

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 1215

Short Title: OAH Injunctive Relief/Positions.

(Public)

Sponsors: Representatives Michaux and Blue.

Referred to: Appropriations.

May 5, 1997

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THE POWERS OF THE OFFICE OF ADMINISTRATIVE
HEARINGS CONCERNING INJUNCTIVE RELIEF AND TO ADD TWO
POSITIONS TO THAT OFFICE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 7A-756 reads as rewritten:

"§ 7A-756. Power to administer oaths and issue subpoenas. oaths, issue subpoenas, and apply for appropriate orders.

The chief administrative law judge and all administrative law judges in the Office of Administrative Hearings ~~may,~~ may do any of the following in connection with any pending or potential contested case under Chapter 150B:

(1) Administer oaths and ~~affirmations;~~ affirmations.

(2) Sign and issue subpoenas in the name of the Office of Administrative Hearings requiring attendance and giving of testimony by witnesses and the production of books, papers, and other documentary ~~evidence;~~ and evidence.

(3) Apply to the General Court of Justice, Superior Court Division, for any ~~order~~ order, including injunctive relief, necessary to enforce the powers conferred in this Article."

1 Section 2. Two positions are added to the Office of Administrative Hearings.
2 One position is a Compliance Officer Position with a paygrade of 75 and one is a Civil
3 Rights Charge Receipt Coordinator Position with a paygrade of 66. There is appropriated
4 from the General Fund to the Office of Administrative Hearings the sum of eighty-four
5 thousand four hundred thirty-one dollars (\$84,431) for the 1997-98 fiscal year and the
6 sum of seventy-eight thousand four hundred thirty-one dollars (\$78,431) for the 1998-99
7 fiscal year to fund the positions added by this section.

8 Section 3. Section 2 of this act becomes effective July 1, 1997. The remaining
9 sections of this act are effective when they become law.