

AMENDMENT

OFFERED IN THE HOUSE
TO: HB 112

BY REPRESENTATIVE STUTES

Page 11, line 22:

Delete "and quasi-judicial"

Page 13, line 18:

Delete "**hearing procedures**"

Insert "**hearings**"

Page 13, lines 21 - 24:

Delete all material and insert:

"(b) An administrative hearing on a contested case under this chapter shall be conducted by the office of administrative hearings (AS 44.64.010). Notwithstanding AS 44.64.060(e), the office of administrative hearings shall render the final administrative decision."

Page 13, line 25, through page 14, line 7:

Delete all material.

Reletter the following subsection accordingly.

Page 14, lines 12 - 17:

Delete all material and insert:

"administrative adjudication procedures of AS 44.62 (Administrative Procedure Act)

[DO NOT] apply to **administrative hearings on contested cases conducted by**

[ADJUDICATORY PROCEEDINGS OF] the office of administrative hearings (AS 44.64.010) held under this chapter. Final [COMMISSION EXCEPT THAT FINAL] administrative determinations by the office of administrative hearings [COMMISSION] are subject to judicial review as provided in AS 44.62.560 - 44.62.570."

Page 32, lines 26 - 27:

Delete "regulations adopted by the department [COMMISSION] under AS 16.43.110."

Insert "AS 16.43.110(b) [REGULATIONS ADOPTED BY THE COMMISSION UNDER AS 16.43.110]."

Page 34, line 7:

Delete "department"

Insert "office of administrative hearings"

Page 34, line 16:

Delete "department"

Insert "office of administrative hearings"

Page 34, line 24:

Delete "department"

Insert "office of administrative hearings"

Page 34, lines 27 - 30:

Delete "The show cause hearing shall be [CONDUCTED BEFORE A QUORUM OF COMMISSIONERS AND SHALL BE] presided over by a hearing officer appointed by the office of administrative hearings [COMMISSION] who shall rule on the presentation of evidence and other procedural matters."

Insert "The show cause hearing shall be conducted and a decision shall be issued [BEFORE A QUORUM OF COMMISSIONERS AND SHALL BE PRESIDED OVER BY A HEARING OFFICER APPOINTED] by the office of administrative hearings under

AS 16.43.110(b) [COMMISSION WHO SHALL RULE ON THE PRESENTATION OF EVIDENCE AND OTHER PROCEDURAL MATTERS]."

Page 35, line 13:

Delete "**department**"

Insert "**office of administrative hearings**"

Page 42, following line 16:

Insert a new bill section to read:

"* **Sec. 112.** AS 44.62.330(a)(27) is amended to read:

(27) the Department of Fish and Game as to functions relating to the protection of fish and game under AS 16.05.871 **or commercial fisheries under AS 16.43;**"

Renumber the following bill sections accordingly.