

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 302

Short Title: GPAC/OAH Fee Structure.

(Public)

Sponsors: Senator Martin of Guilford.

Referred to: Government Performance Audit.

February 22, 1993

A BILL TO BE ENTITLED

1 AN ACT TO IMPLEMENT A RECOMMENDATION OF THE GOVERNMENT
2 PERFORMANCE AUDIT COMMITTEE BY DIRECTING THE OFFICE OF
3 ADMINISTRATIVE HEARINGS TO PROPOSE A SCHEDULE OF FEES TO BE
4 IMPOSED IN CONTESTED CASES.
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6 Whereas, no fees are currently charged in contested cases conducted by the
7 Office of Administrative Hearings; and

8 Whereas, the Government Performance Audit Committee recommends that
9 25% of the operating budget of the Office of Administrative Hearings come from user
10 fees; and

11 Whereas, user fees discourage frivolous cases and reduce reliance on General
12 Fund appropriations; Now, therefore,

13 The General Assembly of North Carolina enacts:

14 Section 1. The Office of Administrative Hearings must prepare a proposed
15 schedule of fees to apply in contested cases conducted by that Office and must submit
16 the proposed schedule to the General Government Subcommittees of the House and
17 Senate Appropriations Committees of the General Assembly by March 15, 1993. The
18 proposed schedule must generate approximately 25% of the operating budget of the
19 Office through fees. The fees may be filing fees, costs assessed against the losing party
20 in a contested case, or a combination of these.

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