

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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SENATE DRS85127-MD-33 (3/1)

Short Title: NCNG Heroes Act of 2007-2008.

(Public)

Sponsors: Senator Forrester.

Referred to:

A BILL TO BE ENTITLED

AN ACT CREATING A FUND TO PROVIDE A DEATH BENEFIT FOR MEMBERS
OF THE NORTH CAROLINA NATIONAL GUARD KILLED IN THE LINE OF
DUTY AND TO PROVIDE A FREE HIGHER EDUCATION FOR QUALIFIED
DEPENDENTS OF THOSE MEMBERS.

The General Assembly of North Carolina enacts:

SECTION 1. Chapter 127A of the General Statutes is amended by adding a
new Article to read:

"Article 17.

"North Carolina National Guard Death Benefit and Dependent Higher Education Fund.

"§ 127A-210. Short title.

This Article shall be known and may be cited as the North Carolina National Guard
Death Benefit and Dependent Higher Education Fund.

"§ 127A-211. Purpose.

The General Assembly of North Carolina finds that:

- (1) The North Carolina National Guard has a proud tradition of military service with thousands of North Carolinians having answered the call of the nation and served in the North Carolina National Guard.
- (2) Members of the North Carolina National Guard are now being asked to serve extended periods of active duty in combat areas.
- (3) Members of the North Carolina National Guard provide North Carolina and its citizens valuable benefits through their service inside this State and through their recently extended periods of active duty in combat areas outside North Carolina.
- (4) There have been instances in which dependents of members of the North Carolina National Guard have been left without adequate

1 financial resources when a member has been killed while on active
 2 duty.

3 (5) The families of members of the North Carolina National Guard killed
 4 in the line of duty should receive a death benefit of two hundred fifty
 5 thousand dollars (\$250,000).

6 (6) Qualified dependents of members of the North Carolina National
 7 Guard killed in the line of duty should receive a free higher education
 8 at the State's colleges and community colleges.

9 **"§ 127A-212. North Carolina National Guard Death Benefit and Dependent**
 10 **Higher Education Fund.**

11 (a) The North Carolina National Guard Death Benefit and Dependent Higher
 12 Education Fund (Fund) is created in the Department of State Treasurer. The Fund shall
 13 consist of:

- 14 (1) Appropriations from the General Assembly.
- 15 (2) Gifts, grants, donations, and bequests to the Fund.
- 16 (3) Income from investment of the Fund.

17 (b) The Fund is established for the following purposes:

- 18 (1) To provide a death benefit of two hundred fifty thousand dollars
 19 (\$250,000) to the families of members of the North Carolina National
 20 Guard who are killed in the line of duty.
- 21 (2) To pay tuition and fees for four years at constituent institutions of The
 22 University of North Carolina for qualified dependents of members of
 23 the North Carolina National Guard killed in the line of duty.
- 24 (3) To pay tuition and fees for two years at the State's community colleges
 25 for qualified dependents of members of the North Carolina National
 26 Guard killed in the line of duty.

27 (c) The Secretary of Crime Control and Public Safety is charged with the
 28 administration of the Fund. The Secretary may delegate administrative tasks to other
 29 persons within the Department of Crime Control and Public Safety as the Secretary
 30 deems best for the orderly administration of the Fund.

31 (d) The Secretary of Crime Control and Public Safety shall issue rules necessary
 32 to determine eligibility for payments from the Fund and to implement the requirements
 33 of this Article."

34 **SECTION 2.** G.S. 147-69.2(a) reads as rewritten:

35 **"§ 147-69.2. Investments authorized for special funds held by State Treasurer.**

36 (a) This section applies to funds held by the State Treasurer to the credit of each
 37 of the following:

- 38 (1) The Teachers' and State Employees' Retirement System.
- 39 (2) The Consolidated Judicial Retirement System.
- 40 (3) The Teachers' and State Employees' Hospital and Medical Insurance
 41 Plan.
- 42 (4) The General Assembly Medical and Hospital Care Plan.
- 43 (5) The Disability Salary Continuation Plan.
- 44 (6) The Firemen's and Rescue Workers' Pension Fund.

- 1 (7) The Local Governmental Employees' Retirement System.
2 (8) The Legislative Retirement System.
3 (9) The Escheat Fund.
4 (10) The Legislative Retirement Fund.
5 (11) The State Education Assistance Authority.
6 (12) The State Property Fire Insurance Fund.
7 (13) The Stock Workers' Compensation Fund.
8 (14) The Mutual Workers' Compensation Fund.
9 (15) The Public School Insurance Fund.
10 (16) The Liability Insurance Trust Fund.
11 (16a) The University of North Carolina Hospitals at Chapel Hill funds,
12 except appropriated funds, deposited with the State Treasurer pursuant
13 to G.S. 116-37.2.
14 (17) Trust funds of The University of North Carolina and its constituent
15 institutions deposited with the State Treasurer pursuant to
16 G.S. 116-36.1.
17 (17a) North Carolina Veterans Home Trust Fund.
18 (17b) North Carolina National Guard Pension Fund.
19 (17c) Retiree Health Premium Reserve Account.
20 (17d) The Election Fund.
21 (17e) The North Carolina State Lottery Fund.
22 (17f) Funds deposited with the State Treasurer by public hospitals pursuant
23 to G.S. 159-39(g).
24 (17g) North Carolina National Guard Death Benefit and Dependent Higher
25 Education Fund.
26 (18) Any other special fund created by or pursuant to law for purposes
27 other than meeting appropriations made pursuant to the Executive
28 Budget Act."

29 **SECTION 3.** There is appropriated from the General Fund to the
30 Department of Crime Control and Public Safety the sum of one million dollars
31 (\$1,000,000) for the 2007-2008 fiscal year to establish the North Carolina National
32 Guard Death Benefit and Dependent Higher Education Fund.

33 **SECTION 4.** This act becomes effective July 1, 2007.