

21 NCAC 64 .0905 PROPOSALS FOR DECISIONS

- (a) After the administrative law judge has given the parties the opportunity to submit proposed findings of fact and conclusions of law, he will consider such proposals and issue a recommendation for decision which will be served on the parties.
- (b) Any exceptions to the procedure during the hearing, the handling of the hearing by the administrative law judge, rulings on evidence, or any other matters must be written and refer specifically to pages of the record or otherwise precisely identify the occurrence being excepted to. Such exceptions must be filed with the Board within ten days of the receipt of the administrative law judge's recommendation for decision or within such other period of time as the administrative law judge allows.
- (c) Any party may present further oral arguments to the Board upon request. Such requests must be made to the Board not later than five days after receipt of the administrative law judge's recommendation for decision.
- (d) Upon receipt of requests for further oral arguments, notice will be issued promptly to all parties designating the time and place for such oral argument. Oral arguments shall not exceed 15 minutes. A party may file a written brief on his exceptions in lieu of oral arguments. Briefs will be filed within such time as the Board shall direct.
- (e) The Board may adopt or modify the recommendation for decision as it may deem advisable in light of the exceptions, if any. Any decision made will be a part of the record and a copy thereof served on all parties.

*History Note: Authority G.S. 150B-40(b); 90-304(a)(3);
 Eff. February 15, 1977;
 Amended Eff. May 1, 1989;
 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4,
 2016.*