

(c) [Every party shall have the right of cross-examination of the witnesses who testify, and shall have the right to submit rebuttal evidence.] EVERY PARTY SHALL HAVE THE RIGHT ON EVERY GENUINE ISSUE: (1) TO CALL WITNESSES AND PRESENT EVIDENCE; (2) TO CROSS-EXAMINE EVERY WITNESS CALLED BY THE AGENCY OR ANY OTHER PARTY; (3) TO SUBMIT REBUTTAL EVIDENCE; AND (4) TO PRESENT SUMMATION AND ARGUMENT.

(d) Agencies may take notice of judicially cognizable facts and in addition may take notice of general, technical, or scientific facts within their specialized knowledge. Parties shall be notified either before or during hearing, or by reference in preliminary reports or otherwise, of the material so noticed, and they shall be afforded an opportunity to contest the facts so noticed. Agencies may utilize their experience, technical competence and specialized knowledge in the evaluation of the evidence presented to them.

252A.

(A) EXCEPT WHEN A DE NCVO REVIEW IS PROVIDED BY LAW, THE RECORD IN A CONTESTED CASE SHALL INCLUDE:

(1) ALL PLEADINGS, MOTIONS, INTERMEDIATE AND FINAL RULINGS;

(2) DOCUMENTARY EVIDENCE RECEIVED OR CONSIDERED;

(3) ANY STATEMENT OF MATTERS OFFICIALLY NOTICED;

(4) ANY QUESTIONS AND OFFERS OF PROOF, OBJECTIONS, AND RULINGS THEREON;

(5) ANY PROPOSED FINDINGS AND EXCEPTIONS;

(6) THE DECISION, OPINION OR REPORT BY THE OFFICER PRESIDING AT THE HEARING; AND

(7) ANY STAFF MEMORANDUM SUBMITTED TO THE HEARING OFFICER OR ANY OTHER MEMBER OF THE AGENCY INVOLVED IN THE DECISIONAL PROCESS OF THAT CASE BY ANY AGENCY OFFICIAL OR EMPLOYEE OTHER THAN THOSE AUTHORIZED TO PARTICIPATE IN THE DECISIONAL PROCESS OF THAT CASE.

(B) ORAL PROCEEDINGS OR ANY PART THEREOF SHALL BE TRANSCRIBED ON REQUEST OF ANY PARTY AND UPON PAYMENT OF COSTS AS MAY BE REQUIRED.

254.

[Every decision and order adverse to a party to the proceedings, rendered by an agency in a contested case, shall be in writing or stated in the record and shall be accompanied by findings of fact and conclusions of law.