

5210.0080 POWERS OF PRESIDING OFFICER.

The officer presiding at a hearing shall have all the powers necessary or appropriate to conduct a fair and full hearing, including the powers:

- A. to regulate the course of the proceedings;
- B. to dispose of procedural requests, objections, and comparable matters;
- C. to confine the presentations to the issues specified in the notice of hearing, or, where no issues are specified, to matters pertinent to the proposed rule;
- D. to regulate the conduct of those present at the hearing by appropriate means;
- E. to permit cross-examination of any witness;
- F. to take official notice of material facts not appearing in the evidence in the record, so long as parties are entitled, on timely request, to an opportunity to show the contrary; and
- G. to keep the record open for a reasonable stated time, to receive written recommendations, and supporting reasons, and additional data, views, and arguments from any person who has participated in the oral proceeding.

Statutory Authority: *MS s 182.657*

History: *17 SR 1279; 20 SR 2428*

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