

Kansas Administrative Regulations

Kansas Public Disclosure Commission

Article 7.—Proceedings

19-7-16. Rehearing.

(a) General. Any petitioner or party alleging any error in the original proceedings or report shall request a rehearing. An application for rehearing shall be filed with the commission at its office within ten (10) days after service of a commission report. Such application shall be made by motion, stating specifically the grounds relied on. A copy of such application shall be served on all petitioners or parties in conformity with the service provisions of these rules, by the petitioner or party making such application. An application for rehearing shall contain:

(1) the docket number of the case for which such application is being made;

(2) the name of the petitioner or party making such application; and

(3) such application shall state concisely and specifically the alleged errors for which a rehearing is sought. If vacation, reversal or modification is sought by reason of matters which have arisen since the hearing and decision, the matters relied upon shall be identified in the application.

(b) Granting an application for rehearing. If the commission grants an application for rehearing, it shall so notify the petitioners or parties in writing. The date an application for rehearing is granted shall be the date on which the commission makes such decision. The rehearing shall follow the same procedural rules as a hearing, except to the extent otherwise directed by the commission or a presiding member.

(c) Effect of failure to allege specific error. Failure to request a rehearing on a specific allegation of error and provide reasons therefore shall constitute a waiver of all objection to any matters not specifically alleged as error.

(Authorized by K.S.A. 1979 Supp. 25-4119a, 46-253; effective, E-76-52, Oct. 24, 1975; effective, E-77-20, May 1, 1976; effective Feb. 15, 1977; amended May 1, 1980.)