

GENERAL ASSEMBLY OF NORTH CAROLINA  
1991 SESSION

CHAPTER 405  
SENATE BILL 516

AN ACT TO AMEND THE LAW REGARDING THE COMMISSION FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES' ADOPTION OF STANDARDS FOR SERVICE DELIVERY TO DEPARTMENT OF CORRECTION INMATES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 148-19(d) reads as rewritten:

"(d) The Commission for Mental Health, ~~Mental Retardation~~ Developmental Disabilities, and Substance Abuse Services shall ~~prescribe~~ adopt standards for the delivery of mental ~~health, mental retardation, and substance abuse~~ health and mental retardation services to inmates in the custody of the Department of Correction. The Commission for Mental Health, ~~Mental Retardation~~ Developmental Disabilities, and Substance Abuse Services shall give the Secretary of Correction an opportunity to review and comment on proposed standards prior to promulgation of such standards; however, final authority to determine such standards remains with the Commission. The Secretary of the Department of Human Resources shall designate an agency or agencies within the Department of Human Resources to monitor the implementation ~~of such standards by the Department of Correction.~~ by the Department of Correction of these standards and of substance abuse standards adopted by the Department of Correction upon the advice of the Substance Abuse Advisory Council established pursuant to G.S. 143B-270. The Secretary of Human Resources shall send a written report on the progress which the Department of Correction has made on the implementation of such standards to the Governor, the Lieutenant Governor, and the Speaker of the House. Such reports shall be made on an annual basis beginning January 1, 1978."

Sec. 2. G.S. 143B-270 reads as rewritten:

**"§ 143B-270. Substance Abuse Advisory Council.**

(a) There is created a Substance Abuse Advisory Council to consult with the Secretary of the Department of Correction in the administration of the Substance Abuse Program.

(b) The Council shall be composed of nine members. Three members shall be appointed by the Speaker of the House of Representatives, three members by the Lieutenant Governor, and three members by the Governor. Of each set of three members, the appointing authority shall appoint one person who is a member of the recovering community, one other person who is a professional in the field of substance abuse services, and one other person who is a member of the public at large. Vacancies

shall be filled by the office making the initial appointment and for the remainder of the unexpired term only. The Council shall elect its chairman annually.

(c) Members appointed shall hold office for a term of four years beginning on October 1, 1987, except that three of the initial appointees and these three appointees' immediate successors shall serve a term of two years.—years, with the immediate successors' terms expiring on September 30, 1991. The Speaker, Lieutenant Governor, and Governor shall each select one of their initial appointees to serve a two-year term.

(d) The Council shall meet at least once each quarter and at the call of the Secretary.

(e) Council members who are members of the General Assembly shall receive travel and subsistence allowances as provided in G.S. 120-3.1. Council members who are not members of the General Assembly shall receive travel and subsistence as provided in G.S. 138-5."

Sec. 3. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 26th day of June, 1991.

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James C. Gardner  
President of the Senate

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Daniel Blue, Jr.  
Speaker of the House of Representatives