

Representative **Joel K. Briscoe** proposes the following amendments:

1. Page 1, Line 19:

19 make procedural rules for adjudicative proceedings; =
► requires that the executive director prepare a list of persons who can be appointed as an administrative law judge to hear a request for agency action;

2. Page 10, Lines 286 through 295:

286 (c) has a working knowledge of the federal laws and regulations and state statutes and
287 rules applicable to a request for agency action.

288 ~~{(5) In appointing an administrative law judge who meets the qualifications listed in~~
289 ~~Subsection (4), the executive director may:~~

290 ~~— (a) compile a list of persons who may be engaged as an administrative law judge pro~~
291 ~~tempore by mutual consent of the parties to an adjudicative proceeding;~~

292 ~~— (b) appoint an assistant attorney general as an administrative law judge pro tempore; or~~

293 ~~— (c) (i) appoint an administrative law judge as an employee of the department; and~~

294 ~~— (ii) assign the administrative law judge responsibilities in addition to conducting an~~
295 ~~adjudicative proceeding.}~~ =

(5) (a) The executive director shall prepare a list of persons who:

(i) meet the qualifications described in Subsection (4); and

(ii) are not currently employed by state government in a capacity other than an administrative law judge under this title;

(b) In appointing an administrative law judge to hear a request for agency action, the executive director shall select a person:

(i) from the list described in Subsection (5)(a); and

(ii) who does not have a conflict of interest with a party to the proceeding.

(c) If the executive director is unable to appoint a person described in Subsection (5)(b) to hear a request for agency action, the executive director may appoint an assistant attorney general as an administrative law judge to hear the request.