

SENATE BILL NO. 2279

Introduced by

Senators Fischer, Christmann, C. Nelson

Representatives Galvin, Hawken, Weisz

1 A BILL for an Act to amend and reenact subsection 1 of section 28-32-08.1 and subsection 4 of
2 section 54-57-03 of the North Dakota Century Code, relating to the qualifications of hearing
3 officers and administrative law judges.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Subsection 1 of section 28-32-08.1 of the 1999
6 Supplement to the North Dakota Century Code is amended and reenacted as follows:

7 1. Any person or persons presiding for the agency in an administrative proceeding
8 must be referred to individually or collectively as hearing officer. Any person from
9 the office of administrative hearings presiding for the agency as a hearing officer in
10 an administrative proceeding must be referred to as an administrative law judge.
11 Any hearing officer or administrative law judge who presides for an agency in an
12 administrative proceeding must have expertise in the subject matter of the
13 proceeding.

14 **SECTION 2. AMENDMENT.** Subsection 4 of section 54-57-03 of the 1999 Supplement
15 to the North Dakota Century Code is amended and reenacted as follows:

16 4. When assigning administrative law judges to conduct administrative hearings or to
17 preside in an administrative proceeding, the director shall ~~attempt to~~ assign an
18 administrative law judge having expertise in the subject matter to be dealt with.