

§9062. Presiding officers

1. Presiding officer. An agency may authorize any agency member, employee or agent to act as presiding officer in any hearing.

[PL 1977, c. 551, §3 (NEW).]

2. Substitute officer. Whenever a presiding officer is disqualified or it becomes impracticable for the presiding officer to continue the hearing, another presiding officer may be assigned to continue with the hearing, except that, if it is shown substantial prejudice to any party will thereby result, the substitute officer shall commence the hearing anew.

[RR 2023, c. 2, Pt. B, §83 (COR).]

3. Presiding officer; duties. Subject to rules or limitations imposed by the agency, presiding officers may:

A. Administer oaths and affirmations; [PL 1977, c. 551, §3 (NEW).]

B. Rule on the admissibility of evidence; [PL 1977, c. 551, §3 (NEW).]

C. Regulate the course of the hearing, set the time and place for continued hearings, and fix the time for filing of evidence, briefs and other written submissions; and [PL 1977, c. 551, §3 (NEW).]

D. Take other action authorized by statute or agency rule consistent with this subchapter. [PL 1977, c. 551, §3 (NEW).]

[PL 1977, c. 551, §3 (NEW).]

4. Report. In the event that the presiding officer prepares any report or proposed findings for the agency, the report or findings shall be in writing. A copy of the report or findings shall be provided to each party and an opportunity shall be provided for response or exceptions to be filed by each party.

[PL 1977, c. 551, §3 (NEW).]

SECTION HISTORY

PL 1977, c. 551, §3 (NEW). RR 2023, c. 2, Pt. B, §83 (COR).

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