

NOTICE OF RULEMAKING HEARING  
NEBRASKA DEPARTMENT OF BANKING AND FINANCE

Notice is hereby given that the Nebraska Department of Banking and Finance will hold a rulemaking hearing on January 7, 2016, commencing at 9:30 a.m., at the offices of the Department of Banking and Finance, 1526 K Street, Suite 300, Lincoln, Nebraska 68508.

The purpose of the hearing is to take testimony and evidence concerning the following changes to the Rules and Regulations of the Department:

- 1) [The proposed revision of Title 48, Chapter 1.](#)
- 2) [The proposed adoption of Title 48, Chapter 38.](#)
- 3) [The proposed adoption of Title 48, Chapter 39.](#)
- 4) [The proposed adoption of Title 48, Chapter 40.](#)
- 5) [The proposed adoption of Title 48, Chapter 41.](#)
- 6) [The proposed adoption of Title 48, Chapter 42.](#)

The subject matter of the proposed revision of 48 NAC 1 is to update the Department's forms and filing fees under the Securities Act of Nebraska.

The subject matter of the proposed new 48 NAC 38 is to adopt rules to provide guidance to issuers wishing to utilize the intrastate small offering exemption provided by Neb. Rev. Stat. § 8- 1111(23).

The subject matter of the proposed new 48 NAC 39 and 40 is to adopt rules to provide guidance to issuers and to portal operators wishing to utilize the new crowdfunding exemption provided by Neb. Rev. Stat. § 8-1111(24).

The subject matter of the proposed new 48 NAC 41 is to codify the factors that the Department considers when determining whether certain exemption filings should be integrated.

The subject matter of the proposed new 48 NAC 42 is to create an exclusion from the definition of "investment adviser" for advisers to certain private funds.

The rulemaking hearing is being conducted under and by virtue of the provisions of Section 84-907, R.R.S 1943, as amended, which provides that COPIES OF THE PROPOSED RULES ARE AVAILABLE FOR PUBLIC EXAMINATION at the Office of the Department of Banking and Finance, 1526 K Street, Suite 300, Lincoln, Nebraska 68508, and at the Office of the Secretary of State, State Capitol Building, Lincoln, Nebraska 68509. In addition, the proposed rules are available on the Department of Banking and Finance's website at [www.ndbf.ne.gov](http://www.ndbf.ne.gov), and the Secretary of State's website [www.sos.ne.gov](http://www.sos.ne.gov).

A copy of the [Fiscal Impact Statement](#) is available at the Office of the Department of Banking and Finance and on the Department's website.

All interested persons are invited to attend and testify at the hearing. Interested persons may also submit written comments to the Department of Banking and Finance prior to the hearing, which comments will be made part of the hearing record at the time of the hearing.

If auxiliary aids or reasonable accommodations are needed for attendance at this hearing, please call the Nebraska Department of Banking and Finance at (402) 471-2171, or, for persons with hearing impairments, please call the Nebraska Relay System, (800) 833-7352 TDD. This contact should be made at least seven (7) days prior to the hearing.

Dated at Lincoln, Nebraska, this 24<sup>th</sup> day of November, 2015.

Mark Quandahl, Director  
Nebraska Department of Banking and Finance