

NORTH CAROLINA GENERAL ASSEMBLY  
1971 SESSION

CHAPTER 922  
HOUSE BILL 1076

AN ACT TO ESTABLISH THE NORTH CAROLINA DRUG AUTHORITY.

The General Assembly of North Carolina enacts:

**Section 1.** Chapter 143 of the General Statutes of North Carolina is amended by adding at the end thereof a new article to be numbered Article 52 and to read as follows:

"Article 52

"North Carolina Drug Authority

"§ 143-433. **Authority established.** — (a) There is hereby established in the Department of Administration the office of the North Carolina Drug Authority.

(b) The office of the North Carolina Drug Authority shall be administered by a Director who shall be aided and advised by the Drug Authority. The Director shall be appointed by and serve at the pleasure of the Governor. The salary of the Director shall be fixed under the State Personnel Act.

"§ 143-434. **Drug Authority; organization.** — (a) Membership. The Drug Authority shall consist of the following 13 members: The Attorney General, the Commissioner of Mental Health, the State Health Director, the Commissioner of Correction, the Commissioner of Juvenile Correction, the Superintendent of Public Instruction, the Chairman of the Board of Higher Education, the Director of State Vocational Rehabilitation Services, the executive officer of the State Board of Pharmacy, a member of the Board of Medical Examiners of the State of North Carolina appointed by the Board of Medical Examiners for a term of two years commencing July 1 of each odd-numbered year, a member of the North Carolina House of Representatives appointed by the Speaker of the House of Representatives for a term of two years commencing July 1 of each odd-numbered year, a member of the North Carolina Senate appointed by the President Pro Tempore of the Senate for a term of two years commencing July 1 of each odd-numbered year, and a youth member appointed by the Governor for a term of two years commencing July 1 of each odd-numbered year.

The officers and employees of the State listed above shall be deemed to serve as members ex officio of the Drug Authority and their membership on the Authority shall not be deemed to be constitutionally incompatible with their primary offices or places under the terms of the Constitution of North Carolina, Article VI, Section 9. Any ex officio member may designate another person to represent him on the Authority.

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

(c) Officers. The Governor shall appoint the Chairman of the Drug Authority from its membership, but the members of the Authority may elect such other officers from its membership as it deems necessary.

(d) Allowances. The members of the Board who are not officers or employees of the State or agencies of the State, shall receive for their services the per diem and allowances prescribed in G.S. 138-5.

"§ 143-435. **Drug Authority; function.** — (a) The Drug Authority shall meet from time to time, but at least quarterly, at the call of the Director or on call of any three members.

- (b) The Drug Authority shall have the following powers:
1. Coordinate all State efforts related to drug abuse prevention, education, control, treatment, and rehabilitation to the end that the effort to control drug abuse shall be efficiently and effectively administered and duplicating and overlapping efforts eliminated.
  2. Review all requests by non-State agencies to federal agencies for funds to finance drug abuse prevention, education, control, treatment, or rehabilitation programs. Federal funds may be spent within the State of North Carolina only when approved by the North Carolina Drug Authority except in those instances in which requirements for approval by the Drug Authority violates federal law or regulations.
  3. Coordinate the State's efforts with those of local and municipal governments within the State and with those of other states and the federal government.
  4. Assist private agencies and community organizations by providing needed coordination and information.
  5. Assist in the planning and supervision of public informational programs related to drug abuse.
  6. Assist with the formulation and coordination of programs relating to the early diagnosis, treatment, and rehabilitation of drug abusers.
  7. Assist with the formulation and coordination of training and informational programs for State employees and others.
  8. Coordinate the State's efforts to obtain federal funds available for drug abuse programs.
  9. Make rules and regulations to carry out the duties and responsibilities of the Drug Authority.

**"§ 143-436. Director of the Drug Authority; duties.** — (a) The Director of the North Carolina Drug Authority shall administer the Authority and, with approval of the Authority perform all duties, exercise all powers, and assume and discharge all responsibilities vested by law in the Authority, except as otherwise expressly provided by statute.

(b) The Director may delegate to any officer or employee of the Authority any of the powers and duties given to the Director by statute or by the rules, regulations and procedures adopted pursuant to this Article.

(c) The Director shall appoint professional and non-professional staff of the Authority and have legal custody of all books, papers, documents and other records of the Authority.

(d) The Director shall make an annual report to the Drug Authority which shall be transmitted to the Governor and the General Assembly, and he shall provide any of them with any additional information that may be requested at any time.

**"§ 143-437. Short title.** — This Article may be cited as the North Carolina Drug Authority Act."

**Sec. 2.** This act shall become effective upon ratification.

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

1971.