

NEBRASKA ADMINISTRATIVE CODE

TITLE 49 - DEPARTMENT OF BANKING AND FINANCE

CHAPTER 1 - GENERAL PROVISIONS RELATING TO PRACTICE AND PROCEDURE BEFORE THE DEPARTMENT OF BANKING AND FINANCE

001 GENERAL.

001.01 This Rule has been promulgated pursuant to authority delegated to the Director in Section 84-909 of the Administrative Procedure Act.

001.02 The Department has determined that this Rule is in the public interest.

001.03 The Department has determined that this Rule relating to definitions and general matters be applied to Title 49 of the Nebraska Administrative Code, unless otherwise specified therein.

002 DEFINITIONS. The following words and terms shall have the following meanings, unless the context clearly indicates otherwise.

002.01 APA means the Administrative Procedure Act, Neb. Rev. Stat. §§ 84-901 to 84-920, as adopted on the effective date of this Rule, or as may hereafter be amended.

002.02 Department means the Department of Banking and Finance.

002.03 Director means the Director of the Department of Banking and Finance.

002.04 Hearing officer means the person or persons conducting a hearing, contested case, or other proceeding pursuant to the APA, whether designated as the presiding officer, administrative law judge, or other similar title designation.

002.04A The hearing officer may be the Director or any designee of the Director.

002.04B The hearing officer shall make a recommendation to the Director after the close of the hearing, which the Director may accept or reject in whole or in part.

002.05 Person means an individual, a corporation, a limited liability company, a partnership, an association, a joint stock company, a trust in which the interests of the beneficiaries are evidenced by a security, an unincorporated organization, a government, or a political subdivision of a government.

003 COMPUTATION OF TIME. In computing time prescribed or allowed by any applicable statute or rule in which the method of computing time is not specifically provided, days will be computed by excluding the day of the act or event and including the last day of the period. If the last day of the period falls on a Saturday, Sunday, or legal holiday, the period shall include the next business day.

004 ADMINISTRATION. The main office of the Department, located at Suite 311, The Atrium, 1200 N Street, P.O. Box 95006, Lincoln, Nebraska 68509-5006, is open from the hours of 8 a.m. to 5 p.m., Monday through Friday, legal holidays excepted.