

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 857

Rules & Operation of the Senate Committee Substitute Adopted 4/19/89

Short Title: Admin. Adjudicator Status.

(Public)

Sponsors:

Referred to:

April 12, 1989

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE FOR CONFIRMATION OF THE APPOINTMENT OF THE
2 CHIEF ADMINISTRATIVE LAW JUDGE BY EACH HOUSE OF THE
3 GENERAL ASSEMBLY.
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5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 7A-752 reads as rewritten:

7 "**§ 7A-752. Chief Administrative Law Judge; appointments; vacancy.**

8 (a) The Chief Administrative Law Judge of the Office of Administrative
9 Hearings shall be appointed by the Chief Justice for a term of office of four years. The
10 first Chief Administrative Law Judge shall be appointed as soon as practicable for a
11 term to begin on the day of his appointment and to end on June 30, 1989. Successors to
12 the first Chief Administrative Law Judge shall be appointed by the Chief Justice, subject
13 to confirmation of each house of the General Assembly, for a term to begin on July 1 of
14 the year the preceding term ends and to end on June 30 four years later. A Chief
15 Administrative Law Judge may continue to serve beyond his term until his successor is
16 duly appointed, confirmed and sworn, but any holdover shall not affect the expiration
17 date of the succeeding term.

18 The Chief Administrative Law Judge shall designate one administrative law judge as
19 senior administrative law judge. The senior administrative law judge may perform the
20 duties of Chief Administrative Law Judge if the Chief Administrative Law Judge is
21 absent or unable to serve temporarily for any reason.

22 (b) The name of a Chief Administrative Law Judge to be appointed by the Chief
23 Justice shall be submitted by the Chief Justice to the General Assembly for confirmation

1 by the General Assembly on or before May 1 of the year in which the term for which
2 the appointment is to be made is to expire. Within 15 days of the failure of either house
3 to confirm an appointment, the Chief Justice shall submit the name of a new appointee
4 to the General Assembly for confirmation."

5 Sec. 2. This act is effective upon ratification.