

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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SENATE DRS35235-LR-102 (03/15)

Short Title: WC/Record Full IC Hearings. (Public)

Sponsors: Senator Daniel (Primary Sponsor).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THAT HEARINGS OF THE INDUSTRIAL COMMISSION ARE
RECORDED.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 97-84 reads as rewritten:

"§ 97-84. **Determination of disputes by Commission or deputy.**

(a) The Commission or any of its members shall hear the parties at issue and their representatives and witnesses, and shall determine the dispute in a summary manner. The Commission shall decide the case and issue findings of fact based upon the preponderance of the evidence in view of the entire record. The award, together with a statement of the findings of fact, rulings of law, and other matters pertinent to the questions at issue shall be filed with the record of the proceedings, within 180 days of the close of the hearing record unless time is extended for good cause by the Commission, and a copy of the award shall immediately be sent to the parties in dispute. The parties may be heard by a deputy, in which event the hearing shall be conducted in the same way and manner prescribed for hearings which are conducted by a member of the Industrial Commission, and said deputy shall proceed to a complete determination of the matters in dispute, file his written opinion within 180 days of the close of the hearing record unless time is extended for good cause by the Commission, and the deputy shall cause to be issued an award pursuant to such determination.

(b) Unless waived by consent of the parties, all hearings of the Commission sitting in full shall be recorded. Court reporters, transcription personnel, or electronic or other mechanical devices may be utilized. If an electronic or other mechanical device is utilized, it shall be the duty of some person designated by the Commission to operate the device while a hearing is in progress, and the recording shall be preserved and may be transcribed, as required. If stenotype, shorthand, or stenomask equipment is used, the original tapes, notes, discs, or other records are the property of the State, and the Commission shall keep them in its custody. The compensation and allowances of reporters shall be fixed by the Commission, in a manner that is consistent with policies set by the Administrative Officer of the Courts for the General Court of Justice.

SECTION 2. This act is effective when it becomes law.

