

NORTH CAROLINA GENERAL ASSEMBLY  
1959 SESSION

CHAPTER 1283  
HOUSE BILL 1011

AN ACT TO CREATE THE PERQUIMANS PEACE OFFICERS' RELIEF  
ASSOCIATION.

The General Assembly of North Carolina do enact:

Section 1. This Act shall be known and may be cited as the Perquimans County Peace Officers' Relief Association Act.

Sec. 2. "Peace Officers" as used in this Act shall be deemed to include all law enforcement officers in Perquimans County, who are duly sworn as peace officers in said county or any municipality within the said county, or of the State of North Carolina who are regularly and duly stationed and assigned for duty in said county.

No person shall continue to be a member of the association created by this Act who has resigned, been removed from office, or who has otherwise ceased to be a law enforcement officer in said county or the municipalities therein or who, if a State officer, is no longer regularly and duly stationed and assigned for duty in said county.

Sec. 3. The Perquimans County Peace Officers' Relief Association shall be formed and the association shall include all peace officers who meet the requirements of Section 2 of this Act.

Peace officers who are entitled to membership in the association shall make application on forms to be furnished for the purpose, giving such information as may be required by the executive board, and shall pay an initiation fee and annual dues to be fixed by the executive board: Provided, such initiation fee shall not exceed five dollars (\$5.00) and such dues shall not exceed six dollars (\$6.00) per year.

Sec. 4. For the purpose of determining the recipients of benefits under this Act and the amounts thereof to be disbursed, and for formulating and making such rules and regulations as may be essential for the equitable and impartial distribution of such benefits to and among the persons entitled to such benefits, there is hereby created a board to be known as "The Executive Board of the Perquimans County Peace Officers' Relief Association", which shall consist of the Sheriff of Perquimans County, as ex officio member, and one representative from the membership in each of the municipalities of said county, said representatives to be elected by the members in each respective municipality as hereinafter provided.

Within thirty (30) days after the ratification of this Act the eligible peace officers of each of the said municipalities shall meet at a place and time designated by the sheriff of the county and elect from their number a representative of such

municipality to membership on the executive board. The representative so elected shall serve until the next ensuing regular annual meeting of the membership as provided in this Act, and thereafter said representative shall serve for a term of one year or until his successor is duly elected. The membership of each of the said municipalities shall hold its regular annual meeting on the second Wednesday in January of each year, or as soon thereafter as practical, in such place as shall be designated by the sheriff of the county for the purpose of electing a representative to membership on the executive board, and for the transaction of such other business as it may deem necessary.

The executive board shall meet for the purpose of organizing and electing a chairman within ten (10) days after the election of the representatives as herein provided. The said executive board may have such other meetings as may be necessary, which meetings shall be held on call by the chairman or any two members. A majority of the members of the executive board shall constitute a quorum for the transaction of business.

Notice of the adoption by the executive board of such rules and regulations as may be deemed necessary, and all amendments thereto, shall be made promptly to all members of the association.

There shall be kept in the office of the said executive board by the treasurer, records which shall give a complete history and record of all actions of the executive board in adopting rules and regulations. All records, papers, and other data shall be carefully preserved and turned over to the succeeding officers or board members.

Sec. 5. On and after June 1, 1959, in each criminal case finally disposed of in the criminal courts of Perquimans County, wherein the defendant is convicted or enters a plea of nolo contendere and is assessed with the payment of costs, or where the costs are assessed against the prosecuting witness, there shall be assessed against said convicted person or against such prosecuting witness, as the case may be, one dollar (\$1.00) additional cost to be collected for the Perquimans County Peace Officers' Relief Association, as other costs are collected in criminal cases by justices of the peace, clerks, or other officers of court authorized to receive costs; provided, that the additional cost of one dollar (\$1.00) herein provided for shall not be assessed in cases of abandonment and nonsupport.

Such costs collected for the Perquimans County Peace Officers' Relief Association shall be turned over to the sheriff of the county not later than the tenth day of each month, with a detailed report giving the name of the defendant in each case in which the amount was collected. The sheriff of the county shall within ten (10) days remit the same to the treasurer of the association, together with the itemized report received by him. Any justice of the peace, sheriff, clerk or officer of the court who wilfully fails to make such report within such time, or who knowingly fails to report any item taxed and collected as herein provided, shall be guilty of a misdemeanor and shall be fined or imprisoned, or both, within the discretion of the court.

Sec. 6. The executive board herein referred to may take by gift, grant, devise, or bequest, any money, real or personal property, or other things of value and hold or

invest the same for the uses of said association in accordance with the purposes of this Act.

And the executive board shall have the authority to invest initiation fees and annual dues not immediately needed in any securities of the United States Government, of the State of North Carolina, or of any of the several counties or municipalities of the State of North Carolina, or in certificates of deposit in any bank or trust company authorized to do business in North Carolina in which the deposits are guaranteed by the Federal Deposit Insurance Corporation not to exceed the sum of ten thousand dollars (\$10,000.00) in any one bank or trust company, or in the shares of Federal savings and loan associations and State-chartered building and loan associations not to exceed ten thousand dollars (\$10,000.00) in any one of such associations; provided that no such funds may be so invested in a State-chartered building and loan association unless guaranteed by the Federal Deposit Insurance Corporation.

Sec. 7. The money paid into the Perquimans County Peace Officers' Relief Association shall be used for the purpose of paying the premiums on group insurance policies purchased pursuant to the provisions of this Act and for the administration and enforcement of this Act.

Sec. 8. The Treasurer of the Perquimans County Peace Officers' Relief Association shall be elected annually by the executive board and shall be a member of the board at the time of his election. He shall give a good and sufficient bond, and the cost of the bond shall be paid from the funds of the association.

Sec. 9. Members of the executive board, with the exception of the treasurer, shall serve without compensation. Necessary office supplies and medical advisory fees, and compensation of the treasurer as the executive board shall determine, and any other administrative expenses which the executive board may deem necessary may be paid out of funds of the association.

Sec. 10. The executive board shall use the funds derived under this Act for the purpose of purchasing group insurance for the members of the Perquimans County Peace Officers' Relief Association against death or disability, or both, during the terms of their membership, under forms of insurance known as group insurance.

Sec. 11. The treasurer and executive board of the association shall make a report of all receipts and disbursements of the preceding year at each regular annual meeting of the membership and shall send a copy of such report, together with any refund to be made, to the Board of Commissioners of Perquimans County. The report so received shall be entered by the board of commissioners receiving the same upon its official minutes.

Sec. 12. Membership in the Perquimans County Peace Officers' Relief Association, or the receiving of benefits therefrom, because of insurance purchased as provided in this Act, shall not be construed to be in conflict with or to prevent membership in either the Local Governmental Employees' Retirement System, the Law Enforcement Officers' Benefit and Retirement Fund, or the Teachers' and State Employees' Retirement System.

Sec. 13. All laws and clauses of laws in conflict with this Act are hereby repealed, and if any Section be decided by the court to be invalid or unconstitutional, the same shall not affect the validity of this Act as a whole or any part thereof, other than the part decided to be unconstitutional or invalid.

Sec. 14. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of June, 1959.