

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 128

Short Title: State Capitol Police to CCPS.

(Public)

Sponsors: Representatives Thompson, Justus; Buchanan, Creech, Esposito, Kiser, and Holmes.

Referred to: State Government, if favorable, Appropriations.

February 13, 1997

A BILL TO BE ENTITLED

AN ACT TO TRANSFER THE STATE CAPITOL POLICE TO THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY.

The General Assembly of North Carolina enacts:

Section 1. The statutory authority, powers, duties and functions, records, personnel, property, unexpended balances of appropriations, allocations or other funds, including the functions of budgeting and purchasing, of the State Capitol Police Section of the Department of Administration are transferred to the Department of Crime Control and Public Safety, and shall be established as the State Capitol Police Section of the Highway Patrol Division.

Section 2. G.S. 143-340 (21) and (22) are repealed.

Section 3. G.S. 143B-80.11 reads as rewritten:

"§ 143B-80.11. Capitol Preservation Commission – Powers and duties.

The Commission shall have the following powers and duties and shall exercise those powers and duties with the advice and consent of the Secretary of Cultural Resources:

- (1) Develop a comprehensive plan and program for the historic preservation and restoration of the State Capitol and Union Square.
- (2) Make all repairs, alterations, and improvements to the State Capitol, including the furnishing and refurnishing of the State Capitol, subject to the availability of funds.
- (3) Receive on behalf of the State, gifts or bequests of artifacts, documents, and other historical objects or resources which contribute to the historical significance of the State Capitol.

- 1 (4) Accept grants and subsidies from and enter into agreements or other
2 transactions with any federal agency, State agency, or other entity.
3 (5) Enter into contracts and execute all instruments necessary or
4 convenient for carrying on its operations.
5 (6) Make budgetary requests and recommendations to the Governor and
6 the General Assembly regarding the funds needed to properly preserve
7 and maintain the Capitol in accordance with Article 1 of Chapter 143
8 of the General Statutes.
9 (7) Administer the Capitol Preservation Fund as provided in G.S. 143B-
10 80.13.
11 (8) Contract with the Department of ~~Administration~~ Crime Control and
12 Public Safety to provide the security needed for the Capitol and Union
13 Square.
14 (9) Do all other things necessary or convenient to carry out the powers
15 granted to it by this Part.
16 (10) Adopt rules to implement this Part."

17 Section 4. G.S. 143B-476(a) reads as rewritten:

18 "(a) The head of the Department of Crime Control and Public Safety is the
19 Secretary of Crime Control and Public Safety, who shall be known as the Secretary. The
20 Secretary shall have such powers and duties as are conferred on him by this Chapter,
21 delegated to him by the Governor, and conferred on him by the Constitution and laws of
22 this State. These powers and duties include:

- 23 (1) Accepting gifts, bequests, devises, grants, matching funds and other
24 considerations from private or governmental sources for use in
25 promoting the work of the Governor's Crime Commission;
26 (2) Making grants for use in pursuing the objectives of the Governor's
27 Crime Commission;
28 (3) Adopting rules as may be required by the federal government for
29 federal grants-in-aid for criminal justice purposes;
30 (4) Ascertaining the State's duties concerning grants to the State by the
31 Law Enforcement Assistance Administration of the United States
32 Department of Justice, and developing and administering a plan to
33 ensure that the State fulfills its duties; ~~and~~
34 (5) Administering the Assistance Program for Victims of Rape and Sex
35 ~~Offenses~~ Offenses; and
36 (6) Serving as a special police officer, and appointing persons to serve as
37 special police officers, with the same power of arrest as the police
38 officers of the City of Raleigh and the same authority of a deputy
39 sheriff with regard to property owned, leased, or maintained by the
40 State and located in Wake County. The Secretary and special police
41 officers shall take the oath of office required of law enforcement
42 officers."

43 Section 5. This act becomes effective July 1, 1997.