

5615.0900 EVIDENCE.

Subpart 1. **Oath.** All evidence shall be taken only on oath or affirmation.

Subp. 2. **Rights of parties.** Each party shall have the right to call and examine witnesses, to introduce exhibits, to cross-examine opposing witnesses on any matter relevant to the issues even though that matter was not covered in direct examination, to impeach any witness regardless of which party first called that witness to testify, and to rebut the evidence against that party. If the respondent does not testify in the respondent's own behalf, she or he may be called and examined as if under cross-examination.

Subp. 3. **Admissible evidence.** The board may admit and give probative effect to relevant evidence which possesses probative value and shall not be bound by the technical rules relating to evidence and witnesses; provided, however, that the board shall give effect to the rules of privilege recognized by law. Hearsay evidence may be used for the purpose of supplementing or explaining any direct evidence but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. All evidence including records and documents, except tax returns and tax reports, in the possession of the board of which it desires to avail itself shall be offered and made a part of the record in the case. Documentary evidence may be received in the form of copies or excerpts, or by incorporation by reference.

Statutory Authority: *MS s 147.01*

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