

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 1405

Short Title: Law Enf. Officers' Hall of Honor.

(Public)

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Sponsors: Representatives Warner; Balmer, Barbee, Barnhill, Beall, Black, Bowen, Brawley, J. Brown, Culpepper, Cummings, Daughtry, Decker, DeVane, Easterling, Esposito, Fitch, Flaherty, Fussell, Gamble, Griffin, Hensley, Hightower, Jack Hunt, James, Jenkins, Joye, Justus, Lee, Lutz, McAllister, McLaughlin, Moore, Nichols, Nye, J. Preston, Ramsey, Richardson, Rogers, Spears, Stamey, Wilmoth, C. Wilson, and Wright.

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Referred to: Appropriations.

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May 17, 1993

1 A BILL TO BE ENTITLED  
2 AN ACT TO CREATE THE NORTH CAROLINA LAW ENFORCEMENT  
3 OFFICERS' HALL OF HONOR AND TO APPROPRIATE FUNDS TO THE  
4 DEPARTMENT OF JUSTICE FOR THE NORTH CAROLINA LAW  
5 ENFORCEMENT OFFICERS' HALL OF HONOR.

6 The General Assembly of North Carolina enacts:

7 Section 1. The General Statutes are amended by adding a new Chapter to  
8 read:

9 **"CHAPTER 114A.**

10 **"NORTH CAROLINA LAW ENFORCEMENT OFFICERS' HALL OF HONOR.**

11 **"ARTICLE 1.**

12 **"GENERAL PROVISIONS.**

13 **"§ 114A-1-1. Short title.**

14 This Chapter may be cited as the 'North Carolina Law Enforcement Officers' Hall of  
15 Honor Act of 1993'.

16 **"§ 114A-1-2. Findings and policy.**

17 The General Assembly finds that the provision of effective law enforcement depends  
18 upon the daily selfless service of thousands of dedicated officers who frequently place  
19 themselves in great danger in performing their duties. This record of achievement must

1 be recognized in an honorable and significant way so that all citizens may appreciate the  
2 contributions of these officers, especially the ultimate sacrifice that is made in the  
3 maintenance of order.

4 **"§ 114A-1-3. Definitions.**

5 As used in this Chapter, unless the context requires otherwise:

- 6 (1) 'Committee' means the North Carolina Law Enforcement Officers' Hall  
7 of Honor Committee.  
8 (2) 'Hall of Honor' means North Carolina Law Enforcement Officers' Hall  
9 of Honor.  
10 (3) 'Fund' means the North Carolina Law Enforcement Officers' Hall of  
11 Honor Fund.  
12 (4) 'Law enforcement officer' means any person certified as a law  
13 enforcement officer by the provisions of Chapter 17C, 17E, or 74E of  
14 the General Statutes.

15 **"§ 114AB-1-4. Hall of Honor created.**

16 There is hereby created the North Carolina Law Enforcement Officers' Hall of  
17 Honor within the Department of Justice as a memorial to law enforcement officers  
18 killed or wounded in the line of duty and in recognition of the selfless dedication of our  
19 law enforcement officers in the day-to-day performance of their duties. The Hall of  
20 Honor shall be located on the grounds of the State Bureau of Investigation, Hammond  
21 Road Campus, in Raleigh, North Carolina.

22 **"ARTICLE 2.**

23 **"HALL OF HONOR COMMITTEE.**

24 **"§ 114A-2-1. Hall of Honor Committee; duties; membership.**

25 (a) The Law Enforcement Officers' Hall of Honor Committee shall plan, erect,  
26 and administer the Hall of Honor. The Committee shall consist of eight members, as  
27 follows:

- 28 (1) The Governor;  
29 (2) The Attorney General;  
30 (3) The president of the North Carolina Sheriffs' Association;  
31 (4) The president of the North Carolina Association of Chiefs of Police;  
32 (5) The president of the North Carolina Law Enforcement Officers'  
33 Association;  
34 (6) The president of the North Carolina Police Executives Association;  
35 (7) One person appointed by the Speaker of the House of Representatives;  
36 and  
37 (8) One person appointed by the Lieutenant Governor.

38 A member of the Committee may appoint a designee to serve for the period of the  
39 member's appointment or designate a person or persons to represent the member at  
40 meetings which he or she may be unable to attend.

41 (b) Terms. Notwithstanding an appointment for a term of years, each member of  
42 the Committee shall serve at the will of the appointing authority. The persons appointed  
43 by the Speaker of the House of Representatives and the Lieutenant Governor shall each  
44 serve for the period that the appointing Speaker of the House of Representatives or

1 Lieutenant Governor holds office unless the person appointed is removed from the  
2 Committee in accordance with this section.

3 (c) Vacancies. When an individual ceases to hold the office or position required  
4 for appointment to the Committee, then he or she shall cease to be qualified for  
5 membership on the Committee and that seat becomes vacated. Any individual  
6 appointed or designated to serve on this Committee shall serve until his successor is  
7 appointed and qualified.

8 (d) Compensation. None of the members of the Committee shall receive  
9 compensation for serving on the Committee. However, if funds are available, then  
10 members of the Committee who are State officers or employees may be reimbursed for  
11 their expenses in accordance with G.S. 138-6; members of the Committee who are full-  
12 time salaried public officers or employees other than State officers or employees may be  
13 reimbursed for their expenses in accordance with G.S. 138-5(b). All other members of  
14 the Committee may receive compensation and reimbursement for expenses in  
15 accordance with G.S. 138-5(b).

16 (e) Officer. The Attorney General shall serve as chair of the Committee. Other  
17 officers as the Committee may deem necessary shall be elected from the membership.  
18 Officers of the Committee shall be elected at the first regular meeting after July 1 of  
19 each year. All officers of the Committee shall serve for one year, or until successors are  
20 qualified.

21 (f) Removal. Upon giving reasonable notice to a member, the Committee may  
22 remove the member for misfeasance, malfeasance, nonfeasance, or neglect of duty.

23 (g) Meetings. The Committee shall meet as often as necessary and at the call of  
24 the chair but no less than four times a year.

25 (h) Duties. The Committee shall plan, erect, administer, and maintain the North  
26 Carolina Law Enforcement Officers' Hall of Honor in the manner it determines to be  
27 appropriate, but generally in accordance with the following:

- 28 (1) All officers certified by the provisions of Chapters 17C, 17E, or 74E of  
29 the General Statutes shall be eligible for entry into the Hall of Honor.
- 30 (2) The names of all officers killed in the line of duty whose deaths in the  
31 line of duty may be established by creditable records shall be entered  
32 into the Hall of Honor.
- 33 (3) Displays, exhibits, interpretive programs, or other demonstrations of  
34 the Hall of Honor shall be designed to promote the role of law  
35 enforcement in a democratic society.
- 36 (4) Suitable plaques inscribed with the names of those selected for the  
37 Hall of Honor shall be appropriately displayed.

### 38 "ARTICLE 3.

### 39 "NORTH CAROLINA LAW ENFORCEMENT OFFICERS' HALL OF HONOR 40 FUND.

#### 41 "§ 114A-3-1. Functions of the Department of Justice.

42 (a) The Committee, by adoption of rules pursuant to the provisions of Chapter  
43 150B of the General Statutes, shall provide for the administration of the Fund

1 established by this Chapter. In consultation with the Attorney General the Committee  
2 shall:

- 3 (1) Establish reasonable and equitable procedures to disburse funds to  
4 establish and operate the Hall of Honor;
- 5 (2) Promote the most efficient and economical program of public  
6 information on the subject of the Hall of Honor; and
- 7 (3) Establish a system of selecting officers for entry into the North  
8 Carolina Law Enforcement Officers' Hall of Honor. All selections of  
9 persons to Hall of Honor membership shall be made by a majority vote  
10 of the Committee.

11 (b) The Attorney General shall provide such staff as is necessary to administer  
12 the programs of the Committee. Such staffing shall be provided through the resources  
13 of the Fund as provided in G.S. 114A-3-2.

14 (c) The Attorney General shall have legal custody of all books, papers,  
15 documents, or other records and property of the Fund or the Committee and the Hall of  
16 Honor.

17 **"§ 114A-3-2. North Carolina Law Enforcement Officers' Hall of Honor Fund**  
18 **established.**

19 (a) There is established the North Carolina Law Enforcement Officers' Hall of  
20 Honor Fund in the Department of Justice. Any surplus in the Fund shall not revert. The  
21 Fund shall be kept on deposit with the State Treasurer, as in the case of other State  
22 funds, and may be invested by the State Treasurer in any lawful security for the  
23 investment of State money. The income or other earnings from such investments shall  
24 be paid to the Fund. The Fund is subject to the oversight of the State Auditor pursuant  
25 to Article 5A of Chapter 147 of the General Statutes.

26 (b) In addition to monies deposited in the Fund pursuant to the provisions of this  
27 Article, the Attorney General may accept into the Fund for the purposes of this Chapter,  
28 any donations of real or personal property and grants of money from any governmental  
29 unit or public agency, or from any institution, person, firm, or corporation. The  
30 Attorney General shall include in the annual report required by G.S. 114A-3-3 a  
31 summary of the donations, gifts, or grants, the identity of the donor, the nature of the  
32 transaction, and the conditions, if any.

33 (c) The resources of the North Carolina Law Enforcement Officers' Hall of  
34 Honor Fund shall be expended only for the support of activities relative to the planning,  
35 construction, administration, and maintenance of the Hall of Honor.

36 **"§ 114A-3-3. Annual report.**

37 The Attorney General shall cause an annual report of the Fund to be presented to the  
38 General Assembly on or before December 31 of each year for the preceding fiscal year.  
39 Such annual report shall contain a summary of all disbursements made from the Fund  
40 by type, level of government, governmental unit, and any other matters that may be  
41 included at the direction of the committee."

42 Sec. 2. There is appropriated from the General Fund to the Department of  
43 Justice the sum of fifty thousand dollars (\$50,000) for the 1993-94 fiscal year and the  
44 sum of fifty thousand dollars (\$50,000) for the 1994-95 fiscal year for establishment of

- 1 the North Carolina Law Enforcement Officers' Hall of Honor Fund for support of the
- 2 North Carolina Law Enforcement Officers' Hall of Honor.
- 3           Sec. 3. This act becomes effective July 1, 1993.