

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

S

2

SENATE BILL 956  
Second Edition Engrossed 5/3/89

Short Title: Services for Hearing Impaired.

(Public)

Sponsors: Senator Harris.

Referred to: Human Resources.

April 19, 1989

A BILL TO BE ENTITLED  
AN ACT TO CREATE A NEW COMMISSION AND DIVISION FOR THE DEAF  
AND THE HARD OF HEARING TO REPLACE THE NORTH CAROLINA  
COUNCIL FOR THE HEARING IMPAIRED.

The General Assembly of North Carolina enacts:

Section 1. Part 24 of Article 3 of Chapter 143B of the General Statutes reads  
as rewritten:

**"PART 24. NORTH CAROLINA COUNCIL FOR THE HEARING  
IMPAIRED**

**COMMISSION FOR THE DEAF AND THE HARD OF HEARING.**

**"§ 143B-213. North Carolina Council for the Hearing Impaired responsibilities of  
Council Commission for the Deaf and the Hard of Hearing.**

There is hereby created the North Carolina Council for the Hearing Impaired  
Commission for the Deaf and the Hard of Hearing of the Department of Human  
Resources, which shall have the following duties:

- (1) To advocate services affecting hearing impaired individuals in the areas of public services, health care, and educational opportunity;
- (2) To act as a bureau of information for the hearing impaired to State agencies and public institutions providing health care and educational services to the hearing impaired, to local agencies and programs;
- (3) To serve as an advisory body to the Secretary of the Department of Human Resources on the needs of the hearing impaired by preparing an annual report which reviews the status of all State services to the

1 hearing impaired within North Carolina, and to recommend priorities  
2 to the Department for the development and coordination of services to  
3 this population.

4 (1) To make recommendations to the Secretary of the Department of  
5 Human Resources regarding improvement of human services to the  
6 deaf and the hard of hearing of all ages;

7 (2) To study ways and means of promoting public understanding of the  
8 problems of the deaf and the hard of hearing, to consider the need for  
9 new State programs in the field of deafness, and to make  
10 recommendations to and advise the Secretary on these matters;

11 (3) To advise the Department of Human Resources in the preparation of a  
12 plan describing the quality, extent and scope of services being  
13 provided, or to be provided, to deaf and hard of hearing persons in  
14 North Carolina;

15 (4) To study any State children and adult programs which provide  
16 educational services for deaf and hard of hearing persons and to advise  
17 the Secretary of the Department of Human Resources and the  
18 Superintendent of Public Instruction on the coordination of programs  
19 to prevent duplication and overlapping of such services;

20 (5) To advise the Secretary of the Department of Human Resources upon  
21 any matter which the Secretary may refer to it.

22 **"§ 143B-214. North Carolina Council for the Hearing ImpairedCommission for the**  
23 **Deaf and the Hard of Hearing – members.**

24 (a) ~~The North Carolina Council for the Hearing Impaired~~Commission for the  
25 Deaf and the Hard of Hearing shall consist of ~~18~~15 members as follows: ~~five~~  
26 ~~representatives of the Department of Human Resources to be designated by the~~  
27 ~~Secretary of Human Resources from the areas of health services, mental health services,~~  
28 ~~social services, the North Carolina Schools for the Deaf, and vocational rehabilitation~~  
29 ~~services; one representative of the Department of Public Instruction, to be designated by~~  
30 ~~the Superintendent of Public Instruction, from the area of exceptional children; the~~  
31 ~~Director of the Employment Security Commission, or his designee; one representative~~  
32 ~~of the Department of Administration to be designated by the Secretary of the~~  
33 ~~Department of Administration from the area of special personnel projects; the President~~  
34 ~~of the North Carolina Association of the Deaf, or his designee; the President of the~~  
35 ~~North Carolina Registry of Interpreters for the Deaf, or his designee; one member who~~  
36 ~~is a parent of a hearing impaired child enrolled in an educational program in North~~  
37 ~~Carolina to be appointed by the Governor; five additional members who are hearing~~  
38 ~~impaired to be appointed by the Governor from nominations submitted by the North~~  
39 ~~Carolina Association of the Deaf; one member of the North Carolina House of~~  
40 ~~Representatives to be appointed by the Speaker of the House; one member of the North~~  
41 ~~Carolina Senate to be appointed by the President of the Senate. Legislative members~~  
42 ~~shall be appointed for terms of two years. The five hearing impaired members appointed~~  
43 ~~by the Governor and the three representatives of consumer organizations shall serve on~~  
44 ~~the Council for terms of four years, provided that [with respect to] members initially~~

1 ~~appointed, the Governor shall designate two members of the members initially~~  
2 ~~appointed who shall serve terms of five years, two who shall serve terms of four years,~~  
3 ~~two who shall serve terms of three years and two who shall serve terms of two years.,~~  
4 of which 12 are appointed by the Governor as follows: three members who are deaf;  
5 three members who are hard of hearing; three parents of deaf or hard of hearing  
6 children, in which one parent represents a residential school student, one parent  
7 represents a preschool satellite program student, and one parent represents a main-  
8 streamed program student, with each parent coming from a different region of the three  
9 North Carolina Schools for the Deaf regions; one educator representing higher  
10 education who trains teachers in deaf education; one member who is a certified  
11 audiologist; and one member who represents the North Carolina Pediatric Association.  
12 Of the other three additional members, one shall be a member from the North Carolina  
13 Association of the Deaf, one shall be a member from the North Carolina Registry of  
14 Interpreters for the Deaf, and one shall represent the Department of Public Instruction.  
15 The Governor shall designate four members who shall serve terms of five years, four  
16 who shall serve terms of four years, two who shall serve terms of three years, and two  
17 members who shall serve terms of two years. The members of the two organizations  
18 shall be appointed by the president of the organization they represent, and serve on the  
19 Commission until their successor is appointed. The representative of the Department of  
20 Public Instruction shall be appointed by the Secretary of the Department and shall serve  
21 on the Commission until a successor is appointed.

22 (b) ~~The terms of the members first appointed shall commence July 1, 1977~~1989.  
23 ~~At the expiration of the term of any member of the Council~~Commission, his successor  
24 ~~shall be appointed for a term of four years except for the members of the House and the~~  
25 ~~Senate who shall serve terms of two years.~~

26 ~~Vacancies occurring other than by expiration of term in the membership of the~~  
27 ~~Council~~Commission shall be filled by the Governor, ~~the Speaker of the House, the~~  
28 ~~Lieutenant Governor~~ or the appropriate appointing authority. ~~No person shall be eligible to~~  
29 ~~serve more than two successive terms other than the representatives of the above named State~~  
30 ~~agencies. No person appointed by the Governor shall be able to serve more than two~~  
31 ~~successive terms.~~

32 Any appointment to fill a vacancy on the Commission created by the resignation,  
33 dismissal, death, or disability of a member shall be for the balance of the unexpired  
34 term.

35 **"§ 143B-215. North Carolina Council for the Hearing Impaired – Commission for the**  
36 **Deaf and the Hard of Hearing – chairman; reimbursement of members.**

37 ~~The chairman of the Council~~Commission shall be designated by the Secretary of  
38 ~~Human Resources from the appointed members of the Council~~Commission, and shall  
39 hold this office for not more than four years. ~~The Council~~Commission shall meet at the  
40 call of the chairperson, but not less than four times a year.

41 ~~The members of the Council~~Commission shall be reimbursed for actual and  
42 necessary expenses incurred in the performance of their duties in accordance with G.S.  
43 138-5.

1 ~~"§ 143B-216. North Carolina Council for the Hearing Impaired State Coordinator;~~  
2 ~~**dutiesAssistance to Commission.**~~

3       (a) ~~There shall be established the position of State Coordinator of Services for~~  
4 ~~the Hearing Impaired who shall be the chief executive officer of the Council. The State~~  
5 ~~Coordinator shall be responsible to the Secretary of Human Resources.~~

6       (b) ~~The Coordinator, with the advice of the Council, and as directed by the~~  
7 ~~Secretary of Human Resources shall:~~

8           (1) ~~Plan and direct the establishment of at least one community service~~  
9 ~~center for the hearing impaired in each of the Department of Human~~  
10 ~~Resources regions in North Carolina, and directly supervise the~~  
11 ~~activities of these centers;~~

12           (2) ~~Promote accessibility of all governmental services to hearing impaired~~  
13 ~~citizens in North Carolina including those hearing impaired persons~~  
14 ~~with multiple disabilities;~~

15           (3) ~~Identify agencies, both public and private which provide community~~  
16 ~~services, evaluate the extent to which they make services available to~~  
17 ~~hearing impaired people, and cooperate with the agencies in~~  
18 ~~coordinating and extending these services;~~

19           (4) ~~Provide for the mutual exchange of ideas and information on services~~  
20 ~~for hearing impaired people between federal, State and local~~  
21 ~~governmental agencies, and private organizations and individuals;~~

22           (5) ~~Survey the needs of the hearing impaired population in North Carolina,~~  
23 ~~and assist the North Carolina Council for the Hearing Impaired in the~~  
24 ~~preparation of the annual report to the Secretary of Human Resources;~~

25           (6) ~~Maintain a listing of persons qualified in various types of interpreting,~~  
26 ~~and make this information available to local, State, federal and private~~  
27 ~~organizations;~~

28           (7) ~~Promote the training of interpreters for the hearing impaired to a level~~  
29 ~~which will enable them to meet national and/or State certification~~  
30 ~~requirements;~~

31           (8) ~~Serve as an advocate for the rights of hearing impaired people.~~

32       (c) ~~In selecting the State Coordinator of Community Services for the Deaf, the~~  
33 ~~Secretary of Human Resources shall select an individual who is fluent in the American~~  
34 ~~sign language of the deaf and shall give consideration and priority to qualified~~  
35 ~~applicants who are hearing impaired.~~

36       (d) ~~The Secretary of the Department of Human Resources is authorized to~~  
37 ~~arrange for clerical or other assistance as may be required by the Council~~  
38 ~~Commission.~~

39 ~~**"§143B-216.1A. annual report.**~~

40 ~~The North Carolina Council for the Hearing Impaired shall make an annual report to~~  
41 ~~the Secretary of Human Resources, as described in G.S. 143B-213.~~

42 ~~**"§ 143B-216.1A. Division of Services for the Deaf and the Hard of Hearing –**~~  
~~**creation, powers and duties.**~~

1 (a) There is hereby created within the office of the Secretary of the  
2 Department of Human Resources a Division of Services for the Deaf and the Hard of  
3 Hearing, which shall have the following functions and duties:

- 4 (1) To maintain a continuing review of existing programs for the deaf and  
5 the hard of hearing in the State of North Carolina, and periodically  
6 make recommendations to the Secretary of the Department of Human  
7 Resources and to the Superintendent of Public Instruction for  
8 transmittal to the Governor and the General Assembly as appropriate  
9 for improvements in and additions to such programs;
- 10 (2) To study, collect, maintain, publish and disseminate factual data and  
11 pertinent information relative to all aspects of deafness. These include  
12 the societal, economic, educational, recreational and health needs, and  
13 opportunities for the deaf and the hard of hearing;
- 14 (3) To inform, educate and assist local organizations, the community at  
15 large, and the deaf and the hard of hearing people themselves about  
16 deafness, including needs, resources and opportunities for the deaf and  
17 the hard of hearing, and about the role they can play in improving  
18 conditions for the deaf and the hard of hearing;
- 19 (4) To serve as the agency through which various public and nonpublic  
20 organizations concerned with deafness can exchange information,  
21 coordinate programs, and be helped to engage in joint endeavors;
- 22 (5) To provide advice, information and technical assistance to North  
23 Carolina State government departments and agencies and to  
24 nongovernmental organizations which may be considering the  
25 inauguration of services, programs, or facilities for the deaf and the  
26 hard of hearing, or which can be stimulated to take such action;
- 27 (6) To coordinate governmental and private agency programs through a  
28 community service center network which shall include a description of  
29 the locations and geographic service areas for such centers;
- 30 (7) To establish or help to establish demonstration programs of services to  
31 the deaf and the hard of hearing;
- 32 (8) To provide comprehensive residential and nonresidential educational  
33 program services for deaf and hard of hearing children ages from birth  
34 to 21 years of age, including those children who are multihandicapped  
35 and deaf or hard of hearing, which shall include but not be limited to  
36 academic, vocational, preschool, transition, job training, and related  
37 services;
- 38 (9) To assure that all programs are in compliance with the Department of  
39 Public Instruction Procedures Governing Programs & Services for  
40 Children with Special Needs, and with G.S. 115C-325;
- 41 (10) To help deaf and hard of hearing citizens to become self-sufficient in  
42 meeting their needs in the community; and
- 43 (11) To establish training and evaluation standards and levels of  
44 competencies for individuals serving as interpreters in both

1                    noneducational and community settings including, but not limited to,  
2                    schools for the deaf, public schools and community colleges, four-year  
3                    colleges and universities and community services including medical,  
4                    legal, and judicial.

5    **"§ 143B-216.2. North Carolina Council for the Hearing Impaired– Commission for the**  
6                    **Deaf and the Hard of Hearing – assistance of other agencies.**

7                    The ~~Council–Commission~~ may request and shall receive from any department,  
8                    division, board, bureau, commission, or agency of the State or of any political  
9                    subdivision thereof such assistance and data as might be needed to enable it to properly  
10                    carry out its activities under this ArticlePart.

11    **"§143B plan for community services for hearing impaired.**

12                    The ~~Secretary of Human Resources~~ shall develop a short– range plan during the  
13                    ~~1977–1979~~ biennium for implementing community services for the hearing impaired  
14                    based upon recommendations of the State Council for the Hearing Impaired. The  
15                    Secretary shall insure that long range planning is conducted which shall include a  
16                    description of the locations and geographic service areas for such centers, the personnel  
17                    needs, and strategies for coordinating service providers at State and local levels having  
18                    contact with the deaf and hearing impaired population.

19    **"§-143Bdfunctions of service centers.**

20                    The purposes of community service centers for the hearing impaired shall be as  
21                    follows:

- 22                    (1)    ~~To inform hearing impaired persons and their families of their rights~~  
23                    ~~to services offered locally and to coordinate their referral to the~~  
24                    ~~appropriate organization;~~
- 25                    (2)    ~~To coordinate communication between hearing impaired persons and~~  
26                    ~~the desired agency or organization, and to promote the accessibility of~~  
27                    ~~community services to hearing impaired persons;~~
- 28                    (3)    ~~To coordinate the provision of interpreting services to hearing~~  
29                    ~~impaired persons in community colleges;~~
- 30                    (4)    ~~To promote expanded adult educational opportunities for hearing~~  
31                    ~~impaired persons in community colleges;~~
- 32                    (5)    ~~To coordinate the provision of instruction in sign language to persons~~  
33                    ~~in community agencies;~~
- 34                    (6)    ~~To inform interested staff of community and professional~~  
35                    ~~organizations about the nature of deafness and the capabilities of~~  
36                    ~~hearing impaired persons;~~
- 37                    (7)    ~~To provide services to families and employers of hearing impaired~~  
38                    ~~persons, and to agencies which provide services to the hearing~~  
39                    ~~impaired;~~
- 40                    (8)    ~~To serve as an advocate for the rights and needs of people with hearing~~  
41                    ~~impairments, including hearing impaired persons having multiple~~  
42                    ~~disabilities (i.e., deaf blind);~~
- 43                    (9)    ~~To provide services to hearing impaired persons regardless of income,~~  
44                    ~~age, or employability;~~

1           (10) ~~To help hearing impaired citizens to become self-sufficient in meeting~~  
2           ~~their needs in the community.~~

3   "**§ 143B-216.5. ~~North Carolina Council for the Hearing Impaired~~ Division of Services**  
4           **for the Deaf and the Hard of Hearing – receipt of moneys.**

5           (a) The Department of Human Resources may receive moneys from any source,  
6 including federal funds, gifts, grants and bequests which shall be expended for the  
7 purposes designated in this Part. Gifts and bequests received shall be deposited in a trust  
8 fund with the State Treasurer who shall hold them in trust in a separate account in the  
9 name of the ~~Division of Vocational Rehabilitation Services, North Carolina Council for the~~  
10 ~~Hearing Impaired~~ Services for the Deaf and the Hard of Hearing. The cash balance of this  
11 account may be pooled for investment purposes, but investment earnings shall be  
12 credited pro rata to this participating account. Moneys deposited with the State  
13 Treasurer in the trust fund account pursuant to this section, and investment earnings  
14 thereon, are available for expenditure without further authorization from the General  
15 Assembly. Such funds shall be administered by the ~~North Carolina Council for the Hearing~~  
16 ~~Impaired~~ Division of Services for the Deaf and the Hard of Hearing under the direction  
17 of the director and fiscal officer of the ~~Division of Vocational Rehabilitation Services~~, and  
18 will be subject to audits normally conducted with the agency.

19           ~~(b) The Secretary of the Department of Human Resources is hereby authorized to~~  
20 ~~designate an existing division with the Department of Human Resources to provide~~  
21 ~~statewide services to the hearing impaired as specified in this Article.~~

22   "**§ 143B-216.5A. ~~North Carolina Council for the Hearing Impaired~~ Division of Services**  
23           **for the Deaf and the Hard of Hearing; communications services for the**  
24           **deaf; findings and purpose; definitions.**

25           (a) The General Assembly of North Carolina finds:

- 26           (1) That telephone service provides a rapid and essential communications  
27 link among the general public, and with essential offices and  
28 organizations such as police, fire and medical facilities;
- 29           (2) That all persons should have basic telephone service available to them  
30 at a fair and equitable cost;
- 31           (3) That a significant portion of North Carolina's hearing and speech  
32 impaired population have profound disabilities which render normal  
33 telephone equipment useless without additional specialized devices  
34 which cost several hundred dollars;
- 35           (4) That there exists a need for a program whereby access to basic  
36 telephone service for hearing and speech impaired persons is equal in  
37 cost to the amount paid by other telephone customers; and
- 38           (5) That is the declared purpose of this section to establish a program  
39 whereby the cost of specialized telecommunications equipment  
40 necessary to ensure that the hearing and speech impaired have access  
41 to basic telephone service is borne by all the citizens of the State.

42           (b) The following terms and phrases when used in ~~G.S. 143B-216.5A~~ this section  
43 and G.S. 143B-216.5B have the meaning ascribed to them in this subsection, except  
44 where the context clearly indicates a different meaning:

- 1 (1) 'Deaf person' means an individual who is unable to hear and  
2 understand oral communication, with or without the assistance of  
3 amplification devices.
- 4 (2) 'Hearing impaired person' means an individual who has suffered a  
5 permanent hearing loss which is severe enough to necessitate the use  
6 of amplification devices to hear oral communication.
- 7 (3) 'Speech impaired person' means an individual who has suffered a  
8 permanent loss of oral communication ability which prohibits normal  
9 usage of a standard telephone handset.
- 10 (4) 'Telecommunications device' or 'telecommunications device for the  
11 deaf, hearing or speech impaired' or 'TDD' means a keyboard  
12 mechanism attached to or in place of a standard telephone by some  
13 coupling device, used to transmit or receive signals through telephone  
14 lines.
- 15 (5) 'Ring signaling device' means a mechanism such as a flashing light  
16 which visually indicates that a communication is being received  
17 through a telephone line. This phrase also means mechanism such as  
18 adjustable volume ringers and buzzers which audibly and loudly  
19 indicate an incoming telephone communication.
- 20 (6) 'Volume control handset' means a telephone handset or other  
21 telephone listening device which has an adjustable control for  
22 increasing the volume of the sound being produced by the telephone  
23 receiving unit.
- 24 (7) 'Dual party relay system' means a procedure whereby a deaf, hearing  
25 or speech impaired TDD user can communicate with an intermediary  
26 party, who then orally relays the first party's message or request to a  
27 third party, or vice versa.
- 28 (8) '911 system' means the emergency telephone number system.
- 29 (9) 'Utilities Commission' or 'Commission' means the State agency  
30 established pursuant to Chapter 62 of the General Statutes.
- 31 (10) 'Telephone company' means every corporation, company, association,  
32 joint stock association, partnership, and person and their lessees,  
33 trustees, or receivers appointed by any court whatsoever, and every  
34 city or town owning, operating, or managing any telephone line or part  
35 of a telephone line used in the conduct of the business of affording  
36 telephonic communication service for hire within this State.
- 37 (11) 'Telephone line' includes conduits, ducts, poles, wires, cables,  
38 crossarms, receivers, transmitters, instruments, machines, appliances,  
39 instrumentalities, and all devices, including radio and other  
40 advancements of the art of telephony, real estate, easements, apparatus,  
41 property, and routes used and operated to facilitate the business of  
42 affording telephonic communication services to the public for hire  
43 within this State.



1 **"§ 143B-216.5B. ~~North Carolina Council for the Hearing Impaired~~ Division of Services**  
2 **for the Deaf and the Hard of Hearing; communication services program**  
3 **establishment; administration; trust fund.**

4 (a) There is established within the Department of Human Resources a  
5 communications services program for the hearing and speech impaired, to be  
6 administered, developed, and implemented by the ~~North Carolina Council for the Hearing~~  
7 ~~Impaired, pursuant to G.S. 143B-213~~ Division of Services for the Deaf and the Hard of  
8 Hearing.

9 (b) In addition to the duties provided in ~~G.S. 143B-216, the Council~~ this Part, the  
10 Division on Services for the Deaf and the Hard of Hearing shall:

- 11 (1) Serve as a forum for the discussion and review of deaf, hearing  
12 impaired, and speech impaired communication problems;
- 13 (2) Exercise all power necessary, required, or incidental to developing and  
14 implementing the functions and purposes mandated by this section;
- 15 (3) Make contracts of every type and nature and execute all instruments  
16 necessary to implement the provisions of this section;
- 17 (4) Develop programs for the delivery or improvement of communication  
18 services to the deaf, hearing impaired, and speech impaired, and  
19 develop a financial evaluation procedure to ensure that the  
20 communication devices made available by this section are provided by  
21 this section only to those deaf, hearing impaired, and speech impaired  
22 persons whose financial resources would not enable them to purchase  
23 these devices;
- 24 (5) Coordinate such programs with the appropriate municipalities,  
25 counties, State agencies, and nonprofit organizations and coordinate  
26 such programs with affected telephone companies;
- 27 (6) Apply for, contract for, receive, and expend for the purposes of this  
28 section any appropriation, grant, gift, or donation from the Federal  
29 Government or any other public or private source;
- 30 (7) Devise procedures for certifying persons as deaf, hearing impaired, or  
31 speech impaired. Such certification process shall include a statement  
32 attesting to such impairment by a licensed physician, audiologist,  
33 speech pathologist, or appropriate State or federal agency; and
- 34 (8) Prescribe and promulgate necessary rules consistent with the  
35 provisions of this section.

36 (c) ~~The Council or its agent~~ Division shall develop and implement a schedule for  
37 the purchase and distribution of the devices and equipment required by this section. In  
38 no event may more than one-third of the total number of devices estimated to be needed  
39 for this program be purchased or distributed in fiscal year 1987-88.

40 (d) There is established within the Office of State Treasurer the  
41 Telecommunication Devices for the Deaf Trust Fund, to be used as a nonreverting fund  
42 for the purposes of this section.

1 Monies in this fund shall include any appropriations authorized by the Legislature,  
2 grants from other governmental entities, and any contributions or donations received by  
3 the ~~Council~~Division.

4 Monies in this fund that are not necessary to meet current obligations authorized by  
5 this section shall be invested by the State Treasurer as provided by law. Interest earned  
6 from such investment shall be deposited in the fund and available to the ~~Council~~  
7 Division for endeavors relating to the program authorized by this section.

8 The ~~Council~~Division may expend the monies residing in this fund only for the  
9 purchase, distribution and maintenance of equipment as discussed in this section,  
10 subject to the fiscal and budgetary provisions of general law. Training of recipients in  
11 the use of this equipment may be paid for with these funds, but the ~~Council's~~Division's  
12 operating expenses may not be paid with these funds.

13 (e) The ~~Council~~Division is directed to establish characteristics and performance  
14 standards for TDD's, ring signaling devices, and volume control handsets, and shall  
15 select equipment to be purchased for distribution to qualifying recipients.

16 The ~~Council~~Division is encouraged to require the purchase of equipment required by  
17 this section on a competitive bid basis, so that the lowest possible per unit price may be  
18 obtained on the equipment selected for purchase.

19 The equipment discussed in this section shall be subleased at no cost to qualifying  
20 recipients for a period of time not exceeding five years. Nothing herein shall be  
21 construed to prevent the renewal of any lease previously executed with a qualified  
22 recipient.

23 (f) The central communications office of each county sheriff's department shall  
24 purchase and continually operate at least one TDD:

- 25 (1) The central communications office of each police department and  
26 firefighting agency in municipalities with a population of 25,000 to  
27 250,000 shall purchase and continually operate at least one TDD.
- 28 (2) The central communications office of each police department and  
29 firefighting agency in municipalities with a population exceeding  
30 250,000 persons shall purchase, and continually operate, at least two  
31 TDD's.

32 At least one hospital in each county shall purchase and continually operate at least  
33 one TDD.

34 Each 911 emergency number system and each agency receiving automatically routed  
35 calls through a 911 emergency system shall purchase and continually operate at least  
36 one TDD.

37 Each public safety office, health care provider, and 911 emergency number system  
38 required to obtain a TDD pursuant to this section shall continually operate and staff  
39 such equipment on a 24-hour basis:

- 40 (1) Offices and organizations required to purchase TDD's pursuant to this  
41 section may buy such equipment from the ~~Council~~Division, or from  
42 private vendors who can supply devices identical to or compatible with  
43 those selected by the ~~Council~~Division at a lower price than the ~~Council~~  
44 Division offers.

1           (2) The purchase price imposed on such offices and organizations by the  
2           ~~Council-Division~~ shall not exceed the actual per unit cost including  
3           shipping and storage charges.

4           ~~(g) The Council shall review the potential benefits and problems associated with  
5 implementation of a dual party relay system in North Carolina.~~

6           ~~While deliberating the feasibility of such a system for this State, the Council shall  
7 consider or review:~~

8           ~~(1) The public sector and private sector costs which would be incurred;~~

9           ~~(2) What geographic regions of the State should have this system available  
10 to the deaf, hearing impaired, and speech impaired;~~

11           ~~(3) What private sector businesses should be asked to participate;~~

12           ~~(4) How this system should be funded;~~

13           ~~(5) Any dual party relay systems currently operating in other states; and~~

14           ~~(6) A proposed schedule for implementing any recommendations made  
15 pursuant to this section.~~

16           ~~The Council shall report its findings concerning a dual party relay system to the  
17 presiding officers of the Legislature by May 1, 1988."~~

18           Sec. 2. G.S. 143B-173(a) reads as rewritten:

19           "(a) There are hereby created the following boards of directors of institutions:

20           (1) Repealed by Session Laws 1979, 2nd Session, c. 1245, s. 1.

21           (2) Repealed by Session Laws 1981, c. 50, s. 1.

22           (3) Repealed by Session Laws 1987, c. 856, s. 16, as amended by Session  
23 Laws 1987 (Reg. Sess., 1988), c. 1086, s. 127(a);

24           (4) The Board of Directors of the Governor Morehead School;

25           ~~(5) The Board of Directors of the North Carolina Schools for the Deaf;  
26 and~~

27           (6) Repealed by Session Laws 1981, c. 462, s. 5.

28 with the power and duty to adopt rules and regulations to be followed in the conduct of  
29 their respective institutions."

30           Sec. 3. G.S. 143B-174 reads as rewritten:

31           "**§ 143B-174. Boards of directors of institutions – members; selection; quorum;  
32 compensation.**

33           The Board of Directors of the Governor Morehead School of the Department of  
34 Human Resources shall consist of 11 members appointed by the Governor for terms of  
35 six years. ~~The Board of Directors of the North Carolina Schools for the Deaf of the  
36 Department of Human Resources shall consist of 11 members appointed by the Governor for  
37 terms of four years.—~~The initial members of each of the aforementioned boards of  
38 directors shall be the members of the previously existing board of directors for each  
39 institution. The members of the various boards of directors shall serve for a period equal  
40 to the remainder of their current terms on their respective boards, which are as follows:  
41 the Board of Directors of the Governor Morehead School, four of whose appointments  
42 expire May 1, 1973, three of whose appointments expire May 1, 1975, and four of  
43 whose appointments expire May 1, 1977; ~~the Board of Directors of the North Carolina  
44 Schools for the Deaf, all of whose appointments expire July 17, 1973.~~ At the end of the

1 respective terms of office of the initial members of each board, their successors shall be  
2 appointed for terms as hereinabove delineated and until their successors are appointed  
3 and qualify. Any appointment to fill a vacancy on the board of directors created by the  
4 resignation, dismissal, death, or disability of a member shall be for the balance of the  
5 unexpired term.

6 The Governor shall have the power to remove any member of a board of directors  
7 from office for misfeasance, malfeasance or nonfeasance according to the provisions of  
8 G.S. 143B-13 of the Executive Organization Act of 1973.

9 The members of each board of directors shall receive per diem and necessary travel  
10 and subsistence expenses in accordance with the provisions of G.S. 138-5.

11 A majority of a board of directors shall constitute a quorum for the transaction of  
12 business.

13 All clerical and other services required by a board of directors shall be supplied by  
14 the Secretary of Human Resources."

15 Sec. 4. G.S. 8B-6 reads as rewritten:

16 **"§ 8B-6. List of interpreters; coordination of interpreter services.**

17 The Department of Human Resources shall prepare and maintain an up-to-date list  
18 of qualified and available interpreters. A copy of the list shall be provided to each clerk  
19 of superior court. When requested by an appointing authority to provide an interpreter  
20 the ~~North Carolina Council for the Hearing Impaired~~ Division of Services for the Deaf and  
21 the Hard of Hearing shall assist in arranging for an interpreter at the time and place  
22 needed through its program of community services for the hearing impaired."

23 Sec. 5. G.S. 8B-8(e) reads as rewritten:

24 "(e) Fees and expenses of interpreters who serve before any State administrative  
25 agency are payable by that agency. The agency shall, upon application to the  
26 Department of ~~Administration~~ Human Resources, Division of Services for the Deaf and  
27 the Hard of Hearing, be reimbursed for payments made."

28 Sec. 6. G.S. 105-147(25a) reads as rewritten:

29 "(25a) The purchase price of a hearing-ear dog designated as such by the  
30 ~~North Carolina Council for the hearing impaired~~ Division of Human Resources, Division of  
31 Services for the Deaf and the Hard of Hearing, actually purchased and used by a person  
32 who is hearing impaired as defined in G.S. 8B-1(2), or purchased by a parent or  
33 guardian for the use of a hearing impaired child and/or all of the cost of maintenance  
34 and upkeep of a hearing-ear dog, including veterinary expenses. The amount claimed  
35 under this subdivision shall not be allowed as a deduction under G.S. 105-147(11)."

36 Sec. 7. G.S. 114-4.2F reads as rewritten:

37 **"§ 114-4.2F. Designation of attorney specializing in the law of the handicapped.**

38 The Attorney General is authorized to designate from his staff an attorney to  
39 specialize in the law of the handicapped. The attorney so designated shall act as advisor  
40 to the Division of Vocational Rehabilitation, the ~~North Carolina Council for the Hearing~~  
41 ~~Impaired~~ Division of Services for the Deaf and the Hard of Hearing, the North Carolina  
42 School for the Deaf and the Governor Morehead School."

43 Sec. 8. This act shall become effective July 1, 1989.