

Kansas Administrative Regulations

Attorney General

Article 14.—Scrap Metal Dealers' Registration and Hearing Procedure

16-14-7. Hearing procedure.

The following provisions shall apply at each hearing:

(a) The proceedings shall be conducted by the attorney general or the attorney general's designee.

(b) To the extent necessary for full disclosure of all relevant facts and issues, each party shall have the opportunity to respond, present evidence and argument, conduct cross-examination, and submit rebuttal evidence, except as restricted by a limited grant of intervention or by the prehearing order.

(c) Nonparties may be given an opportunity by the attorney general or the attorney general's designee to present oral or written statements. Each party shall be given an opportunity to challenge or rebut these statements. On motion of any party, the statements shall be required by the attorney general or the attorney general's designee to be given under oath or affirmation.

(d) The hearing may occur by telephone or other electronic means, if each participant in the hearing has an opportunity to participate in the entire proceeding while it is taking place.

(e) The hearing shall be recorded at the expense of the attorney general's office. The attorney general's office shall not be required at its own expense to prepare a transcript, unless required to do so by a provision of law. Any party, at the party's expense and subject to any reasonable conditions that the attorney general's office may establish, may cause a person other than the attorney general's office to prepare a transcript from the record or cause additional recordings to be made during the hearing.

(f) Each hearing shall be open to public observation, except to the limited extent as determined by the attorney general or the attorney general's designee, that it is necessary to close parts of the hearing pursuant to any provision of law requiring confidentiality or expressly authorizing closure.

(Authorized by L. 2015, ch. 96, sec. 1; implementing K.S.A. 2014 Supp. 50-6,112c, as amended by L. 2015, ch. 96, sec. 17; effective, T-16-8-10-15, Aug. 10, 2015; effective Dec. 4, 2015.)

***** Authenticated Kansas Administrative Regulation *****