

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 369

Short Title: GPAC/Civilianization.

(Public)

Sponsors: Senator Martin of Guilford.

Referred to: Government Performance Audit.

February 24, 1993

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT RECOMMENDATIONS OF THE GOVERNMENT
PERFORMANCE AUDIT COMMITTEE REGARDING THE CIVILIANIZATION
OF CERTAIN JOB CLASSES OF STATE LAW ENFORCEMENT OFFICERS.

The General Assembly of North Carolina enacts:

Section 1. Article 12D of Chapter 143 of the General Statutes is redesignated "Law Enforcement Officers," and is amended by adding the following new section:

"§ 143-166.40A. Civilianization.

(a) For the purposes of this section, 'Law enforcement officer' means a person who:

- (1) Requires the power of arrest to perform the essential duties of his or her position;
- (2) Must be armed to carry out the essential functions of his or her position; and
- (3) Is required by the Criminal Justice Education and Training Standards Commission to be certified, and as such, must attend and pass a core law enforcement curriculum.

(b) A person who has attained the status of a law enforcement officer shall not transfer or continue that status to a new position if he or she fills a position in State government employment that does not meet the definition of a State law enforcement officer as set forth in this section.

(c) The job classes of law enforcement officers set forth in this subsection shall be civilianized upon vacancy. A position vacancy in any of these classifications shall be filled by an employee who shall not hold the status of a law enforcement officer

1 while serving in a position in these job classes. These job classes are deemed not to
2 require that a State employee be a law enforcement officer in order to discharge the
3 essential duties of positions in these classifications:

- 4 (1) Security Chief – Department of Agriculture
- 5 (2) Security Officers – Department of Cultural Resources, Archives
6 Division
- 7 (3) Security Officers – Department of Cultural Resources, Arts Division
- 8 (4) Security Officers of State Schools and Hospitals
- 9 (5) Security Officers – Department of Justice
- 10 (6) Security Officers – Department of Justice, Training and Standards
11 Division
- 12 (7) Hunter and Boater Safety Coordinator
- 13 (8) Insurance Investigators and Supervisors
- 14 (9) Securities and Commodities Investigators and Supervisors
- 15 (10) Port Police
- 16 (11) General Assembly Police
- 17 (12) Motor Vehicle Process Officers and Supervisors
- 18 (13) Motor Vehicle Law Enforcement – Inspectors and Supervisors
- 19 (14) Historic Site Manager
- 20 (15) Safety Officers
- 21 (16) Parks Operations Chief
- 22 (17) SBI Forensic Photographer
- 23 (18) SBI Forensic Chemist
- 24 (19) SBI Forensic Chemist II
- 25 (20) SBI Forensic Chemist III
- 26 (21) SBI Forensic Chemist Supervisor III
- 27 (22) SBI Forensic Chemist Supervisor IV
- 28 (23) SBI Forensic Serologist I
- 29 (24) SBI Forensic Serologist II
- 30 (25) SBI Forensic Serologist Supervisor
- 31 (26) SBI Forensic Analyst I
- 32 (27) SBI Latent Evidence Technician
- 33 (28) SBI Latent Evidence Supervisor
- 34 (29) Special Investigator – Medicaid Fraud
- 35 (30) SBI Latent Evidence Assistant Supervisor
- 36 (31) Wildlife Enforcement Training Director
- 37 (32) Special Investigation Supervisor
- 38 (33) Assistant Director of Crime Laboratory
- 39 (34) SBI Fingerprint Identification Supervisor
- 40 (35) Criminal Information Auditor
- 41 (36) Criminal Information Audit Supervisor
- 42 (37) Criminal Information Training Specialist
- 43 (38) Scales Mechanic
- 44 (39) Administrative Assistant

- 1 (40) Parking Control Supervisor
2 (41) Medicaid Fraud Investigator Supervisor
3 (42) SBI Assistant Director – Administrative Services
4 (43) Locksmith II
5 (44) Motor Vehicle Training Coordinator
6 (45) Automated Fingerprint ID Systems Manager
7 (46) Driver Service Training Officer
8 (47) Staff Development Specialist I
9 (48) Departmental Purchasing Agent II
10 (49) Computer System Coordinator I
11 (50) Fingerprint ID Technician II
12 (51) Fingerprint ID Processing Supervisor
13 (52) Deputy Director Medicaid Fraud
14 (53) ALE Training Coordinator
15 (54) Wildlife Telecommunication Manager."

16 Sec. 2. G.S. 135-1(11b) reads as rewritten:

17 "(11b) 'Law-Enforcement Officer' means a full-time paid employee of an
18 employer who is actively serving in a position with assigned primary
19 duties and responsibilities for prevention and detection of crime or the
20 general enforcement of the criminal laws of the State of North
21 Carolina or serving civil processes, and who possesses the power of
22 arrest by virtue of an oath administered under the authority of the
23 State. requires the power of arrest to perform the essential duties of his
24 or her position, must be armed to carry out the essential functions of
25 his or her position, and is certified by the Criminal Justice Education
26 and Training Standards Commission to be certified, and as such, must
27 attend and pass a core law enforcement curriculum."

28 Sec. 3. This act becomes effective July 1, 1993.