

**PROPOSED REGULATION OF THE COMMITTEE TO
ADMINISTER THE PUBLIC EMPLOYEES' DEFERRED
COMPENSATION PROGRAM**

LCB File No. R015-98

March 2, 1998

EXPLANATION - Matter in *italics* is new; matter in brackets [] is material to be omitted.

AUTHORITY: §§ 1-6, NRS 287.330.

Section 1. NAC 287.705 is hereby amended to read as follows:

287.705 The purpose of NAC 287.705 to 287.735, inclusive, is to set forth the qualifications and the procedures for the selection of [an administrator and provider] *administrators and providers* for the program.

Sec. 2. NAC 287.710 is hereby amended to read as follows:

287.710 1. The committee will select [an administrator and provider] *administrators and providers* for the program. One person may be selected to serve in both capacities. The committee will contract with more than [one provider] *two providers* if it deems it necessary to offer the participants in the program superior investment options.

2. The selection will be made as often as the committee deems necessary, but not less frequently than in September of every [fourth year after September 1991].

3. *The administrator and provider* *fifth year.*

3. *Administrators and providers* serve at the pleasure of the committee and [each is] *are* subject to removal [from the position] at any time by a majority vote of the committee.

Sec. 3. NAC 287.715 is hereby amended to read as follows:

287.715 The committee will base its selection, as applicable, of [an administrator and provider] *administrators and providers* on:

1. The criteria set forth in NAC 287.720;
2. The answers to the questionnaire provided pursuant to NAC 287.725;
3. Any interviews conducted by the committee;
4. The variety and quality of any investment options offered to participants; and
5. The projected costs submitted by each applicant.

The committee will not select [the] *an* applicant who submits the least expensive proposal if another applicant is better qualified.

Sec. 4. NAC 287.725 is hereby amended to read as follows:

287.725 1. The committee will cause to be published a notice of the intended selection in one or more newspapers in the state. The notice will be published three times not more than 30 days before the date by which applications must be returned.

2. The notice will set forth:

(a) The date on which the committee will select [an administrator and provider] *administrators and providers* and the date and time by which the [commission] *committee* must receive the completed application;

(b) The qualifications required of [an administrator and provider;] *administrators and providers; and*

(c) The manner in which an applicant may obtain a questionnaire and a request for proposal.

3. The chairman may, if he deems it appropriate, send copies of the notice to state and national trade associations concerned with the business of deferred compensation or similar programs for inclusion in their publications or for dissemination among their members.

4. The chairman shall prepare a questionnaire and a request for proposal and make them available to each applicant at least 30 days before the date on which they must be received by the ~~[commission.]~~ *committee*.

Sec. 5. NAC 287.730 is hereby amended to read as follows:

287.730 1. The chairman shall, if he deems it appropriate, appoint a subcommittee to review the proposals and make recommendations to the full committee.

2. The chairman shall call a general meeting of the committee to:

(a) Accept information from appropriate sources pertaining to any applicant.

(b) Conduct interviews of the applicants.

(c) Select ~~[one]~~ *two* or more of the applicants for appointment as ~~[the administrator and provider.]~~ *administrators and providers*.

3. Acceptance of an applicant's proposal does not preclude the committee from negotiating specific changes to the proposal which are in the best interests of the State of Nevada.

Sec. 6. NAC 287.735 is hereby amended to read as follows:

287.735 1. The committee will select such consultants as are necessary to provide services needed for the selection of ~~[an administrator and provider]~~ *administrators and providers* and for the administration of the program and the investment of the money of the participants.

2. Such a consultant serves at the pleasure of the committee and may be removed from the position at any time by a majority vote of the committee.