

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 247

Short Title: Mecklenburg/Vol. Police Aux.

(Local)

Sponsors: Representatives Balmer; Barnhill, Black, Cunningham, Easterling, Foster, Grimmer, and McLaughlin.

Referred to: Local and Regional Government II.

March 14, 1991

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A VOLUNTEER POLICE
AUXILIARY FOR THE MECKLENBURG COUNTY POLICE DEPARTMENT.

The General Assembly of North Carolina enacts:

Section 1. The Board of Commissioners of Mecklenburg County may by proper resolution provide for the organization, recruiting, training, equipping, and appointing of auxiliary police officers for Mecklenburg County and prescribe the duties and responsibilities of such auxiliary police officers.

Sec. 2. The Mecklenburg County Auxiliary Police Force and its members shall not be under the Civil Service Board but shall be excepted therefrom and if so ordered by the Board of Commissioners of Mecklenburg County, shall serve directly under and be responsible to the Chief of the Mecklenburg County Police Department whom the Board of Commissioners of Mecklenburg County may also authorize and direct to develop standards and regulations for employment, discipline, regulations and procedures for the operation of the volunteer police auxiliary force and for the dismissal of members of said police auxiliary. The Chief of the Mecklenburg County Police Department shall make provisions for uniforms, weapons, and for such other matters and things as shall be reasonably necessary in carrying out the functions of a voluntary police auxiliary force.

Sec. 3. Auxiliary police officers shall not be entitled to compensation for their services unless called into active duty by the Board of Commissioners of Mecklenburg County, or by such person as the Board of Commissioners of Mecklenburg County may designate, because of any emergency in which event they

1 may receive such compensation for their services as shall be fixed by the Board of
2 Commissioners of Mecklenburg County. Auxiliary police officers shall not be entitled
3 to any benefits or compensation other than those provided by or pursuant to this section;
4 however, this subsection shall not in any manner affect the rights of any person to
5 benefits provided by the State of North Carolina or by act of Congress for civilian
6 defense workers or auxiliary police officers.

7 Sec. 4. Members of the Mecklenburg County Auxiliary Police Force shall,
8 when certified as members thereof and when on active duty, have the same police
9 powers and powers of law enforcement officers as regular members of the Mecklenburg
10 County Police Department.

11 Sec. 5. Mecklenburg County shall be entitled to the same immunities with
12 respect to the action of auxiliary policemen in the performance of their duties in training
13 or otherwise as to which it is entitled with respect to the actions of regular members of
14 the Mecklenburg County Police Department in the performance of their duties.

15 Sec. 6. The volunteer police auxiliary hereby contemplated is a volunteer
16 organization and therefore the Board of Commissioners of Mecklenburg County or the
17 persons so delegated by the Board may require as a prerequisite to service in the
18 volunteer police auxiliary force that the prospect member enter into a release agreement
19 which would release Mecklenburg County from liability for any accident, injury or
20 death incurred while on duty.

21 Sec. 7. This act shall be applicable to Mecklenburg County only.

22 Sec. 8. All laws and clauses of laws in conflict with this act are hereby
23 repealed.

24 Sec. 9. This act is effective upon ratification.