

BEFORE THE STATE REAL ESTATE COMMISSION
STATE OF NEBRASKA

In the Matter of _____)
Statute Number/Name)
by _____) Petition for Negotiated
Name of Petitioner) Rulemaking

COMES NOW the Petitioner, _____, according to the Nebraska Negotiated Rulemaking Act and according to the State Real Estate Commission rules and regulations for Petitions for Negotiated Rulemaking, and requests that the State Real Estate Commission establish a negotiated rulemaking committee as set forth in this Petition.

In support of this request, the Petitioner states as follows:

1. The State Real Estate Commission administers the provisions of [insert sections of the statutes or legislative bill numbers for which negotiated rulemaking is sought]

_____ ,
and is responsible for development of rules and regulations to implement these statutes.

2. Petitioner seeks a negotiated rulemaking procedure to [check one] :

- _____ develop new rules
- _____ amend existing rules, specifically _____ N.A.C. _____,
Title Chapter-Section
entitled _____.
- _____ repeal certain existing rules, specifically _____ N.A.C. _____,
Title Chapter-Section
entitled _____.

3. A negotiated rulemaking committee should be established to negotiate and develop rules on each of the following issues concerning the statute(s), legislative bill(s) or regulations(s) identified above [identify each issue as to each statute, legislative bill or regulation and the general scope of the rulemaking proposed] :

4. The facts surrounding each of the issues listed in paragraph 3 above are as follows:

5. Establishment of a negotiated rulemaking committee would be in the public interest under each of the following criteria based upon the information the Petitioner hereby submits.

A. There is a need for rulemaking on the issue(s) identified above because:

B. There are a limited number of identifiable interests that will be significantly affected by the rule, including the following interests:

C. There is a reasonable likelihood that a negotiated rulemaking committee can be convened with a balanced representation of people (1) who can adequately represent the interests identified above and (2) are willing to negotiate in good faith to reach a consensus on the proposed rule, as shown by the following:

D. There is a reasonable likelihood that a committee will reach a consensus on the proposed rule within a fixed period of time because:

E. The use of this procedure will not unreasonably delay formal rulemaking and issuance of a final rule because:

F. [Optional for response by Petitioner] The State Real Estate Commission should commit its resources, including technical assistance, to such a committee because:

G. [Optional for response by Petitioner] The State Real Estate Commission should, to the maximum extent possible consistent with its legal obligations, use a consensus of such a committee as the basis for a rule to be adopted under the Administrative Procedure Act because:

6. The following persons will be significantly affected by any rule which might result from the negotiated rulemaking procedure which is the subject of this Petition [identify such persons by name and address where possible]:

7. The following persons may be willing and qualified to represent the interests that will be significantly affected by any rule which might result from the negotiated rulemaking procedure which is the subject of this Petition [identify such persons by name and address where possible]:

8. Petitioner offers the following additional information for use by the Commission in consideration of this request [if any]:

9. Petitioner has attached the following documents in support of this request [list all documents attached]:

Submission of this Petition for Negotiated Rulemaking verifies that all statements and information provided herein are true and correct and may be used as necessary by the Nebraska Real Estate Commission if furtherance of assuring compliance with the laws it regulates.

Dated _____

Petitioner's Signature

List Petitioner's full mailing address

List Petitioner's telephone number