



**NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 22**

ADOPTED

AMENDMENT NO. 2
(to be filled in by
Principal Clerk)

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H22-AMA-47 [v.5]

Comm. Sub. [YES]
Amends Title [NO]
H22-PCS50409-MH-19

Date June 17, 2011

Senator Rabon

1 moves to amend the bill on page 27, line 31, through page 28, line 37, by deleting those lines
2 and substituting the following:

3 "SECTION 53.(a) Section 28.28 of Session Law 2011-145 act reads as rewritten:

4 "**STATE HIGHWAY PATROL POSITIONS AND MANAGEMENT FLEXIBILITY**

5 "~~SECTION 28.28.(a) The Administrative Services Section of the State Highway Patrol is~~
6 ~~hereby eliminated. The Secretary of the Department of Crime Control and Public Safety shall~~
7 ~~consolidate remaining Administrative Services Section positions and organizational units with~~
8 ~~other functions of the Department.~~

9 "**SECTION 28.28.(b)** The following State Highway Patrol positions are hereby
10 ~~eliminated~~eliminated on August 1, 2011 to achieve savings as required by subsection (c) of
11 this section:

	Position ID	Position Title
12	60084611	Program Assistant V
13	60084615	Attorney
14	60085385	Sergeant
15	60084952	First Sergeant
16	60085315	W/A First Sergeant
17	60084628	Assessment Analyst
18	60084772	Office Assistant
19	60084779	Budget Analyst
20	60085953	Major
21	60084998	First Sergeant
22	60084947	Captain
23	60085945	W/A Captain
24	60085302	Lieutenant
25	60084755	Office Assistant
26	60084858	Office Assistant
27	60084686	Deputy Secretary
28	60085953	<u>Major</u>
29	60084947	<u>Captain</u>
30	60084951	<u>Captain</u>
31	60084772	<u>Office Assistant IV</u>
32	60084755	<u>Office Assistant IV</u>
33		



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1	<u>60084607</u>	<u>Personnel Tech I</u>
2	<u>60084628</u>	<u>Mgt. Engineer II</u>
3	<u>60084780</u>	<u>Executive Asst. I</u>
4	<u>60081210</u>	<u>Administrative Asst.</u>
5	<u>60084689</u>	<u>Cook</u>
6	<u>60084632</u>	<u>Office Assistant IV</u>
7	<u>60086343</u>	<u>Networking Analyst</u>
8	<u>60086928</u>	<u>Ops. & Systems Analyst</u>
9	<u>60086753</u>	<u>Photographer II</u>
10	<u>60086352</u>	<u>Auto Parts Supervisor</u>
11	<u>60084629</u>	<u>Processing Assistant III</u>
12	<u>60086313</u>	<u>Tech. Support Analyst</u>
13	<u>60084603</u>	<u>Office Assistant IV</u>
14	<u>60086448</u>	<u>Auto Body Mechanic</u>

15 **"SECTION 28.28.(c)** ~~In addition to the other budgetary reductions required by this act, the~~
16 ~~Notwithstanding Section 67(a) of this act, Items 57, 58, and 59 on page K-8 of the Senate~~
17 ~~Appropriations Committee Report on the Continuation, Expansion, and Capital Budgets dated~~
18 ~~June 16, 2011, shall not indicate action by the General Assembly on S.L. 2011-145 and this act~~
19 ~~and shall not be used to construe such acts. Notwithstanding any other provision of law, the~~
20 ~~Department of Crime Control and Public Safety, State Highway Patrol, shall have management~~
21 ~~flexibility to achieve savings in the Patrol's operation of two million three hundred twenty five~~
22 ~~thousand four hundred eighty four dollars (\$2,325,484), four million five hundred sixty-three~~
23 ~~thousand two hundred twenty-seven dollars (\$4,563,227), recurring, in fiscal year 2011-2012~~
24 ~~and ten million three hundred seventy three thousand three hundred fifty dollars (\$10,373,350),~~
25 ~~thirteen million two hundred three thousand seven hundred twenty dollars (\$13,203,720),~~
26 ~~recurring, in fiscal year 2012-2013. The Department of Crime Control and Public Safety, State~~
27 ~~Highway Patrol, is authorized to freeze Trooper positions or eliminate other sworn or civilian~~
28 ~~positions to achieve this budgetary reduction but is encouraged to find efficiencies and savings~~
29 ~~elsewhere in the Patrol's administrative structure. Additionally, the Department of Crime~~
30 ~~Control and Public Safety, State Highway Patrol, may eliminate filled positions but shall not~~
31 ~~eliminate sworn law enforcement officer positions assigned to districts for the purposes of~~
32 ~~traffic and commercial motor vehicle enforcement, unless the State Highway Patrol has first~~
33 ~~achieved twenty-five percent (25%) of the requisite savings elsewhere in the operation of the~~
34 ~~Patrol, including through staffing reductions in its administrative structure and areas other than~~
35 ~~district-level enforcement operations. If the State Highway Patrol must eliminate district-level~~
36 ~~enforcement positions to meet the savings required by this section, then the Patrol shall~~
37 ~~maintain balanced law enforcement coverage among the troops and is authorized to move~~
38 ~~trooper positions from one troop to another to maintain balanced coverage.~~

39 **"SECTION 28.28.(d)** The Commander of the State Highway Patrol shall report on the
40 number of positions eliminated for fiscal year 2011-2012. The report shall identify the position
41 number and type; assignment area or organizational unit; whether the position was filled or
42 vacant; personnel savings achieved; and any severance paid. The report shall also include
43 alternatives considered to the implemented reductions in force. The Commander shall submit

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1 the report to the House of Representatives Appropriations Subcommittee on Justice and Public
2 Safety, the Senate Appropriations Committee on Justice and Public Safety, and the Joint
3 Legislative Crime Control and Public Safety Oversight Committee no later than March 1, 2012.

4 **SECTION 53.(b)** Section 28.28 of Session Law 2011-145 is amended by adding a
5 new subsection to read:

6 "**SECTION 28.28.(e)** Notwithstanding G.S. 20-192, to achieve the savings required by this
7 section, the Commander of the State Highway Patrol may reassign personnel from the Patrol
8 headquarters, ~~except for those positions listed in subsection (b) of this section,~~ headquarters to
9 Troop Headquarters or district offices throughout the State."; and

10
11 also moves to amend the bill on page 15, line 45, through page 16, line 6, by deleting those
12 lines and inserting the following language:

13 "**SECTION 24.** Section 10.31A of Session Law 2011-145 reads as rewritten:

14 **'SECTION 10.31A.** The Secretary of Health and Human Services may implement a
15 Medicaid assessment program for any willing provider category allowed under federal
16 regulations, ~~except for hospital providers subject to the assessments authorized in Session Law~~
17 ~~2011-11, regulations~~ up to the maximum percentage allowed by federal regulation. The
18 Department may retain up to sixty-five percent (65%) of the amount from an assessment
19 program implemented after December 31, 2010, except for the hospital assessment program
20 authorized in S.L. 2011-11, that can be used by the Department to support Medicaid
21 expenditures. Any assessment funds not retained by the Department shall be used to draw
22 federal Medicaid matching funds for implementing increased rates or new reimbursement plans
23 for each provider category being assessed.

24 Receipts from the assessment program are hereby appropriated for the 2011-2012 fiscal
25 year and the 2012-2013 fiscal year for the purposes set out in this section.'"

SIGNED



Amendment Sponsor

SIGNED _____

Committee Chair if Senate Committee Amendment

ADOPTED

41-0

FAILED _____

TABLED _____

Sarah Clapp
6.17.11