

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 606
Committee Substitute Favorable 5/8/89
Third Edition Engrossed 5/10/89

Short Title: Appellate Procedure Update.

(Public)

Sponsors:

Referred to:

March 15, 1989

A BILL TO BE ENTITLED

AN ACT TO UPDATE THE PROCEDURE FOR APPELLATE REVIEW OF DECISIONS OF THE BOARD OF MEDICAL EXAMINERS, AND TO MAKE CERTAIN POWERS OF ATTORNEY DURABLE AS DEFINED IN G.S. 32A-8.

The General Assembly of North Carolina enacts:

Section 1. G.S. 90-14.11 reads as rewritten:

"§ 90-14.11. ~~Appeal to Supreme Court;~~ Appeal; appeal bond.

Any party to the review proceeding, including the Board, may appeal ~~to the Supreme Court~~ from the decision of the superior court under rules of procedure applicable in other civil cases. No appeal bond shall be required of the Board. The appealing party may apply to the superior court for a stay of that court's decision or a stay of the Board's decision, whichever shall be appropriate, pending the outcome of the ~~appeal to the Supreme Court.~~ appeal."

Sec. 2. G.S. 32A-14(a) reads as rewritten:

"(a) A power of attorney executed prior to October 1, 1988, pursuant to G.S. 47-115.1 as it existed prior to October 1, 1983, shall be deemed to be a durable power of attorney as defined in G.S. 32A-8."

Sec. 3. Section 1 of this act shall become effective October 1, 1989, and shall apply to appeals filed on and after that date. Section 2 of this act is effective upon ratification.