

**1405.1400 CONDUCT OF HEARING.**

The proceedings shall be conducted substantially in the following manner. After opening the hearing, the administrative law judge shall indicate the procedural rules for the hearing including, but not limited to, the following:

A. all persons may present evidence and argument with respect to the issues and cross-examine witnesses;

B. all persons may be represented by legal counsel, but such representation is not required; and

C. the rules of evidence as set forth in part 1405.1700, subparts 3 to 8.

Cross-examination shall be conducted in a sequence determined by the administrative law judge. The record of the hearing shall be closed at a date to be set by the administrative law judge. Such date will correspond to a specific number of calendar days beyond the close of the last hearing date, computed pursuant to part 1405.0700, subpart 1. Written comment will be accepted if postmarked no later than the date set by the administrative law judge. However, the record shall remain open beyond that date for the sole purpose of receiving board responses to relevant comments received on the environmental impact assessment.

**Statutory Authority:** *MS s 14.51; 116C.66; 216E.16*

**History:** *L 1984 c 640 s 32; 15 SR 1595*

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