103A.335 FILING, NOTICE, AND PROCEDURE.

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Subdivision 1. **Notice.** A consent, notice, or recommendation made by the board must be filed with the agency. The filing is notice of the board's action. The board's rules may provide for a notice, in addition to filing by mail, posting, publication, or otherwise, to inform parties and interested persons of the board's actions.

- Subd. 2. **Subpoena.** (a) To implement sections 103A.301 to 103A.341, the chair of the board or a board member may subpoena witnesses, administer oaths, and compel the production of books, records, and other evidence.
- (b) Disobedience of a subpoena, refusal to be sworn, or refusal to answer as a witness, is punishable as a contempt of the district court. The board or a board member must file a complaint of the disobedience with the district court of the county where the disobedience occurred.
 - (c) Witnesses receive the same fees and mileage as in civil actions.
- (d) Persons must be sworn before testifying and the right to examine or cross-examine is the same as in civil actions.
- Subd. 3. **Hearings.** Hearings must be public, conducted by the board or an authorized board member, and affected persons have the opportunity to be heard. The board must provide a stenographer to take the testimony and proceedings at the hearings must be recorded and preserved. Hearings must be conducted as much as practicable in the same way as civil actions.
- Subd. 4. **Position of state agencies.** State agencies may adopt opposite positions on the matter before the board when full advocacy will assist in disclosing the public interest.

History: 1990 c 391 art 1 s 18