

**NEBRASKA ADMINISTRATIVE CODE**

**TITLE 442, NEBRASKA ADMINISTRATIVE CODE, CHAPTER 8**

**TAX EQUALIZATION AND REVIEW COMMISSION**

**PETITION FOR RULEMAKING**

**Issue Date: 09/03/96**

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**TITLE 442 — TAX EQUALIZATION AND REVIEW COMMISSION**

**CHAPTER 8 — PETITION FOR RULEMAKING**

**ALPHABETICAL TABLE OF CONTENTS - CHAPTER 8**

<b>SUBJECT</b>	<b>STATUTORY AUTHORITY</b>	<b>SECTIONS</b>
Attorney General, Representation of the County by	77-5019(1), 77-5021	002
Duties of the Appealing Party	25-510.02, 77-1504.01, 77-5019, 77- 5021, 77-5023, 77-5028	001

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**Title 442 — Tax Equalization and Review Commission**

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**PETITION FOR RULEMAKING**

**EXPLANATORY STATEMENT**

Pursuant to Neb. Rev. Stat. §84-909.01 the Attorney General shall promulgate model rules of procedure appropriate for use by as many agencies as possible. For rules of procedure adopted on or after August 1, 1994, each agency shall adopt as many of the model rules as is practicable under the circumstances. Agencies may adopt regulations which vary from the model rules; however, any agency adopting a rule of procedure that differs from the model rule shall include in the agency's explanatory statement the reasons why the relevant portions of the Attorney General's model rules are impracticable under the circumstances. This chapter is based upon the Attorney General's model rules.

**001 Rulemaking Petition.**

**001.01**      **Petition.** Any person may petition the Commission, requesting the promulgation, amendment, or repeal of a rule or regulation as it relates to the powers and duties of the Commission.

**001.02**      **Form.** The petition shall:

**001.02A**      **Be addressed to the Commission;**

**001.02B**      **Be clearly designated as a petition for a rules change;**

**001.02C**      **Set forth the desired rule in its entirety, in cases of a proposed rule or an amendment to an existing rule; or**

**001.02D**      **Be clearly designated as a petition for repeal of an existing rule and set forth the entire rule to be repealed or refer to it by title, chapter and number, under the Nebraska Administrative Code; and**

- 001.02E Describe the reason for the rules change;
- 001.02F Include an address and telephone number where the petitioner can be reached during regular business hours; and
- 001.02G Be signed by:
  - 001.02G1 The petitioner or his or her lawyer, in which case the lawyer shall also state his or her address, telephone number, facsimile transmission number, and Nebraska State Bar Association Number;
  - 001.02G2 A duly authorized officer of the petitioner, if petitioner is a corporation or other legal entity.

**002 Petition Consideration and Disposition. Within sixty (60) days after submission of a petition the Commission shall:**

- 002.01 Deny the petition in writing, stating its reasons therefor; or,
- 002.02 Initiate rulemaking or regulationmaking proceedings in accordance with the administrative procedures act, or
- 002.02 If otherwise lawful, adopt a rule or regulation.