enactment of the law were innocent, or laws making a crime greater than when it was committed. Such laws violate the United States and North Carolina Constitutions. Federal law bars retroactive legislation when it violates due process by interfering with constitutional or fundamental rights. The Court held that Tennessee was within its authority to apply the law retrospectively because no fundamental rights were being violated by the disclosure of previously confidential adoption information. Further, the Court said that the Tennessee legislature was within its authority to enact the retroactive legislation to attempt to resolve a conflict of competing interests.

North Carolina courts have long held that laws applied retroactively are unconstitutional if they interfere with rights which had vested or liabilities that have accrued prior to the time the law took affect. (For example, see *Stanback v. Citizens' Nat. Bank of Raleigh*, 148 SE 313, 197 NC 292). Under the proposed legislation, release of the previously confidential information is restricted only to mutually consenting adult adoptees and their biological relatives. Some adoptive parents may challenge the legislation on the basis that it, if enacted, breaches a contractual obligation of the State to keep adoption records sealed, in that they relied upon the adoption agencies' promises of confidentiality based on North Carolina adoption laws. If the adoptive parent were to prevail on such a theory, the Court would need to make the following findings of law:

- The State of North Carolina has a contractual obligation to keep the adoption records sealed;
- This promise gives rise to a vested right of the adoptive parent; and
- The adoption registry impermissibly interferes with that right.

VISITOR REGISTRATION SHEET

Name of Committee

Date

VISITORS: Please sign below and return to Committee Clerk.

NAME

FIRM OR STATE AGENCY AND ADDRESS

CHARLES L. REKTEHARD	NIFET P.O. Box 3255, Durham 27715
SANDY M. COOK	CHILDREN'S HOME SOCIETY P.O. Box 14608 GS 27415-6500
Edith Uotta	Children's Home Society " "
GENE A. RATCHFORD	INDIVIDUAL - NO CONNECTION TO AN AGENCY
Roderick O'Connor	Catholic Social Ministries 400 Oberlin Rd, Suite 350 Raleigh, NC 27605
Gwen Horton	DHHS
AL DE ITCH	YAD / DDA
Parlin Hunt	Chapel Hill, NC
John Hunt	NC FPC
Jacey Slaughts	Legislative intern
Sharon	DSS
Esther High	DSS
Kevin Bone	Bone & Moore
J. Chavichini	PCMH

Agenda

SENATE COMMITTEE ON CHILDREN & HUMAN RESOURCES

July 22, 1998

11:00 AM

Call to Order

**SB1394 Senator Lucas
Adoption Registry.**

Sergeant At Arms:

**Ronald Spann
Mary Perry
George Robinson**

**Pages: Crystal Sanders/Clayton/Senator Wellons
Elesha Speight/Raleigh/Senator Reeves
Claire Herminjard/Rocky Mount/Senator Cooper**

Next Meeting

Wednesday, July 29, 1998

11:00am Room 544 LOB

SB1305 Childhood Lead Exposure Amendment

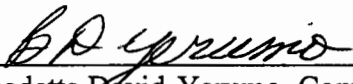
Senate Committee on Children & Human Resources
Minutes of Wednesday, July 22, 1998

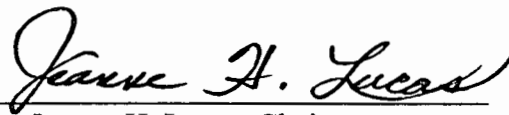
The Senate Committee on Children & Human Resources met at 11:00 a.m. on Wednesday, July, 22, 1998 in room 544 of the State Legislative Office Building. There were 18 members in attendance.

Senator Jeanne H. Lucas, Chair of the committee, called the meeting to order, with introductions of staff, pages and Sergeant at Arms. Senator Lucas turned the meeting over to Senator Martin so that she could introduce her bill.

Senate Bill 1394 entitled Adoption Registry. The bill was presented by its sponsor Senator Lucas. Senator Phillips had an amendment to present, however decided to withdraw it at this time to be discussed at a later date. There was some discussion on the bill, afterwhich senator Dannelly moved for a favorable report. The bill was unfavorable as to the bill but favorable as to the committee substitute bill.

The business being completed, the meeting was adjourned. The next meeting is scheduled for Wednesday July 29, 1998


Bernadette David-Yerumo, Committee Clerk


Senator Jeanne H. Lucas, Chair

**NORTH CAROLINA GENERAL ASSEMBLY
SENATE**

CHILDREN & HUMAN RESOURCES COMMITTEE REPORT
Senator Jeanne H. Lucas, Chairman

Thursday, July 23, 1998

SENATOR JEANNE H. LUCAS,
submits the following with recommendations as to passage:

UNFAVORABLE AS TO BILL, BUT FAVORABLE AS TO C.S. BILL

S.B. 1394

Adoption Registry

Draft Number:	S1394-PCS6861
Sequential Referral:	None
Recommended Referral:	Appropriations
Long Title Amended:	No

TOTAL REPORTED: 1

Committee Clerk Comment:

Principal Clerk _____
Reading Clerk _____

SENATE
NOTICE OF COMMITTEE MEETING
and Bill Sponsor Notice

The Senate Committee on **Children and Human Resources** will meet at the following time:

DATE: Wednesday July 22, 1998
TIME: 11:00 A.M.
ROOM: 544

The following bill will be considered:

SB 1394	Adoption Registry	Senator Lucas
----------------	--------------------------	----------------------

Senator Jeanne H. Lucas, Chair

VISITOR REGISTRATION SHEET

Children & Human Res.

7-22-98

Name of Committee

Date

VISITORS: Please sign below and return to Committee Clerk.

NAME

FIRM OR STATE AGENCY AND ADDRESS

Andy M. Cook

Children Home Society, P.O. Box 14608, Greensboro

Edith L. Votta

11

11

Charles R. K. Fawcett

WIFET P.O. Box 3255 Durham 27715

Wanda L. Howell

3039 Glenwood N. Graham NC 27253

Esther T. High

NC Division of Social Services

Frances Pollock

N.C. Division of Social Services

Mwendalyn Norton

N.H.S. / DSS

Bill Brooks

NCFPC

John Kutz

NCFPC

Stacey Glaughts

Legislative Intern

R. Watson

Office of the Governor

Jan P.

Celeste Chilton

Senator Cooper

Mrs. Patricia Y. Wheeler

SENATE CO-CHAIR - LRC



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 1394

AMENDMENT NO. _____
(to be filled in by
Principal Clerk)
Page 1 of ____

S1394-ARM-003

Date JUL 22, 1998

Comm. Sub. [☐
Amends Title [☐

Senator Moore

1 moves to amend the bill on page 4, lines 1 through 4 by deleting
2 those lines; and further moves to amend the bill on
3
4 page 4, line 15, through page 5, line 20, by deleting those lines
5 and renumbering the remaining sections accordingly.
6
7

SIGNED *Sen Moore*
Amendment Sponsor

SIGNED *[Signature]*
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 1394

AMENDMENT NO. _____
(to be filled in by
Principal Clerk)
Page 1 of ____

S1394-ARM-005

Date July 22, 1998

Comm. Sub. []
Amends Title []

Senator Cochrane

- 1 moves to amend the bill on page 4, line 15 through page 5, line 20
2 by deleting those lines;
3
4 and renumbering the remaining sections accordingly.

SIGNED Betsy Cochrane
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____



With Drawn
7/22/98

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 1394

AMENDMENT NO. _____
(to be filled in by
Principal Clerk)
Page 1 of ____

S1394-ALF-001

Date _____, 1998

Comm. Sub. [Yes]
Amends Title []
Fourth Edition

Senator

Phillips

- 1 moves to amend the bill on page 4, lines 16 through 31,
2 by rewriting the lines to read:
3 "(e) If the court or the agency receives information from an
4 adoptee's former parent or from an adoptee's former relative about a
5 health or genetic condition that may affect the health of the
6 adoptee or the adoptee's child, an appropriate employee shall make a
7 reasonable effort to contact and forward the information to an
8 adoptee who is 18 or more years of age, or an adoptive parent of an
9 adoptee who is under 18 years of age.
10 If the court or the agency receives medical documentation
11 submitted by an adoptee, who is 18 years of age or older, or an
12 adoptive parent of a minor adoptee, that, in the opinion of the
13 court or the agency director, shows a clear need for accurate,
14 updated, nonidentifying information about a medical or genetic
15 condition that is likely to affect the health of the adoptee or the
16 adoptee's child, then an appropriate employee shall make a
17 reasonable effort to contact the adoptee's former parent to obtain
18 this current, nonidentifying information. The employee shall
19 attempt this contact only as follows:
20 (1) By phone, or, if reasonable efforts to contact by
21 phone have proved unsuccessful, by personal contact;
22 (2) Between the hours of 8:00 a.m. and 9:00 p.m.; and
23 (3) Without identifying the court or agency for whom the
24 employee works or the purpose of the call to anyone
25 other than the former parent.
26 If the employee makes contact and receives this information, the
27 employee shall forward this nonidentifying information to the
28 adoptee or the adoptive parent of a minor adoptee. If, at any time
29 during contact with the adoptee's former parent, the former parent



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 1394

AMENDMENT NO. _____
(to be filled in by
Principal Clerk)
Page 2 of _____

S1394-ALF-001

1 expresses a desire to make contact with the adoptee, then the
2 employee shall provide the former parent and the adoptee or the
3 adoptive parent of a minor adoptee with information about the
4 adoption registry established under G.S. 48-11-101."
5
6

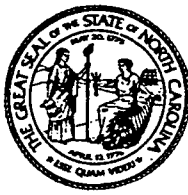
SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____

FAILED _____

TABLED _____



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 1394

AMENDMENT NO. _____
(to be filled in by
Principal Clerk)
Page 1 of ____

S1394-ALF-001

Date July 22, 1998

Comm. Sub. [Yes]
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Fourth Edition

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NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 1394

AMENDMENT NO. _____
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Page 2 of _____

S1394-ALF-001

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3 adoptive parent of a minor adoptee with information about the
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5
6

SIGNED [Signature]
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

Agenda

SENATE COMMITTEE ON CHILDREN & HUMAN RESOURCES

August 5, 1998

11:00 AM

Call to Order

**SB1287 Advance Directives Corrections
Senator Rand**

**Sergeant At Arms: George Robinson
 Collis Brown
 West Faulk**

**Pages: Mendie Do/Raleigh/Senator/Reeves
 Robert Dickerson/Charlotte/Senator Odom**

Next Meeting

None Scheduled


Senate Committee on Children & Human Resources
Minutes of Wednesday, August 5, 1998

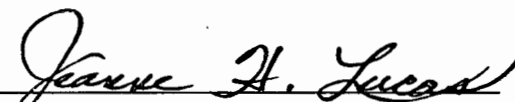
The Senate Committee on Children & Human Resources met at 11:00 a.m. on Wednesday, August, 5, 1998 in room 544 of the State Legislative Office Building. There were 17 members in attendance.

Senator Jeanne H. Lucas, Chair of the committee, called the meeting to order, with introductions of staff, pages and Sergeant at Arms.

Senate Bill 1287 entitled Advance Directives Corrections. The bill was presented by its sponsor Senator Rand. Senator Rand explained the bill and presented a committee substitute bill. After some discussion on this bill including remarks from Hugh Tilson from the Hospital Association, Senator Martin moved for a favorable report. The bill was reported out as unfavorable as to bill, but favorable as to committee substitute bill.

The business being completed, the meeting was adjourned. There we no further meetings scheduled at this time.


Bernadette David-Yerumo, Committee Clerk


Senator Jeanne H. Lucas, Chair

**NORTH CAROLINA GENERAL ASSEMBLY
SENATE**

CHILDREN & HUMAN RESOURCES COMMITTEE REPORT
Senator Jeanne H. Lucas, Chairman

Thursday, August 06, 1998

SENATOR JEANNE H. LUCAS,
submits the following with recommendations as to passage:

UNFAVORABLE AS TO BILL, BUT FAVORABLE AS TO C.S. BILL

S.B. 1287	Advance Directives Corrections.
	Draft Number: PCS4703
	Sequential Referral: None
	Recommended Referral: None
	Long Title Amended: Yes

TOTAL REPORTED: 1

Committee Clerk Comment:

Principal Clerk
Reading Clerk

SENATE
NOTICE OF COMMITTEE MEETING
and Bill Sponsor Notice

The Senate Committee on **Children and Human Resources** will meet at the following
time:

DATE: Wednesday August 5, 1998

TIME: 11:00 A.M.

ROOM: 544

The following bill will be considered:

SB1287 Advance Directives Corrections

Senator Jeanne H. Lucas, Chair

VISITOR REGISTRATION SHEET

Children & Human Resources

8/5/98

Name of Committee

Date

VISITORS: Please sign below and return to Committee Clerk.

NAME

FIRM OR STATE AGENCY AND ADDRESS

Laura W. Lanaker (interim)

National Association of Social Workers. NC chapter

Myrna Miller

NASW-NC

Desmond Rynan

"Doctor of The Day" - UNC School of Medicine

J. Craig Quisenberry

PCMH

Don Willis

DMH DDSAS

Ann Lee

MHA/NC

Michelle S. Quinn

GACPD

2113 Cameron St.

Mac Brownlee

GACPD

" " "

Patricia Young

SCSL/FOR/APPCNC

Kay Michaels

PLANNED PARENTHOOD

Roz Switt

Lobbyist

M. Tully

NCWIA

Pile Stoggin

NC BAR

Cathy Switt

NCWIA

Sandra Panico

NCHCFA

Payton M. Nantz

GPM, INC

Anne L. Edwards Christian Science Comm on Pub for NC

Stacy Flannery

NCANPHA

Dawn Anna

SEANC

Hal Miller

NCACT

Dick Taylor

NCACT

Steve Kene

NCACT

VISITOR REGISTRATION SHEET

Name of Committee

Date

VISITORS: Please sign below and return to Committee Clerk.

NAME

FIRM OR STATE AGENCY AND ADDRESS

Bill Flournoy

DENR

Kathy Greener

Piedmont Land Conservancy P.O. Box 4055 Greensboro NC 27404

Camilla Herlwich

NC Coastal Land Trust 700 Market St/Wilmington NC

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S

D

SENATE BILL 1287*
Proposed Committee Substitute S1287-PCS3647-RM005

Short Title: Advance Directives Corrections.

(Public)

Sponsors:

Referred to:

May 25, 1998

- 1 A BILL TO BE ENTITLED
2 AN ACT TO CLARIFY THE LAW REGARDING HEALTH CARE POWERS OF
3 ATTORNEY AND ADVANCE INSTRUCTIONS FOR MENTAL HEALTH
4 TREATMENT BASED ON RECOMMENDATIONS OF THE JOINT
5 LEGISLATIVE HEALTH OVERSIGHT COMMITTEE.
6 The General Assembly of North Carolina enacts:
7 Section 1. Article 3 of Chapter 32A reads as rewritten:
8 "ARTICLE 3.
9 "Health Care Powers of Attorney.
10 "**§ 32A-15. General purpose of this Article.**
11 (a) The General Assembly recognizes as a matter of public policy the fundamental
12 right of an individual to control the decisions relating to his or her medical care, and
13 that this right may be exercised on behalf of the individual by an agent chosen by the
14 individual.
15 (b) The purpose of this Article is to establish an additional, nonexclusive method
16 for an individual to exercise his or her right to give, withhold, or withdraw consent to
17 medical ~~treatment~~ treatment, including mental health treatment, when the individual
18 lacks sufficient understanding or capacity to make or communicate health care
19 decisions.
20 (c) This Article is intended and shall be construed to be consistent with the
21 provisions of Article 23 of Chapter 90 of the General Statutes provided that in the
22 event of a conflict between the provisions of this Article and Article 23 of Chapter
23 90, the provisions of Article 23 of Chapter 90 control. If no declaration has been

1 executed by the principal as provided in G.S. 90-321 that expressly covers the
2 principal's present condition and if the health care agent has been given the specific
3 authority in a health care power of attorney to authorize the withholding or
4 discontinuing of life-sustaining procedures when the principal is in the present
5 condition, these procedures may be withheld or discontinued as provided in the
6 health care power of attorney upon the direction and under the supervision of the
7 attending physician. In this case, G.S. 90-322 does not apply.

8 (d) This Article is intended and shall be construed to be consistent with the
9 provisions of Part 3 of Article 16 of Chapter 130A of the General Statutes. In the
10 event of a conflict between the provisions of this Article and Part 3 of Article 16 of
11 Chapter 130A, the provisions of Part 3 of Article 16 of Chapter 130A control.

12 **"§ 32A-16. Definitions.**

13 As used in this Article, unless the context clearly requires otherwise, the following
14 terms have the meanings specified:

- 15 (1) 'Health care' means any care, treatment, service, or procedure to
16 maintain, diagnose, treat, or provide for the principal's physical or
17 mental health or personal care and comfort including, life-
18 sustaining procedures. 'Health Care' includes mental health
19 treatment as defined in subdivision (8) of this section.
20 (2) 'Health care agent' means the person appointed as a health care
21 attorney-in-fact.
22 (3) 'Health care power of attorney' means a written instrument, signed
23 in the presence of two qualified witnesses, and acknowledged
24 before a notary public, pursuant to which an attorney-in-fact or
25 agent is appointed to act for the principal in matters relating to the
26 health care of the principal, and which substantially meets the
27 requirements of this Article.
28 (4) 'Life-sustaining procedures' are those forms of care or treatment
29 which only serve to artificially prolong the dying process and may
30 include mechanical ventilation, dialysis, antibiotics, artificial
31 nutrition and hydration, and other forms of treatment which
32 sustain, restore or supplant vital bodily functions, but do not
33 include care necessary to provide comfort or to alleviate pain.
34 (5) 'Principal' means the person making the health care power of
35 attorney.
36 (6) 'Qualified witness' means a witness in whose presence the
37 principal has executed the health care power of attorney, who
38 believes the principal to be of sound mind, and who states that he
39 (i) is not related within the third degree to the principal nor to the
40 principal's spouse, (ii) does not know nor have a reasonable
41 expectation that he would be entitled to any portion of the estate
42 of the principal upon the principal's death under any existing will
43 or codicil of the principal or under the Intestate Succession Act as
44 it then provides, (iii) is not the attending physician or mental

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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1

SENATE BILL 1287*

Short Title: Advance Directives Corrections.

(Public)

Sponsors: Senators Rand and Perdue.

Referred to: Children & Human Resources.

May 27, 1998

1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE NECESSARY TECHNICAL CORRECTIONS TO CHAPTER
3 442 OF THE 1997 SESSION LAWS, "AN ACT TO ESTABLISH ADVANCE
4 INSTRUCTION FOR MENTAL HEALTH TREATMENT", AS
5 RECOMMENDED BY THE JOINT LEGISLATIVE HEALTH OVERSIGHT
6 COMMITTEE.

7 The General Assembly of North Carolina enacts:

8 Section 1. Chapter 442 of the 1997 Session Laws is amended to make
9 necessary technical corrections.

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



North Carolina General Assembly Legislative Services Office

George R. Hall, Legislative Services Officer
(919) 733-7044

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Administrative Division
Room 5, Legislative Building
16 W. Jones Street
Raleigh, NC 27603-5925
(919) 733-7500

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Fiscal Research Division
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(919) 733-6834

Terrence D. Sullivan, Director
Research Division
Suite 545, LOB
300 N. Salisbury St.
Raleigh, NC 27603-5925
(919) 733-2578

TO: Members of Senate Children and Human Resources Committee
FROM: Linda Attarian, Counsel
DATE: August 5, 1998
RE: Summary -- SB 1287: Advance Instructions Corrections -- PCS:

Part 1: Advance Instructions For Mental Health Treatment: Overview of Current Law

Legislative History of Senate Bill 757, Advance Instructions for Mental Health Treatment:

Last summer, the General Assembly enacted Senate Bill 757, Advance Instructions for Mental Health Treatment. The bill was introduced in early April of 1997 and was sponsored by Sen. Brad Miller. An amended version of the bill was discussed in this committee and given a favorable report on April 30, 1997. The House passed an amended version late in the summer and the Senate concurred. The bill was signed by the Governor in August of 1997 and became law January 1, 1998.

Summary of the current law:

The Advance Instruction for Mental Health Treatment Act (Part 2 of Article 3 of Chapter 122C of the General Statutes) established a method or process for an individual with a mental illness to execute (i.e., signed by qualified witnesses), a written document containing a declaration of instruction, information and preferences regarding their mental health treatment. The document, called an "advance instruction" may also appoint an attorney in fact, who is an individual authorized under the advance instruction to make decisions about mental health treatment on behalf of the patient (the "principal") when the principal is incapable of doing so themselves. Even if an attorney in fact is not appointed, the advance instruction is to be used to direct the mental health treatment decisions in the event the principal is determined to lack sufficient understanding or capacity to make or communicate mental health treatment decisions.

The advance instruction is effective for two years unless it is revoked. In the event the principal is determined to be incapable of making mental health treatment decisions for themselves, the physician or mental health care provider is obligated to follow the advance instruction to the fullest extent possible except when 1) compliance with the instructions is not consistent with the best medical practice, 2) the treatments requested are unavailable, 3) when "applicable law" provides otherwise, 4) the patient is committed to a 24 hour mental health facility, or 5) in an emergency. A physician or provider who complies with the advance directive in good faith reliance upon its validity is not subject to criminal or civil liability in the event that it is later determined that the advance directive was invalid at the time the treatment was administered.

Although the advance instruction for mental health treatment may be combined with or incorporated into a health care or general power of attorney, it is not the same legal document. It is a separate and distinct document with its own set of statutory powers and duties. In addition, the attorney in fact appointed by an advance directive may or may not be same individual appointed by the patient to be their health care attorney in fact. The patient may even have a court-appointed guardian who has general guardianship powers over the patient. Thus, there may be situations where the patient has two or more people with similar powers and duties for making health care decisions for that patient. If there is a conflict, G.S. 122C-75(g) provides that the mental health treatment powers granted to the attorney in fact pursuant to the advance instruction are superior to similar powers bestowed upon anyone else.

Part 2: Testimony Presented to the Joint Legislative Health Care Oversight Committee Regarding Issues Relating to the Implementation of SB 757:

This Spring the North Carolina Hospital Association, speaking on behalf of health care lawyers, mental health advocates and mental health care providers informed members of the Joint Legislative Health Care Oversight Committee that the passage of Senate Bill 757 had resulted in significant legal, public policy and practical problems that could be remedied only by the passage of "corrective" legislation. The concerns relate to:

- the technical difficulty in determining the validity of an advance instruction for mental health treatment;
- the potential conflicts between a health care attorney in fact and a *mental* health care attorney in fact; and
- whether the advance instruction for mental health treatment should have "stand alone" authority, ie, in that the document itself is effective separately and distinctly – regardless of whether the principal appointed an attorney in fact.

The Committee responded to the testimony by recommending a blank bill to the 1998 Session with the expectation that remedial legislation would be drafted and incorporated into the bill for the General Assembly's consideration.

Part 3. Summary of the Proposed Committee Substitute to Senate Bill 1287:

Section 1. Amends Article 3 of Chapter 32A, Health Care Powers of Attorney, by placing (in various places in the Article) the powers and duties inherent in an advance instruction for mental health treatment within the scope of authority granted to a health care agent pursuant to a health care power of attorney.

Section 2. Amends Part 2 of Article 3 of Chapter 122C, Advance Instruction for Mental Health Treatment as detailed in the following section by section summary:

G.S. 122C-71. Purpose.

- Clarifying amendment to change "medical care decisions" to the more appropriate "mental health care decisions".

G.S. 122C-72. Definitions.

- Removes "attorney in fact" provisions in the definition of "advance instruction for mental health treatment".
- Clarifies the definition of "incapable".
- Clarifies the definition of "qualifying witness"

G.S. 122C-72. Scope, use, and authority of advance instruction for mental health treatment.

- Removes "attorney in fact" provisions.
- Clarifies current law providing that the principal is authorized under the law to consent to or refuse the use of psychotropic medication, electroconvulsive treatment, and the admission to and retention in a facility for the care or treatment of mental illness through the advance instruction.
- Clarifies current law that although an advance instruction for mental health treatment may be a part of a health care power of attorney, each form is to be executed in accordance with its own statute, and the mental health instructions in an advance directive are binding on the health care agent or the attorney in fact.

G.S. 122C- 72. Effectiveness and duration; revocation.

- Clarifies the circumstances under which a health care provider may rely on the advance instruction's validity.
- Clarifies the circumstances under which the provider is not obligated to comply with a valid advance instruction.
- Clarifies the manner in which a principal may revoke an advance instruction.
- Changes current law to provide that the advance instruction will remain in effect unless revoked (currently, it expires automatically after two years).

G.S. 122C-75. Reliance on advance instruction for mental health treatment.

- Broadens current law to provide additional immunity from liability arising out of claims that the provider did not have the principal's informed consent or authorization for administering treatment, when the treatment was administered in compliance with the advance instruction.

•

G.S. 122C-77. Statutory form for advance instruction for mental health treatment.

- Removes "attorney in fact" provisions.
- Adds a provision to the form to verify that the principal understands the information contained in the advance directive may be shared with other mental health treatment providers when necessary to provide treatment pursuant to the advance directive.
- Adds a provision for the certification of the notary public.
- Adds "notice" provisions to the form to ensure that the principal and mental health treatment provider understand the purpose and the legal significance of the advance instruction.

Sections 3-6: These sections contain conforming changes to various sections of current law.

Effective Date: When the bill becomes law.

Bernie David-Yerumo (Sen. Lucas)

From: Barbara Boone (Sen. Bill Martin)
Sent: Tuesday, August 04, 1998 4:47 PM
To: Alma Adams; Ann Raeford; Annecia Norwood; Barbara Boone; Barbara Phillips; Bernie David-Yerumo; Betty Stoddard; Beverly Earle; Bill Martin; Carolyn Branch; Charlie Dannelly; Clarestene Stewart; Cynthia Heck; Dan Blue; Dee Hodge; Delta Prince; Denise Smith; Dianna Gilmore; Flossie Boyd-McIntyre; Frank Ballance; Gloria Haywood; Howard Hunter; Howard Lee; Irma Avent; Jeanne Lucas; Jerry Braswell; Karlene Scott; Larry Shaw; Larry Womble; Lin Threatt; Lucy Johnson; Luther Jordan; Mary McAllister; Mickey Michaux; Monica McClain; Pamela Nichols; Pete Cunningham; Phyllis Cameron; Rita Harris; Soraya Dunnigan; Ted Kinney; Thomas Hardaway; Toby Fitch; Tom Wright; Valerie Rustin; Warren Oldham; William Wainwright
Subject: Black Caucus Meeting

N. C. Legislative Black Caucus Members and Staff.

Please excuse me if you've already scheduled the following information. I thought I sent it last week, but upon checking Sent Messages, I didn't see one.

The next meeting of the N.C. Legislative Black Caucus is set for Wednesday, August 4, at 5:30 p.m. On the agenda are discussions on charter schools and support for Congresswoman Eva Clayton and Congressman Mel Watt.

Please let me know which members are unable to attend. Thank you, Barbara Boone for Senator Martin.