

## Session 111 - (1995-1996)

### **H 4445 General Bill, By Harrison, J.M. Baxley, Jennings, Kelley, L.M. Martin, D. Smith, S.S. Wofford and W.J. Young**

A Bill to amend Section 1-23-320, as amended, Code of Laws of South Carolina, 1976, relating to procedures in contested cases under the Administrative Procedures Act, so as to provide that all contested case proceedings before an Administrative Law Judge shall be governed by the Rules of Procedure of the Administrative Law Judge Division; to amend Section 1-23-330, relating to evidentiary matters in contested cases, so as to provide that the standard of proof shall be the preponderance of the evidence except in professional licensing cases in which the standard of proof shall be clear and convincing evidence; to amend Section 1-23-570, relating to the Chief Judge of the Administrative Law Judge Division being responsible for the administration of the division, so as to provide that the Chief Judge shall assign judges to hear all cases rather than contested cases coming before the Division; to amend Section 1-23-580, relating to the Clerk of the Administrative Law Judge Division and other support staff, so as to further provide for the authority of the Chief Judge to hire and supervise certain support staff, and to provide that each Administrative Law Judge may appoint, hire, contract, and supervise an administrative assistant as individually allotted and authorized in the annual General Appropriations Act; to amend Section 1-23-650, as amended, relating to rules of the Administrative Law Judge Division, so as to further provide for these rules and their promulgation and review; and to amend Section 48-39-160, as amended, relating to jurisdiction of the Circuit Court to restrain violations of coastal zone provisions, so as to transfer this jurisdiction to the Administrative Law Judge Division.

<b>01/16/96</b>	<b>House</b>	<b>Introduced and read first time HJ-6</b>
<b>01/16/96</b>	<b>House</b>	<b>Referred to Committee on Judiciary HJ-7</b>
<b>03/20/96</b>	<b>House</b>	<b>Committee report: Favorable with amendment Judiciary HJ-52</b>
<b>03/27/96</b>	<b>House</b>	<b>Amended HJ-127</b>
<b>03/27/96</b>	<b>House</b>	<b>Debate adjourned until Tuesday, April 2, 1996 HJ-127</b>
<b>04/02/96</b>	<b>House</b>	<b>Debate adjourned until Wednesday, April 3, 1996 HJ-14</b>
<b>04/03/96</b>	<b>House</b>	<b>Amended HJ-27</b>
<b>04/03/96</b>	<b>House</b>	<b>Read second time HJ-28</b>
<b>04/03/96</b>	<b>House</b>	<b>Unanimous consent for third reading on next legislative day HJ-28</b>
<b>04/04/96</b>	<b>House</b>	<b>Read third time and sent to Senate HJ-2</b>
<b>04/09/96</b>	<b>Senate</b>	<b>Introduced and read first time SJ-7</b>
<b>04/09/96</b>	<b>Senate</b>	<b>Referred to Committee on Judiciary SJ-7</b>
<b>04/24/96</b>	<b>Senate</b>	<b>Committee report: Favorable Judiciary SJ-22</b>
<b>05/29/96</b>	<b>Senate</b>	<b>Amended SJ-68</b>