



Brian Sandoval, Governor

COMMITTEE

Mark Stevens, Chair, Retired

Kent Ervin, Vice Chair, NSHE

Wayne Thorley, SOS

Debbie Bowman, NHHS-ADS

ADMINISTRATIVE STAFF

Rob Boehmer, Executive Officer

Micah Salerno, Administrative Assistant

Gregory Ott, Acting Deputy Attorney General

**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608**

Date: February 26, 2018

Re: Proposed Adoption/Amendments of Regulations/NAC 287 regarding substance

I, Robert R. Boehmer, being the duly appointed Executive Officer of the Nevada Public Employees' Deferred Compensation Program ("NDC Program" or "NDC"), do hereby certify that, to the best of my knowledge or belief:

1. The proposed changes to regulations to clarify Nevada Revised Statute amendments that are a result of the passage and implementation of Nevada Legislative Senate Bill 502 and make the NDC Program part of the State of Nevada Department of Administration, clarify revisions relating to the procurement process of the NDC Program, define and clarify the appointment and removal of the Executive Officer of the NDC Program, are *not* likely to (a) impose a direct or significant economic burden upon a small business, or (b) directly restrict the formation, operation or expansion of a small business.
2. A concerted effort was made to determine any economic burden. The Nevada Deferred Compensation Committee has relied on the expert knowledge of NDC staff; all relevant materials were reviewed and the NDC considered its history with implementing similar regulations; the proposed changes impact small businesses in the following ways:
The proposed changes do not impact small businesses.
3. Comment was solicited from small businesses that may be affected by this regulatory adoption/amendment in the following manner:
Comments were not solicited from businesses, as the regulation does not affect small businesses. Comments were solicited from effected parties including employees and employee associations.
4. The analysis of the impact on small businesses was conducted in the following manner:
The non-impact on small businesses was determined by consulting with the experts in the relevant knowledge area within NDC staff and contractors; Reviewing relevant federal regulation pertaining to the administration of 457(b) programs and considering that small business are prohibited from participating in this program per federal regulation.
5. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, is:
 - (1) *The Proposed regulation will have no adverse or beneficial effects; and*
 - (2) *The Proposed regulation will have no direct or indirect effects.*

6. The methods that the NDC Executive Officer and administrative staff considered to reduce the impact of the proposed regulation on small businesses were:
As the proposed regulation has no impact on Small businesses, the agency is unable to consider methods to reduce small business impact and did not use any methods.
7. The estimated cost to the NDC Program for enforcement of the proposed regulation is \$0.00.
8. The total annual amount the agency expects to collect from any new fees or fee increases and the manner in which the money will be used.
This regulation does not create a new fee or increase an existing fee.
9. An explanation of why such any provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, are necessary.
This regulation does not provide duplicative or more stringent provisions that existing federal state or local regulations.
10. The NDC Executive Officer reached these conclusions regarding the impact of this regulation on small businesses because:
This regulation affects only Government entities and does not affect small businesses.

I hereby further certify that, to the best of my knowledge or belief, a concerted effort was made to determine the impact of the regulation on small businesses and that the information contained in this statement was prepared properly and is accurate.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Robert R. Boehmer', with a long horizontal flourish extending to the right.

ROBERT R. BOEHMER, CSA, CEPP
Executive Officer