

Sec. 36a-1-27. Powers of the presiding officer

The presiding officer shall have all the powers necessary to conduct the proceeding in a fair and impartial manner and to avoid unnecessary delay. The powers of the presiding officer include, but are not limited to, the following:

- (1) Administering oaths and affirmations;
- (2) Issuing subpoenas as authorized by section 4-177b of the Connecticut General Statutes and section 36a-1-42 of the Regulations of Connecticut State Agencies and quashing or modifying any such subpoenas;
- (3) Regulating the course of the hearing and the conduct of the parties and their counsel or representative, including the power to receive relevant, material and nonrepetitious evidence, rule upon the admissibility of evidence and offers of proof, and exclude or suspend a party's counsel or representative from the proceedings for dilatory, obstructionist, egregious, contemptuous or contumacious conduct;
- (4) Scheduling and holding prehearing conferences and conferences prior to and during the course of a hearing as set forth in section 36a-1-41 of the Regulations of Connecticut State Agencies;
- (5) Considering and ruling upon all procedural and other motions appropriate in a proceeding, including petitions to add a party or intervenor pursuant to section 4-177a of the Connecticut General Statutes, provided only the commissioner shall have the power to grant any motion to dismiss the matter or to decide any other motion that requires a final determination on the merits of the proceeding;
- (6) Recusing for bias or conflict of interest himself or herself on a motion made by the presiding officer, a party or the department;
- (7) Establishing time, place and manner limitations on the attendance of the public and the media for any public hearing;
- (8) Preparing and presenting to the commissioner a proposed decision pursuant to section 4-179 of the Connecticut General Statutes; and
- (9) Performing all other functions necessary and appropriate to discharge the duties of a presiding officer.

(Adopted effective August 31, 2004)