

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**SESSION 1995**

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**HOUSE BILL 707**

Short Title: Local Vocational Initiative.

(Local)

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Sponsors: Representatives Nichols; and Cummings.

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Referred to: Business and Labor.

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March 30, 1995

**A BILL TO BE ENTITLED**

**AN ACT TO AUTHORIZE A VOCATIONAL TRAINING AND EMPLOYMENT  
OPPORTUNITY INITIATIVE IN THE COUNTIES OF CARTERET, CRAVEN,  
JONES, LENOIR, AND PAMLICO AND OTHER ADJACENT COUNTIES THAT  
MAY CHOOSE TO JOIN IN THE INITIATIVE.**

The General Assembly of North Carolina enacts:

Section 1. Statement of purpose.

(a) The purpose of this act is to give the counties of Carteret, Craven, Jones, Lenoir, and Pamlico and other adjacent counties that may choose to join the initiative the authority to merge the funding, administration, and the provision of vocational services and employment opportunities for persons with disabilities or other barriers to employment as defined in federal law.

(b) It is the intent of the General Assembly to support the initiative of these counties to provide services and employment opportunities which are responsive to the needs of their citizens. These services are to be creatively financed, flexible, individualized, and cost-effective.

(c) It is further the intent of the General Assembly that upon the occasion of enactment of additional local or general legislation authorizing a county or counties to merge the funding, administration, and the provisions of vocational services and employment opportunities for persons with disabilities or other barriers to employment as

1 defined in federal law, that the powers enabled by this legislation be specifically or  
2 universally applied as appropriate, to include necessary amendments to Chapter 153A  
3 and Chapter 159 of the General Statutes.

4 Sec. 2. Limited local vocational services authority; creation.

5 (a) Carteret, Craven, Jones, Lenoir, and Pamlico and any other adjacent counties  
6 that choose to join the initiative may establish, in accordance with this act, a vocational  
7 services and employment opportunities authority to serve persons with disabilities or  
8 other barriers to employment.

9 (b) The vocational services and employment opportunities authority resulting from  
10 this enactment is a local political subdivision of the State. The resulting vocational  
11 services and employment opportunities authority shall be a public authority.

12 (c) In order to form a vocational services and employment opportunities authority,  
13 the county boards of commissioners of Carteret, Craven, Jones, Lenoir, and Pamlico and  
14 other adjacent counties that may choose to join the initiative shall approve, at a minimum,  
15 operating bylaws and any other governing documents deemed necessary.

16 (d) Before approving the participation in a vocational services and employment  
17 opportunities authority, the county commissioners shall hold a public hearing with notice  
18 published at least 10 days before the hearing.

19 Sec. 3. Authority; board of directors.

20 The vocational services and employment opportunities authority board shall  
21 initially be 11 members comprised of one director appointed by the county  
22 commissioners of each county participating in start-up. The remaining directors shall be  
23 appointed by the county commissioners from each participating county in direct  
24 relationship to a three-year running average of clients served from their counties. The  
25 county commissioners shall recruit, qualify, and appoint directors who are members or  
26 able to adequately represent one or more of the following groups: persons to be served,  
27 business and industry, banking, education, the media, and local government. The term of  
28 office shall be designated in the approved bylaws. The commissioners of the  
29 participating counties may remove, at will, those directors which they have respectively  
30 appointed.

31 Sec. 4. Powers of the vocational services and employment opportunities  
32 authority.

33 (a) The board of directors of the vocational services and employment opportunities  
34 authority shall have the powers and duties necessary or appropriate for the administration  
35 of the affairs of the authority. All powers of the authority, except those specified,  
36 granted, or reserved by law, for joint action of the participating counties, by this act, shall  
37 be vested in the directors.

38 (b) The board of directors of the vocational services and employment opportunities  
39 authority may incur short-term debt, purchase and lease personal and real property,  
40 pledge and sell the property, and make contracts and agreements in prosecution of the  
41 authority purposes and operations. Any property, real or personal, provided by a county  
42 shall be identified as and remain the property of that county. The board of participating  
43 directors shall administer any contributions and bequests.

1           (c) The board of directors of the vocational services and employment  
2 opportunities authority shall develop and implement policies necessary for the  
3 administration and operation of the authority.

4           Sec. 5. Financing.

5           The vocational services and employment opportunities authority shall be  
6 financed by the sale of program services to State, federal, and private rehabilitation  
7 programs, training and employment opportunity contracts as provided under the federal  
8 Javits-Wagner-O'Day Act, community support, and by participating counties.

9           Sec. 6. Borrowing by vocational services and employment authorities created  
10 by the General Assembly; amendment to Chapter 159 of General Statutes.

11           (a) A vocational services and employment authority created as a body  
12 corporate and politic by an act of the General Assembly, and having as its purpose to  
13 provide vocational services and employment opportunities for persons with disabilities or  
14 other barriers to employment, and whose members are appointed by the boards of  
15 commissioners of participating counties, shall have authority to incur short-term debt and  
16 to execute and deliver obligations for the repayment thereof and to encumber its property  
17 for the purpose of securing any such obligation, and to execute and deliver such  
18 mortgages, deeds of trust and other instruments as are necessary or proper for such  
19 purpose; provided, that such obligations shall be repayable only from the revenues of  
20 such authority.

21           (b) Insofar as the provisions of this section are not consistent with the  
22 provisions of any other section or law, public or private, the provisions of this section  
23 shall be controlling.

24           Sec. 7. This act applies to only Carteret, Craven, Jones, Lenoir, and Pamlico  
25 Counties.

26           Sec. 8. This act becomes effective July 1, 1995, and applies to the respective  
27 vocational services and employment opportunities authority bylaws and agreements  
28 entered into on or after that date.