

Kansas Administrative Regulations

Kansas Public Disclosure Commission

Article 1.—General Provisions

19-1-1. Definitions.

(a) "Advisory opinion" means a formal opinion issued by the commission as provided by relevant law.

(b) "Chairperson" means the chairperson of the commission appointed by the governor, or in the event of the chairperson's absence, the vice-chairperson or any other commissioner as may be designated by the remaining members of the commission.

(c) "Commission" means the Kansas commission on governmental standards and conduct created by relevant law, or as the context indicates, any lesser number of members.

(d) "Commission's attorney" means an attorney employed by the commission to assist the commission in carrying out the provisions of relevant law.

(e) "Executive director" means the executive director appointed by the commission.

(f) "Formal record" means all the filings and submittals in a matter or proceeding and all notices or agency orders initiating the matter or proceeding. If a hearing is held, the formal record shall include:

- (1) The designation of the presiding member;
- (2) The transcript of hearing if one is kept;
- (3) All exhibits received in evidence;
- (4) All exhibits offered but not received in evidence;
- (5) All offers of proofs, motions, stipulations, subpoenas, proofs of service, and the corresponding determinations made by the commission;
- (6) Certifications to the commission; and
- (7) Anything else upon which action of the presiding member or commission may be based will constitute a formal record. This does not include any proposed testimony or

exhibits or the work product of the commission or its staff not offered or received in evidence.

(g) "Hearing commissioners" means the commissioners designated by the chairperson to conduct a pre-hearing, hearing or rehearing, or to proceed with any matter before the commission.

(h) "Party" means the complainant, respondent, and any other person authorized by the commission to intervene in any proceeding.

(i) "Petitioner" means a person seeking relief, including an advisory opinion, and not otherwise designated in this section.

(j) "Pleading" means any application, complaint, petition, answer, reply, or other similar document filed with the commission.

(k) "Presiding member" means the chairperson or any member of the commission, duly designated to preside at hearings, conferences, or other proceedings.

(l) "Relevant law" means K.S.A. 25-4142 et seq. and K.S.A. 46-215 et seq., including related amendments, supplemental legislation, and rules and regulations. In addition, in the context of requests for advisory opinions and related matters, "relevant law" shall include K.S.A. 75-4301 et seq., including related amendments, supplemental legislation, and rules and regulations.

(m) "Respondent" means any person against whom a complaint has been filed alleging an unlawful practice within the meaning of relevant law.

(n) "Treasurer" means an acting treasurer duly appointed under relevant law, and the treasurer of record at any particular point in time irrespective of whether the individual still serves as the treasurer. Only individuals, as opposed to non-natural persons, may serve as treasurers.

(Authorized by K.S.A. 1991 Supp. 25-4119a and 46-253; implementing K.S.A. 1991 Supp. 25-4143 and K.S.A. 46-215; effective, E-76-52, Oct. 24, 1975; effective, E-77-20, May 1, 1976; amended, E-77-47, Sept. 30, 1976; effective Feb. 15, 1977; amended May 1, 1980; amended May 1, 1982; amended June 22, 1992.)