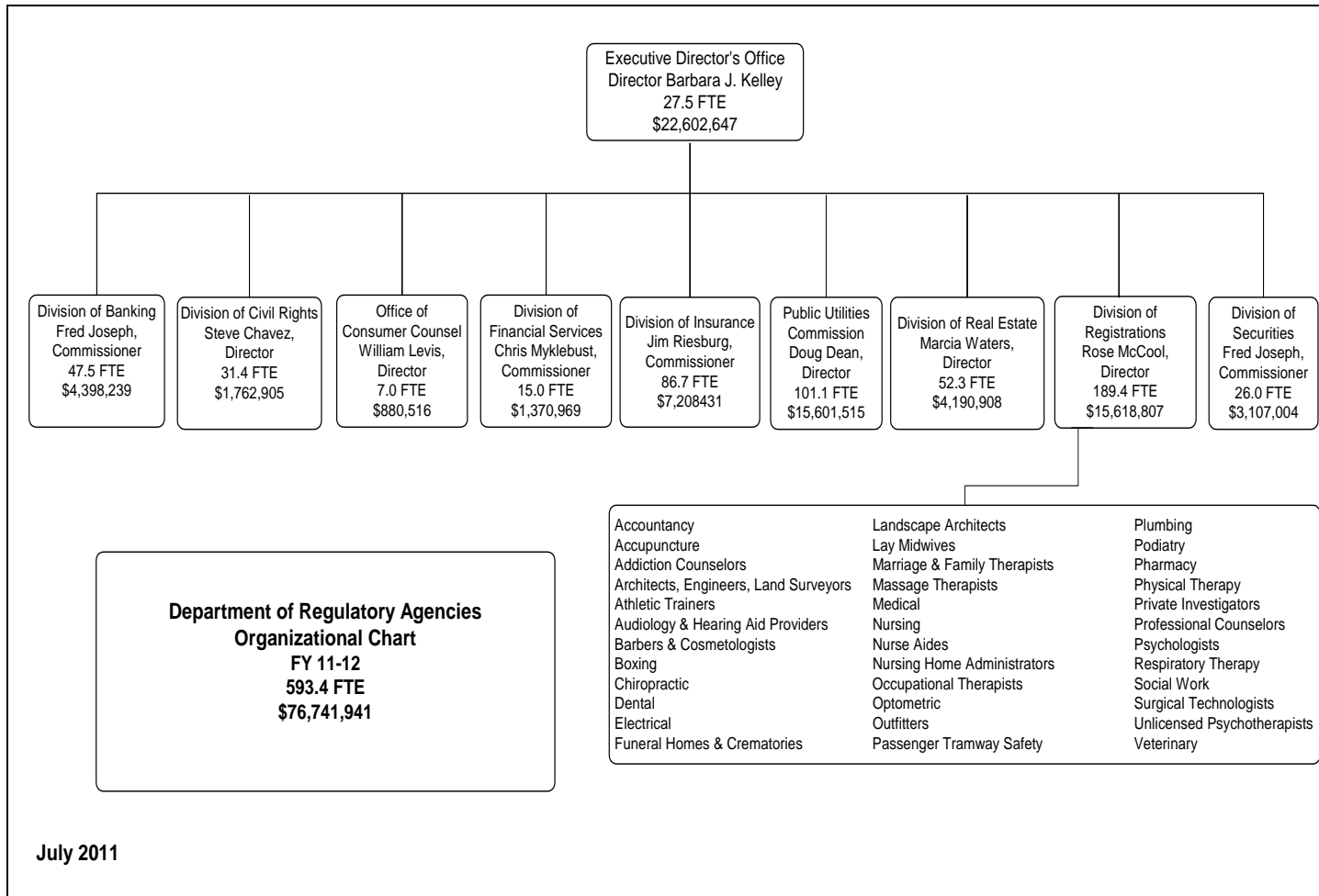




Department of Regulatory Agencies
Department Description

FY 2012-13 Budget Request

November 1, 2011

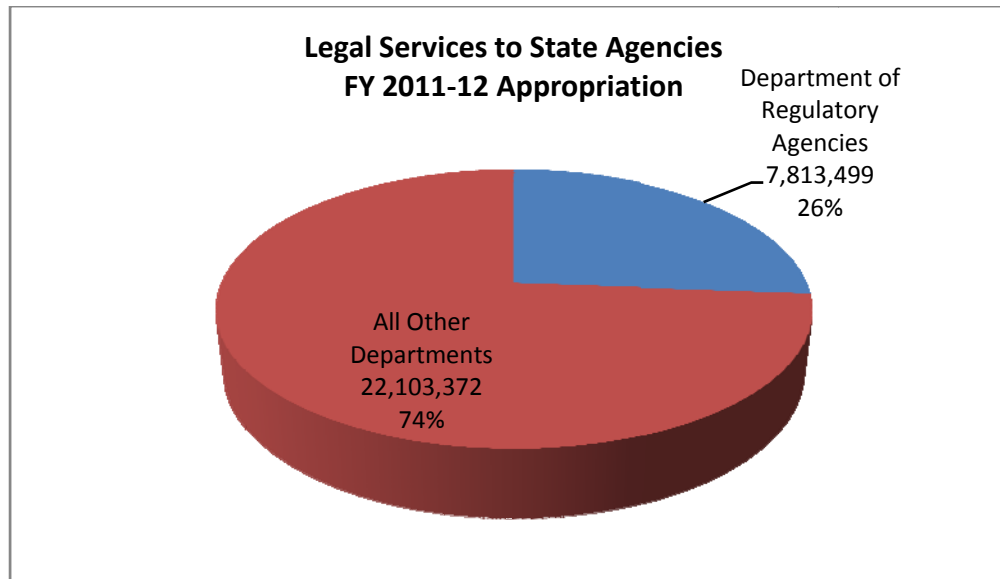


As one of the principal departments of Colorado state government, the mission of the Colorado Department of Regulatory Agencies (DORA) is consumer protection. The Department carries out regulatory programs that license, establish standards, approve rates, investigate complaints, and conduct enforcement across numerous professions, occupations, and institutions. The Department includes 10 separate divisions having 41 boards, commissions, and advisory committees across more than 50 individual professions and programs. This includes 250 board members and 578 professional regulatory staff including program administrators, professional examiners, inspectors, financial analysts, and administrative staff. DORA's programs are organized in the general appropriations act ('Long Bill') as follows:

Executive Director's Office	Division of Insurance
Division of Banking	Public Utilities Commission
Division of Civil Rights	Division of Real Estate
Office of Consumer Counsel	Division of Registrations
Division of Financial Services	Division of Securities

The Department is primarily cash funded by regulated entities through fees and assessments flowing to cash funds, and DORA is relatively unique among state agencies with regard to the volume, complexity, and autonomy with which it sets industry fees based on appropriations made by the General Assembly. Additionally, two key areas involve the state General Fund: the Division of Civil Rights, which is partially funded by the General Fund, and the Division of Insurance, which is supported by a combination of license fees and insurance premium tax revenues that would otherwise be credited to the General Fund.

The number of people living and working in Colorado and the amount of legal services required by the Department's various agencies are the two largest factors driving DORA's budget. Population affects the number of professional and occupational licenses issued, as well as the number of complaints filed by consumers against licensed businesses and individuals. Additionally, DORA is unique in its demand for legal services, which under the Oregon Plan are obtained centrally from the Colorado Department of Law under the State Attorney General. DORA accounts for approximately 26 percent of all legal hours appropriated to state agencies, a fact that is driven by the nature of regulatory oversight and enforcement.



For background information, a brief section describing each DORA Division is included as follows:

Executive Director’s Office (\$22.6 million and 27.5 FTE). The Executive Director is responsible for the overall management of the Department and its divisions. Fees and assessments throughout the Department support the Executive Director’s Office.

The Executive Director’s Office works with the Governor's Office, the General Assembly, other departments in state government, federal agencies, and national associations to further their respective goals. It provides leadership, coordination, control and various management services to the divisions to ensure that the Department's mission is fulfilled and that objectives are met within the resources allocated. A major program within the Executive Director's Office is the Office of Policy and Research (OPR). OPR provides sunset and sunrise regulatory evaluations and policy recommendations to the General Assembly. In addition, OPR supplements the research function of the Executive Director's Office by providing assistance with legislative and policy issues. Without these activities, there would be no centralized coordination or accountability to the Governor, General Assembly or the public, and no coordination of initiatives or accountability within the Department. The Executive Director's Office offers a single point of contact for information regarding these areas.

The Office's objectives are met through the following activities:

- Providing leadership, centralized planning and accountability for the offices and divisions.
- Communicating information and providing reports to the Governor, the General Assembly, the public and department personnel regarding DORA divisions, including programs undergoing statutorily required sunset and sunrise review.
- Providing a central resource for introduction and coordinated implementation of legislative and executive branch initiatives.
- Serving on the Governor's cabinet.

DIVISION OF BANKING (\$4.4 million and 47.5 FTE). As a unit of the Colorado Department of Regulatory Agencies, the Division of Banking (Division) is responsible for the regulation of state-chartered commercial banks, trust companies, industrial banks, and money transmitters.

The Division holds charter and license application hearings, issues rules and regulations, and investigates consumer complaints involving regulated institutions. Division staff conducts examinations of state-chartered institutions and licensees. The Division works closely with the Federal Reserve Bank (Federal Reserve) and the Federal Deposit Insurance Corporation (FDIC) in the regulation of commercial banks and industrial banks and certain federally insured trust companies. The Division is also responsible for the enforcement of the Public Deposit Protection Act to protect public entity deposits held by state and national banks.

The nine-member Colorado State Banking Board (Banking Board) is the policy and rule-making authority for the Division. The Banking Board consists of five members who are executive officers of commercial banks, an executive officer of an industrial bank, an executive officer of a trust company, and two public members. The Governor appoints Banking Board members to staggered four-year terms. At least two of the commercial bank members must be from institutions with less than \$150 million in total assets. The Banking Board conducts monthly meetings that are open to the public, and the public is encouraged to attend.

The State Bank Commissioner is the administrative head of the Division, responsible for the day-to-day operation of the Division, including personnel matters, records, reports, systems, and procedures. The Commissioner is also responsible for all examination and enforcement functions of the Division, subject to the policy-making and rule-making authority of the Banking Board. The specific duties and powers of the Commissioner are set forth in Section 11-102-102, C.R.S.

As of December 31, 2010, the Division had 44.5 authorized positions, thirty-seven (37.5) of which were in the Financial Credit Examiner (FCE) category. Of the thirty-seven (37.5) FCE classifications, one (1) is Director of Examinations, twenty-seven (27.5) are classified as field examiners, four (4) are Caseload Managers, one (1) manages applications, one (1) primarily manages the examination scheduling function, and one (1) is assigned primarily to consumer complaints. Although the Division is authorized two

(2) information technology (IT) positions; the Division currently employs one (1) IT auditor to conduct IT examinations of financial institutions and data centers that provide IT services to Division-regulated institutions. The remainder of the authorized positions consists of the State Bank Commissioner, Operations Manager, Banking Board Secretary, and administrative support staff. As of July 1, 2011, the Division was granted 3 additional authorized position, one FCE III, FCE IV and FCE IV.

The Division is organized into two units, *Examinations* and *Operations*. Within the *Examinations Unit*, supervisory and examination responsibilities for the regulated entities are assigned to four Caseload Managers who report to the Director of Examination. The Caseload Managers supervise examination teams and are the primary Division contact for supervised institutions. The *Operations Unit* is responsible for applications, consumer complaints, automation, policies and procedures, administration of the Public Deposit Protection Act, program development, training, internal audit and review, oversight of the administrative staff, and accreditation by the Conference of State Bank Supervisors.

The supervision and regulation of Colorado state-chartered banks, industrial banks, and certain trust companies are conducted within the framework of the dual banking system in the United States, distinguished by the ability of banks to make a free choice between state and federal chartering and regulation. The states and the federal government act independently to charter, regulate, and supervise financial institutions. The system has produced a decentralized banking industry characterized by a number of checks and balances. The Colorado General Assembly affirmed the importance of the dual banking system in Colorado by establishing as one of the Division's statutory goals to "preserve and promote a dual federal and state banking system." In order to preserve the benefits of the dual banking system while avoiding duplication and minimizing regulatory burden, the Division has developed strong working relationships with the FDIC and the Federal Reserve. The Division cooperates with the federal agencies in the supervision and examinations of state-chartered banks by conducting examinations jointly or on an alternating basis.

Specific legislation that falls under the enforcement oversight of the Division includes the Colorado Banking Code, Public Deposit Protection Act, and the Money Transmitters Act. There were 136 state-chartered or licensed institutions operating in Colorado regulated by the Division, including 81 commercial banks, 8 trust companies, and 47 money order companies as of December 31, 2010. Compared to 156 as of year-end 2009 (107 commercial banks, 8 trust companies, and 41 money order companies).

The Colorado economy continued to experience the slowdown that began in 2008 with the national and global economy. Colorado's unemployment rate was approximately 9 percent as of December 31, 2010. Layoffs in virtually every sector of the economy, including the financial and business services sectors, adversely impacted bank loan portfolios. In addition, declining residential and commercial real estate sales had a negative impact.

Due to the aforementioned factors, many banks increased their capital levels and loan loss reserves in order to address future asset quality issues. This, in turn, affected their overall profitability. However, by taking strong measures, state-chartered commercial banks continued to prepare for adverse economic conditions.

Trust activities at state-chartered trust companies were also affected by the volatility in the financial markets, but the industry continued to remain profitable.

DIVISION OF BANKING HOT ISSUES

- During the past several years, banks in Colorado and throughout the nation have dealt with a struggling economy. The economy has adversely impacted borrowers who are unable to pay back loans and thus, the bank's balance sheet are hit with non-performing loans and real estate owned. There are signs that Colorado banks are turning the corner, but it is a very slow shift. There have been several bank closures in the State. However, the remaining banks have been slowly shedding problem assets.
- A bright spot in the economic picture is that in the past four years, approximately 200,000 people moved to Colorado. These new residents should create new jobs and stabilize the housing market. In turn, this will benefit entire sectors of the State economy, including banking.

CIVIL RIGHTS DIVISION (\$1.8 million and 31.4 FTE). The Colorado Civil Rights Division (CCRD) is charged with investigating claims of alleged discrimination with regard to housing, employment, and public accommodation, and carrying out enforcement activities. The division is supported by a combination of the general fund and federal contract funding administered by the U.S. Dept. of Housing and Urban Development (HUD) and the Equal Employment Opportunity Commission (EEOC), with which CCRD shares formal work-sharing agreements to avoid duplication of effort on those cases where joint jurisdiction (state and federal) exists.

As the administrative arm of the Colorado Civil Rights Commission (CCRC), CCRD carries out the Colorado state laws that prohibit discrimination in housing, employment, and public accommodation. The Division also engages in preventative measures by providing training to groups and disseminating information to individuals regarding current laws. The CCRD works in close cooperation with federal and local agencies and community-based organizations whose missions parallel its own. The CCRD is charged with investigating claims of alleged discrimination, which is defined as differential treatment based upon a person's protected group status. Enforcement activities are conducted by the Division's Compliance Investigators.

Once the Division receives a fully completed intake packet, the Intake Staff drafts a formal charge of discrimination for the Complainant's signature, after which a copy will be served on the Respondent and the investigative process is initiated. As part of the

investigation, the Respondent is directed to provide a written response to the allegation(s). The Complainant is afforded a full opportunity to submit a rebuttal. The Division also affords the parties the opportunity to participate in a voluntary mediation conference prior to the initiation of the investigation. If the parties wish to avail themselves of the mediation process, they may contact a Division representative.

Complimenting the agency's enforcement efforts are prevention activities conducted by the Outreach unit. The Outreach unit works to prevent discrimination by: informing the citizens of Colorado about anti-discrimination laws and related issues, and, cooperating with public and private organizations with parallel missions in conducting educational programs designed to eliminate intergroup tensions. The Division also provides various types of training and presentations, free of charge, throughout the state. Training may be provided upon request, or as a condition included in a settlement agreement. Training typically focuses on fair housing and/or employment laws and practices.

The Division, upon request, may also supply technical assistance to individuals and entities involved in the design and construction of multifamily housing. Architects, civil engineers, contractors, developers, attorneys and city planning and building officials may call or send e-mails requesting information or posing specific technical questions about the handicap design and accessibility standards required under applicable fair housing laws. The Division will also clarify the interaction and overlap between federal, state and local ordinances and laws.

The Division also mandates that parties to a claim, in which a probable cause finding was issued, participate in conciliation efforts. This affords the parties an opportunity to attempt to resolve their issues prior to engaging in litigation. Should conciliation efforts fail, the Colorado Civil Rights Commission may then choose to set the case for public hearing in employment cases. Public hearings in housing cases in which a probable cause finding was issued are mandatory.

CIVIL RIGHTS DIVISION HOT ISSUES

- The Civil Rights Division has made numerous adjustments in its work processes as a result of a series of budget cuts and FTE reductions over the past six years that included closing all regional offices in 2006. In the past several years regional offices have reopened in Pueblo and Grand Junction. CCRD has met its statutory mandates and contractual requirements with US HUD and the US EEOC regarding processing cases in spite of the budget crisis. This is a remarkable achievement given available resources. As a result, CCRD must focus on its statutory missions and respectfully decline participation in projects outside its mission. In addition, CCRD will continue a robust education and outreach program to assist small business owners, local governments and consumers. Therefore, CCRD does not anticipate any "Hot Button" issues beyond

concerns of business owners and consumers about the outcomes of their cases, which is a natural outcome of the nature of CCRD's work.

OFFICE OF CONSUMER COUNSEL (\$0.9 million and 7.0 FTE). The Office of Consumer Counsel (OCC) represents the public interest and, specifically, the interests of residential, small business and agricultural consumers before the Public Utilities Commission, certain federal agencies (such as the Federal Communications Commission and the Federal Energy Regulatory Commission), and in appellate courts in electric, gas and telecommunications utility rate and rule making matters. The OCC examines the technical evidence (primarily costing and pricing data) filed by utilities in complex cases, provides expert testimony on consumers' behalf, cross-examines other witnesses, makes legal arguments, and represents consumers in settlement negotiations. Approximately 40 other states have utility consumer advocate offices similar to the OCC according to the National Association of State Utility Consumer Advocates ("NASUCA"). The OCC is an active member of NASUCA and the Consumer Counsel is a member of its executive committee.

The OCC is charged with representing residential, small business and agricultural consumers as a class before the PUC, but is prohibited by statute from representing individuals in complaints with utilities. Instead, the PUC is staffed to resolve individual complaints. The OCC is interested in individual complaints when they show a pattern of rate or service problems the office believes should be addressed.

The OCC has a staff of seven technical and administrative personnel as well as legal representation through the Department of Law. In addition, a statutorily authorized board appointed by the Governor gives policy guidance to the OCC. The 11-member board is appointed to represent the public interest and, specifically, the interests of residential, small business, and agricultural utility consumers. Board members come from all geographic areas of the state.

The Office of Consumer Counsel helps consumers by lowering, eliminating or avoiding utility rate increases, by ensuring that utility rates, regulations and policies are more equitable for residential, small business and agricultural consumers, and by ensuring the continuing viability of utility services and consistent quality of service.

OFFICE OF CONSUMER COUNSEL HOT ISSUES

- Appeals in the Denver District Courts
 - ◊ The OCC has filed its initial brief in its Denver District Court appeal of the Commission decision ordering Public Service to pay for PUC staff consultants and then recoup the cost through a customer surcharge. It is the OCC's position that the request for consultants should have been in the fiscal note in HB10-1365 (Clean Air Clean Jobs Act) and that only the General Assembly can approve the Commission's budget.

- ◇ The Public Utilities Commission and Qwest (now CenturyLink) have appealed to the state Supreme Court the decision of Denver District Judge Herbert Stern finding in favor of the OCC that the Commission had not provided the necessary findings of fact to support the increase in Qwest's basic local service rates. Qwest also is contesting the order of Judge Stern that the company post a \$30 million bond in lieu of a refund while it appeals the decision.
 - ◇ Denver District Court has approved the OCC's withdrawal of two appeals of Commission decision involving Public Service's 2007 resource plan. The OCC made its filing after entering into an agreement with Public Service requiring the company to submit a self-build option in its 2015 resource plan. The OCC had appealed the decision of the Commission approving the sale to Public Service of two plants owned by Calpine.
- Smart Grid/Smart Energy
- ◇ The OCC continues to work with Commission staff, Public Service, Black Hills and other in drafting proposed smart grid privacy rules. The parties have submitted comments to the Commission and the OCC has participated in several rulemaking hearings. The Consumer Counsel has worked nationally with other consumer advocates, state utility commissioners and electric utilities through the Edison Electric Institute (EEI) in drafting proposed standards for the implementation of grid modernization. The OCC's procedures and concerns were discussed at the EEI national convention in Colorado Springs in June 2011 and at the summer meeting of the National Association of Regulatory Utility Commissioners in Los Angeles in July 2011.
- Rate Case Involvement
- ◇ The OCC entered into a settlement agreement with Public Service and the staff of the Commission in the company's rate case in June 2011. The OCC had recommended a \$1 million decrease in Public Service's rate base. The company had initially proposed over a \$30 million increase. The settling parties proposed an increase of \$10.9 million with return on equity of 10.1 percent to hearing commissioner Matt Baker who has issued a decision, subject to full Commission review, basically approving the settlement.
 - ◇ The OCC has intervened in several dockets initiated by Black Hills. The company has filed a request for a \$40 million increase in its electric rates for its 93,000 customers. If approved, monthly rates would increase 19 percent for residential customers. In addition, Black Hills has asked for Commission approval of a 100 megawatt plant which the OCC and others are concerned is too large for anticipated customer needs. The Commission has combined the two cases and the full Commission has scheduled a hearing later this year in the rate case.

➤ Advocate in Rulemaking

- ◇ Concerning a proposal to limit the amount that low income customers have to pay for gas and electricity base on their monthly incomes, an administrative law judge has issued a recommended decision, adopted by the Commission. The cost of the program will be funded through a surcharge on customer bills.
- ◇ The Commission has asked for more comments from the parties concerning its decision to modify the state telecommunications high cost fund rules. The OCC has drafted comments to support the rules which would phase down the high cost fund over time. Since both CenturyLink and the Colorado Telecom Association attacked the legality of the rules, the OCC has submitted comments in support of the reduction but suggesting a different way to phase the fund down in compliance with the statute.
- ◇ The OCC is currently working on the simplifying customer energy bills and establishing a late payment or drop dead date for payment. The OCC will be approaching this utility mandate through a rulemaking docket in which the OCC will advocate to simplify a customers' bill, calculating a billing date, due date or late charge date and address an incentive for opt in e-billing and online payment.

➤ Administrative matters and OCC Mission

- ◇ The Consumer Counsel served on the Executive Director's regulatory review committee which met with each DORA division director and office head to consider proposals to upgrade services. A summary report will be released to the Governor later this year.
- ◇ The OCC continues to use outreach as an effective educational tool for Colorado consumers. The Consumer Counsel was the spokesperson for the DORA public service announcement on tiered electrical rates that are in effect in Public Service territory from June through September. The Consumer Counsel continues to meet with both industry and consumer groups and keep the OCC internet site accurate and up to date. Information on tiered electric rates in Public Service territory was posted to the internet site and consumers are using the OCC's listserv to subscribe to current activities and announcements about energy and telecommunications utilities. The Consumer Counsel reaches out to the public on consumer issues through interviews with members of state and national media.

DIVISION OF FINANCIAL SERVICES (\$1.5 million and 15.0 FTE). The Division of Financial Services regulates state-chartered credit unions, savings and loans, and life care institutions. In addition, administers the Public Deposit Protection Act, which safeguards uninsured public monies deposited in federal and state chartered savings and loans. Fees and assessments against regulated institutions support the Division.

The Division's fifteen-member staff operates under the policy-making and rule-making authority of the Financial Services Board, which consists of five members appointed by the Governor and confirmed by the State Senate. The Financial Services Board issues rules and regulations governing the industries regulated by the Division, may delegate many of its authorities to the State Commissioner of Financial Services, and hears appeals of actions taken by the Commissioner under delegated authority. The Division is wholly or partially responsible for administering and/or enforcing the following Colorado Revised Statutes (C.R.S.):

- Credit Unions: §11-30-101, CRS
- Savings and Loan Associations: §11-40-101, CRS
- Protection of Deposits of Public Moneys: §11-47-101, CRS
- Life Care Institutions: §12-13-101, CRS
- Uniform Consumer Credit Code: §5-1-101, CRS
- Electronic Funds Transfers: §11-48-101, CRS

State-chartered credit unions operate under the supervision of the Division. The Division is empowered to approve applications to incorporate new state credit unions and to approve mergers between credit unions. State credit unions are examined regularly by the Division's staff to evaluate their financial condition and compliance with applicable laws and regulations. The Division's credit union examination and supervision program has been accredited by the National Association of State Credit Union Supervisors (NASCUS) for a five-year period ending in May 2012, subject to annual review. State-chartered savings and loans also operate under the supervision of the Division. The Division is empowered to approve applications to incorporate new state-chartered savings and loan associations, approve branch office applications for existing associations, approve mergers between associations, and approve changes of ownership. The Division staff examines state savings and loan associations on a regular basis to evaluate their financial condition and compliance with applicable laws and regulations. For the protection of consumer savings, all state savings and loan associations and all credit unions that serve Colorado citizens are required to maintain federal deposit insurance. The Division also administers and enforces the Public Deposit Protection Act for savings and loan associations. State and federal savings and loans designated by the Division as eligible public depositories must pledge collateral to secure any deposits in excess of the federally-insured limit accepted from Colorado governmental units.

The Division also regulates certain financial activities of life care institutions, which provide long-term residence and care for the elderly. The Division may initiate enforcement action against violations of the law by life care providers. Finally, the Division also handles consumer complaints and information requests regarding the industries it regulates.

DIVISION OF FINANCIAL SERVICES HOT ISSUES

- The Division must carefully monitor and examine the financial condition of state-chartered credit unions and savings and loan associations that are feeling the lingering stresses caused by the “Great Recession” such as tight credit, and a fragile economy slowly returning to growth. The purpose of such scrutiny is to protect Colorado citizens who maintain shares and deposits in these institutions.
- Contributing assets to resource sharing initiatives that will present a unified DORA to consumers. Expected results from this effort include providing consumers with easy access to the Department’s resources for information and education, and an easy process for consumers filing complaints.
- Promote a marketplace where consumers have access to safe and innovative financial services, and businesses have the opportunity to provide them in a fair and competitive environment; accomplishing this through educating consumers and strict regulatory enforcement.

DIVISION OF INSURANCE (\$7.2 million and 86.7 FTE). The Division of Insurance (the “Division”) regulates approximately 1,500 insurance entities and approximately 115,000 insurance producers operating in Colorado. Insurance companies regulated by the Division include traditional insurance entities such as automobile, homeowners, life, health, health maintenance organizations (HMOs) and workers' compensation insurers, as well as non-traditional entities such as pre-need funeral companies, bail bond companies, fraternal benefit societies, captive insurers, risk retention groups, and self-insurance pools. The Division is funded primarily from licensing fees paid by regulated entities. The head of the Division is the Commissioner of Insurance, who is appointed by the Governor.

The Division is organized into the following two sections:

- Finance and Administration. This section carries out insurance company licensing and performs all aspects of financial solvency authorization examination and monitoring, market conduct examination, and premium tax collection for approximately 1,500 insurance and insurance related companies licensed in Colorado. This section also regulates non-admitted reinsurers, self-insurance pools and plans, surplus line companies, regional home office qualifications, pre-need funeral contract sellers, limited service licensed provider networks, foreign risk retention and purchase groups, and captive insurance companies. This section processes and reviews rate and form filings submitted to the Division and initiates desk audits of various insurers and insurance related entities to make sure that benefits, coverage and treatment are provided to

Colorado consumers as required by law. Enforcement activities include examining insurers and related entities to determine compliance with insurance law and regulation and investigating unauthorized or illegal insurance or agent activity. Examination reports are public records and are posted on the Division's website after an exam has been completed and adopted by the Commissioner. This section oversees the office management functions including reception and all budgetary functions.

- Consumer Affairs. This section oversees all consumer services, including the consumer complaint process against insurance companies and producers, the Senior Health Insurance Program for Medicare and other senior insurance counseling issues, Compliance and Investigations including producer licensing responsibilities. The section fields consumer inquiries and resolves consumer complaints against insurance companies, regulated persons and entities. It also investigates and takes enforcement actions for violations of insurance law and regulation, handles open records and other information requests, and manages other processes including service of process, open records, rulemaking and consumer education. Staff responds annually to an estimated 26,000 telephone calls, e-mails, letters, and walk-in visits from consumers. Coloradans needing assistance with insurance issues may contact the Division to file a complaint or inquiry and for information on all types of insurance.

The Division of Insurance serves the public interest by: providing effective, complaint resolution process for Colorado consumers; providing effective service and other tools that Colorado consumers have access to, such as the Division's Website to assist and educate Colorado consumers, the public, and regulated entities; promoting and preserving a sound, competitive insurance marketplace through effective state regulation; promoting access to affordable insurance that allows for adequate consumer choice; and, promoting and developing more streamlined, uniform, and efficient regulatory processes. The Division also engages in extensive consumer outreach and education through informational brochures, its website, and presentations at community events.

DIVISION OF INSURANCE HOT ISSUES

- Implementation of the federal health care reform adopted by Congress in 2010. This legislation establishes federal requirements and rules for entities regulated by the Colorado Division of Insurance with phased implementation from 2010 to 2014 of the federal provisions. The federal law requires further enhancement to review of health premium rates and prior approval of such rates as established under HB08-1389; expanded consumer outreach and education as to the changes occurring and required in the health care coverage system; and expansion of the Division's enforcement actions to ensure compliance with state and federal law for a rapidly evolving marketplace. In addition, the federal reforms include the establishment of a Health Insurance Exchange, a marketplace for individuals and small businesses to obtain health coverage. The Division is working the Governor's Office, the Health Insurance Exchange Board (on which the

Commissioner sits as an ex officio member), and other state and federal departments on the formation and operations of the Colorado Health Insurance Exchange to begin operations in 2014.

- High profile projects including:
 - ◇ Expanded and targeted enforcement actions to protect consumers from violations of insurance laws and regulations, with particular emphasis on types of insurance and areas in which consumers are particularly vulnerable – e.g. theft of premium, unauthorized insurance, unfair business practices.
 - ◇ Balanced examination of insurance companies' business practices through health coverage premium rate review, market conduct and financial examinations, annual and quarterly statement review, investigations, market analysis, and other enforcement actions. Concomitant focus on tying company compliance and penalties to expanded access to insurance and coverage.
 - ◇ Adapting Colorado regulatory processes to new federal requirements including premium tax collections on surplus lines under the Dodd-Frank Act, and potentially revising producer licensing procedures under the National Association of Registered Agents and Brokers II (NARAB II) legislation.
- Maintaining qualified staff to oversee and regulate increasingly sophisticated and complex insurance and related entities and emerging products, including: risk retention entities; risk pools; financial entity sales of insurance products and insurance as investment vehicles; other issues in a rapidly changing marketplace characterized with increased and previously unrecognized risks of catastrophic natural disasters, domestic and foreign terrorism; and failure of other economic marketplaces and regulation.
- Increased consumer education and outreach to enhance public awareness about the mission of the Division and the consumer assistance it provides. These efforts cover all lines of insurance, but many of the current projects focus on federal health care reform and homeowner's insurance. Both issues are on the minds of consumers due to the ongoing implementation of the federal law and multiple fires, tornadoes and floods in our state.

PUBLIC UTILITIES COMMISSION (\$15.6 million and 101.1 FTE). The Public Utilities Commission (PUC) has the authority to regulate the rates and services of a wide range of transportation and fixed utilities throughout Colorado. Assessments and licensing fees paid by regulated entities support the Division.

PUC has full economic and quality of service regulatory authority over intrastate telecommunication services; and investor-owned electric, gas and water utilities, as well as partial regulatory control over municipal utilities and electric associations. The PUC also has jurisdiction over gas pipeline inspection units, investor-owned distribution operators; municipal distribution operators; master meter distribution operators; investor-owned transmission operators; some municipal transmission operators; LP operators; and direct sales purchasers. The PUC also regulates motor carriers that transport passengers for hire, household goods movers, towing carriers, and carriers operating in interstate commerce. Finally, the PUC has jurisdiction over public highway-rail grade crossings. The PUC has some legislative and judicial authority, and is charged with determining whether utilities have the financial and technical capability to provide services. The PUC also administers the following programs: Colo. Telecommunications High Cost Fund Program, the Low-Income Telephone Assistance Program, the Highway Rail Signalization Program, the Disabled Telephone Users Program and the Colorado No-Call List Program.

The Commission includes three members who are appointed by the Governor and confirmed by the Senate for a term of four years. The Division Director manages the staff and daily operations of the PUC. Staff members have specialized knowledge in engineering, economics, law, finance, support, and management, and are organized into the following working sections and units:

- The Energy Section is responsible for supporting the mission of the Commission to assure the availability of safe, reliable, adequate, and efficient electric, gas and steam services to utility customers at rates that are just, reasonable, and not discriminatory. The Section conducts financial and engineering analyses, rulemaking, audits and investigations for the Commission in issues of operating authority, rates, quality of service, resource planning, compliance and enforcement. The section is also responsible for water utility service affordability and availability.
- The Telecommunications Section is responsible for supporting the mission of the Commission to assure a wide availability of high quality, safe and efficient telecommunications services at rates that are just and reasonable through the promotion of a competitive telecommunications marketplace and the implementation of flexible regulatory treatments. The Section conducts financial analyses, engineering analyses, audits, investigations and regulatory policy analysis to inform the Commission on matters of retail, wholesale and 911 operating authority, rates, service quality, compliance and enforcement. The Section also administers various telephone service subsidy programs.
- The Economics Section has a wide range of duties which support the overall mission of the Commission. The Section serves the agency through its economic and policy analysis of telecommunications, energy, water, and transportation utilities regulated by the Commission. The section assists the Commission to achieve a balance between utilities' health and stability, consumer protection, economic development and regulatory reform.
- The Transportation Section regulates the affordability and availability of motor carriers transporting passengers for hire, rates and authorization for nonconsensual tows of motor vehicles, and contractual agreements between household goods

movers and shippers. The Section conducts financial reviews, ensures fair and cost-based carrier rates; conducts audits and service complaint investigations; processes carrier applications; and issues permits, based on compliance with insurance and safety standards.

- The Administrative Hearings Section consists of administrative law judges (ALJs) and certified court reporters. ALJs establish procedural schedules, conduct hearings, and issue recommended decisions for all types of proceedings referred to them by the Commissioners. They also offer mediation services in connection with such proceedings. Court reporters make a stenographic record of testimony and legal argument presented at Commission hearings and, for a fee, will produce written transcripts of such testimony/argument if requested to do so.
- The External Affairs Unit resolves complaints between customers and regulated utility companies. It informs the public about PUC decisions and ratepayer issues through publications, as agency spokesperson and through community outreach.
- The Policy Advisory Section provides policy, financial and engineering advice and technical training on all energy, water and telecommunications matters to the decision-makers of the Commission - the Commissioners and Administrative Law Judges. The administrative support team handles all filings by determining the timing, disposition and weekly agenda to ensure that all statutory deadlines are met. This team is also responsible for the processing of all Commission decisions.
- The Rail/Transit Safety Section is responsible for safety at all public highway-rail crossings in Colorado, and is the State Safety Oversight Agency for rail fixed guideway systems. The Section conducts on-site safety inspections, accident investigations, and performs a complete audit of all transit agencies rail fixed guideway systems every three years.
- The Gas Pipeline Safety Section ensures the safety of all intrastate natural gas pipeline systems. The Section Conducts gas pipeline safety audits of operator's pipeline system operation and maintenance records, on-site construction and repair inspections, and incident investigations.
- The Administrative Services Section is responsible for fund administration, budget preparation, purchasing, central records control, business system administration, personnel, and administrative support.
- The Research and Emerging Issues Section advances policy discussions and Commission decisions concerning current and emerging issues that impact utilities and service providers regulated by the Colorado PUC and their customers. The team accomplishes this mission by initiating, facilitating, coordinating, and performing objective and balanced research and sharing the results of this work with the Commissioners and Staff.

PUBLIC UTILITIES COMMISSION HOT ISSUES

- Due primarily to laws passed in the 2010 legislative session significant PUC efforts are required to establish adjudicate follow-up matters associated with the implementation of the Clean Air – Clean jobs Act plans approved in 2010. The PUC is now under very tight timelines to adjudicate applications for the coal-fired generation plant closures and dismantling, fuel switch to natural gas firing, addition of emission control retrofits, and associated cost recovery filings, to comply with the approved State Implementation Plan (“SIP”) for Regional Haze. There are twelve coal-fired generation units (Arapahoe Units 1 & 2, Cherokee Units 1, 2, 3 & 4, Hayden Units 1 & 2, Pawnee Unit 1, Valmont Unit 5, and Clark Units 1 & 2) that will be affected between now and 2017. The PUC will need to approve Certificates of Public Convenience and Necessity, establish cost controls where appropriate, hear rate cases for recover of approximately \$1.5 billion in new plant investments.
- The PUC also continues its focus on energy efficiency, demand-side management, renewable energy standard compliance, environmental issues, renewable attribute and energy trading activities, new technology applications, and transmission planning. These tasks are in addition to an increased number of traditional rate filings and resource plans that must be decided in the same timeframe. This shift in focus requires employee training including personal research, self-training, conferences, seminars, webinars, etc. as the budget allows.
- Market place changes in the telecom industry and the economic downturn continue to require that the PUC spend significant time on evaluation of mergers and acquisitions, encumbrances, asset transfers, new telecom provider applications for authority to do business, nextGen 911, 911 surcharge increases, and certifications to receive universal service funds particularly from wireless carriers seeking to receive subsidies for service provided to low income consumers. Also, of particular note will be the monitoring required of the complex integration of operations and systems resulting from the PUC approved CenturyLink and Qwest merger to assure there are no significant consumer impacts.
- The continued evolution of VoIP, wireless and broadband capabilities have accelerated the need at the federal and state level to comprehensively re-evaluate critical telecom policies to assure the advancement of communications services to the citizens of Colorado. In addition to actively monitoring and participating where necessary in the Federal Communications Commission’s (FCC) implementation of its National Broadband Plan including the reformation of universal service and access rate reform, the PUC created a Colorado Telecom Advisory Group. This group includes a cross section of telecom providers, government entities and interested consumer advocates tasked with understanding the telecom evolution and informing policy decision makers on topics ranging from consumer demand, retail and wholesale

market competition, quality of service, public safety and next generation 911, universal service and other consumer subsidies, and provider of last resort obligations. The efforts of this group in the past year culminated in lengthy discussions and debates on telecom legislation which did not pass out of committee. Renewed efforts by the PUC with the active involvement of all interested parties, will continue throughout the year with a more granular data driven focus and implementation of changes to universal service, intercarrier compensation, and retail regulatory reform.

- The PUC continues its efforts to align itself with the governor's directive to go green. This past year it successfully implemented an internet based electronic filings program (E-Filings). All filings in docketed proceedings may be filed and viewed electronically through the E-Filings system.
- The Unified Carrier Registration Agreement (UCR) is now fully implemented on a national basis and is the main source of revenue for the PUC's Transportation Section. The revenue generated by the UCR program is substantially less than expectations and program requirements. The PUC now believes this trend will continue and the PUC is pursuing revenue alternatives including the setting of fees administratively rather than by statute.
- House Bill 08-1227 and Senate Bill 09-294 amended § 40-10-105(2) by changing the entry standards for taxi service in the counties of Adams, Arapahoe, Boulder, Broomfield, Denver, Douglas, El Paso, and Jefferson. This resulted in a relatively large number of new applications for taxi service requiring a significant amount of PUC staff resources to conduct hearings and to analyze the applications and evidence presented. Commission decisions are pending on several of the applications.
- Senate Bill 11-045 requires that the PUC chair a taskforce chartered with evaluating the current process for siting of electric transmission in the State of Colorado and providing the legislature with recommendations for the improvement of that process. The PUC also is continuing its effort to address other issues concerning electric transmission. On May 9, 2011 the PUC adopted new streamlined rules for obtaining Certificates of Public Convenience and Necessity. The PUC continues to work with state, regional and national forums and agencies with the goal of solving transmission issues proactively.

DIVISION OF REAL ESTATE (\$4.2 million and 52.3 FTE). The Division of Real Estate licenses real estate brokers, real estate appraisers, and mortgage loan originators; and registers time-shares, loft/condominium conversions, and raw land subdivision developers, homeowner associations and mortgage companies. The Division of Real Estate also certifies the qualified organizations under Section 170(h) of the Internal Revenue Code of 1986 that hold conservation easements for which a tax credit is claimed. All

programs are under the jurisdiction of the Real Estate Commission, the Conservation Easement Oversight Commission, the Board of Mortgage Loan Originators and the Board of Real Estate Appraisers. Fees and assessments support the Division.

The fundamental purpose of the Division of Real Estate is to establish and maintain a safe, stable environment in which the general public may buy, sell and lease real property in Colorado. The Division accomplishes this through qualifying and licensing real estate brokers, mortgage loan originators and appraiser professionals, by careful scrutiny of time share, loft/condominium conversions and undeveloped, raw land subdivision offerings, and through an enforcement program that is responsive to the needs of the citizenry. Licensees must comply with education and/or experience requirements, reciprocity and/or pass a general and/or state portion of the licensing exam prior to licensure. Additional protection is offered through an affordable program of errors and omissions professional liability insurance for most real estate licensees. The Division also ensures public protection by reviewing conservation easement appraisals and establishing qualifications for conservation easement holders to ensure professionalism and stability of conservation easements involving a state tax credit. The Division interacts with numerous state, federal and local governmental and private agencies in accomplishing these tasks. Additionally, the Division serves as a statewide resource for the general public, the legislature and other governmental bodies in all matters pertaining to real property transactions.

With regard to real estate brokers, jurisdiction rests with the five-member Real Estate Commission who meets bimonthly to conduct rulemaking hearings, make policy decisions, consider licensing matters, review complaints and take disciplinary action against real estate brokers. The Real Estate Commission consists of three real estate brokers and two members of the public. The Commissioners serve a three-year term. Additional regulatory responsibilities include time share projects sold in Colorado, condominium conversions and developers of subdivisions consisting of 20 or more residential sites, tracts or lots that are not required to be approved by another government planning authority.

With regard to real estate appraisers, jurisdiction rests with the seven-member Board of Real Estate Appraisers who meet monthly to conduct rulemaking hearings, make policy decisions, consider licensing matters, review complaints and take disciplinary action against real estate appraisers. The Board of Real Estate Appraisers consists of three licensed or certified appraisers, one county assessor, one banker with experience in mortgage lending, and two members of the public. The Board Members serve a three-year term.

With regard to the Conservation Easement Oversight Commission, jurisdiction rests jointly with a nine-member advisory Commission and the Division of Real Estate. The Conservation Easement Oversight Commission meets quarterly and is comprised of one member representing the Great Outdoors Colorado Trust Fund, one member representing the Department of Agriculture, and one member representing the Department of Natural Resources. The remaining six members are appointed by the Governor and represent local land trusts, state or national land trusts, a local government open space or state conservation agency, a historic preservation

organization, a certified general appraiser with conservation easement appraisal experience, and a landowner who has donated a conservation easement in the State of Colorado. The Division conducts rulemaking hearings, makes policy decisions, considers certification matters, reviews complaints and takes disciplinary actions against the holders of conservation easements.

With regard to the Board of Mortgage Loan Originators, jurisdiction rests with a five-member Board who meet monthly to conduct rulemaking hearings, make policy decisions, consider licensing matters, review complaints and take disciplinary action against mortgage loan originators. On August 11, 2010, Governor Ritter appointed two licensed mortgage loan originators and one member of the public at large to serve one two-year term. Governor Ritter appointed one licensed mortgage loan originator and one member of the public at large to serve one four-year term. Thereafter, the Board members will serve four-year terms. Additional regulatory responsibilities include registering mortgage companies and ensuring that mortgage companies do not employ or act through unlicensed loan originators, and the companies comply with recordkeeping and advertising requirements.

With regard to homeowner associations, the HOA Information and Resource Center began registering homeowner associations on January 1, 2011. Homeowner associations that are required to register with the Division of Real Estate may not be able to enforce a lien if the association has a lapse in its registration. The HOA Information Officer provides basic information regarding homeowner rights and responsibilities, and compiles statistical data regarding complaints filed against homeowner associations.

DIVISION OF REAL ESTATE HOT ISSUES

- On July 21, 2011, the oversight of the Consumer Financial Protection Bureau went into effect. As this regulatory body begins promulgating rules pertaining to consumer financial transactions, the Board of Mortgage Loan Originators will promulgate rules as necessary to ensure that federal and state regulations pertaining to mortgage loan originators are consistent. It is anticipated that the Dodd-Frank Act will create significant changes in the mortgage loan origination industry, including required disclosures about residential mortgages and the types of products available to consumers.
- The passage of the Dodd-Frank Act expanded the Appraisal Subcommittee's regulation of the Board of Real Estate Appraisers. As a result, the Board of Real Estate Appraisers will promulgate rules to ensure that state requirements are consistent with federal rules and regulations. The Board will address the federal changes to the education requirements for appraiser license applicants, implement fingerprint-based background checks of appraisers, establish the criteria necessary to become a supervising appraiser and seek regulation of appraisal management companies. The Board will also ensure that its policies, procedures, practices, funding and staffing are consistent with Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989. The Board will also ensure that it adopt the regulations necessary to maintain appraiser independence.

- Effective January 1, 2011, the Division of Real Estate began issuing conservation easement tax credit certificates. Due to the passage of additional legislation in 2011 which further lowered the tax credit cap, the Division will issue certificates for tax credits, not to exceed an aggregate amount of \$22 million dollars, during the income tax years commencing in the calendar years of 2011, 2012 and 2013. Persons who have not received a credit certificate from the Division of Real Estate will not be allowed to seek a tax credit claim during the 2011, 2012 and 2013 calendar years.

DIVISION OF REGISTRATIONS (\$15.6 million and 198.9 FTE). The Division of Registrations provides consumer protection through its regulation of 345,000 licensees within 52 professions, occupations, and entities in the State of Colorado. The Division's boards and programs have been created by the Colorado Legislature to ensure a minimal level of competence of licensees and to protect the public. There are 212 board and commission members serving on 26 boards, commissions and statutorily created committees. In addition, there are 11 director model programs. Each board and program is empowered to determine the qualifications to obtain a license, regulate the standards of conduct for the profession, review complaints against licensees and take action as necessary.

Accountancy	Funeral Homes and Crematories	Plumbing
Acupuncture	Landscape Architects	Podiatry
Addiction Counselors	Lay Midwives	Pharmacy
Architects, Engineers, Land Surveyors	Marriage & Family Therapists	Physical Therapy
Athletic Trainers	Massage Therapists	Professional Counselors
Audiology & Hearing Aid Providers	Medical	Psychologists
Barbers & Cosmetologists	Nursing & Nurse Aides	Respiratory Therapists
Boxing	Nursing Home Administrators	Social Work
Chiropractic	Occupational Therapists	Surgical Technologists
Dental	Optometric	Registered Psychotherapists
Electrical	Outfitters	Veterinary
	Passenger Tramway Safety	Volunteer Private Investigators

The Division is the “umbrella agency” that administers these boards by providing administrative and staff support to the boards and managing the day-to-day business of the boards. The Division employs 198.9 permanent staff.

The Division is primarily organized by function. Centralized support is provided by the Director's Office, Office of Licensing, Office of Support Services, System Support Unit, Office of Examination Services, Office of Investigations and Office of Expedited Settlement. Specialized program activities, board support and enforcement are grouped into three sections - Business and Technical Section, Healthcare Section and Health Services Section.

The major functional areas of the Division include licensing and examinations, inspections, enforcement and communication. Inherent in accomplishing the Division's program functions is the essential component of efficient administration.

- **Licensing** includes original licensure and licensure by endorsement to ensure that applicants have met the education, experience, and examination requirements to practice professions and occupations. License renewal facilitates accuracy of licensee information and is a mechanism for enforcement of numerous statutory mandates.
- The Division develops monitors, analyzes, and manages both in-house testing programs and outsourced contracts for national licensing **examination** programs.
- **Inspections** reduce the potential for public harm from unsafe facilities, supplies, equipment, and individuals by ensuring compliance with state or federal laws, regulations, standards, or codes.
- The goal of **enforcement** is to restrict, suspend, or revoke licenses when generally accepted standards of practice, conduct, or safety are not met. Statutes require investigation of complaints and provide for hearing when it is determined that the actions of the licensee are a possible violation of the practice act. Prosecution of violations of law by licensees is an essential element of the public protection functions of licensing while simultaneously providing the licensee due process.
- The Division uses a variety of **communication** methods to educate and advise the public and licensees.

The Division is funded primarily by fees paid by licensees, with the exceptions of the Nurse Aide program, which is subsidized by the federal government's Medicare and Medicaid funds and the Electrical and Plumbing boards who receive permit and inspection revenue. The license renewal program generates much of the revenue necessary to fund the licensing boards and programs.

DIVISION OF REGISTRATIONS HOT ISSUES

- One of the Division's top continuing priorities and challenges is enhancement of services to external customers through the use of technology for communication and business transactions. The Division is working closely with the Governor's Office of Information Technology (OIT) to implement a new licensing system that expands online services for applicants and licensees.
- The Medical Board implemented legislative requirements of physicians to disclose specific information that can be accessed by the public via the internet. During the 2010 legislative session that requirement was extended to other

healthcare professions within the Division. Other entities have seen this as an opportunity to seek legislation that would require the Division to collect additional data from licensees that is not central to consumer protection. A collaborative of healthcare policy organizations is seeking to require the Division to collect workforce data from healthcare providers for research and analysis purposes. Although proponents tout this as benefiting all Coloradans, the expenses related to this bill would be born the licensees.

- Developing effective methods for ensuring and measuring continued competency for licensed professionals is a growing trend. This is particularly true for health professionals as states struggle with developing cost effective and efficient methods to assure the public of ongoing competency of licensed professionals. Addiction Counselors, Licensed Professional Counselors, Marriage & Family Therapists, Social Workers and Electricians are in the process of implementing these requirements. Continued competency was also added to the regulation of Physical Therapists and Podiatrists during recent legislative sessions.
- Due to recent legislation, voluntary licensure models are becoming a popular alternative to the Division's standard regulatory schemes. Voluntary licensure is not only problematic for setting fees and creating consumer confusion but it also undermines the entire purpose of regulation the protecting of the consumer health safety and welfare. Moving forward, the Division will continue to work with industry groups to provide alternatives to voluntary licensure.
- Increased desire for quick and easy mobility across state lines for licensed professionals, particularly as it relates to military personnel and their spouses, is another trend impacting the Division.
- A large number of boards and programs in the Division will be undergoing Sunset Review. In FY12 this includes the Pharmacy Board, Licensing of Audiologist and Hearing Aid Providers, and the Committee on Anticompetitive Conduct. In FY13 Licensure of Acupuncturist, Massage Therapists and Occupational Therapists along with the Board of Architects, Professional Engineers and Professional Land Surveyors and the Plumbing Board will be undergoing Sunset Review.

DIVISION OF SECURITIES (\$3.1 million and 26.0 FTE). This Division monitors the conduct of securities broker-dealers and sales representatives in Colorado, investigating both citizen complaints and indications of investment fraud. Fees and assessments against regulated entities support the Division.

The Division protects Colorado investors from those who would: cheat or defraud them through the sale of bogus securities; take advantage of them through abusive broker sales practices; engage in dishonest and unethical business practices relating to investment advice; sell them fraudulent precious metals and other commodities investments; sell them unregistered, non-exempt securities, or, sell securities to them without being licensed as broker-dealers or sales representatives. The Division also acts to protect Colorado investors and taxpayers by regulating the issuance of bonds by Colorado special districts and municipal and county improvement

districts. Finally, the Division protects Colorado taxpayers and local governments by regulating Colorado local government investment pool trust funds.

Specific Division activities include:

- Review of applications for the registration of public securities offerings and reviewing other offerings to determine applicability of exemptions from the registration requirement;
- Licensure of securities broker-dealers, investment advisers, investment adviser representatives, and sales representatives;
- Conducting on-site examinations of broker-dealers, investment advisers, and local government investment pool trust funds;
- Investigation of potential violations of law, grounds for statutory disqualification or sanctions, establish priorities, prepare and assist in litigation; and,
- Communications with licensees, registrants, investors, professional associations, the media, and other interested parties.

Under the Commissioner and through the Securities Act, the thrust of securities regulation in Colorado is to protect investors by bringing enforcement actions against fraudulent and other abusive conduct. In doing so, the Division works with local, state, and federal law enforcement and regulatory authorities. The Division investigates complaints of Colorado citizens and other indications of investment fraud in the state, and monitors Colorado broker-dealer and sales representative conduct. The Division also administers and enforces the Commodity Code to protect investors and to prevent and prosecute illegal and fraudulent schemes involving precious metals and other off-exchange commodities. The Division reviews applications for the registration of non-exempt public securities offerings, reviews some exemption filings, and licenses companies and individuals engaged in business as securities broker-dealers and sales representatives. In addition to licensing application screening, the Division also performs on-site examinations of broker-dealer and sale representative offices. The Division also licenses and regulates state-based investment advisers (“IA’s”) and investment adviser representatives (“IAR’s”) who work in Colorado. Licensing and regulating state-based IA’s and IAR’s requires an application review process as well as on-site examinations.

DIVISION OF SECURITIES HOT ISSUES

Major Lawsuits:

Joseph v. HEI Resources, fka Heartland Energy, et. al - This enforcement case, filed in Denver District Court, seeks to permanently enjoin four businesses, their lawyer, and eight individuals from offering or selling securities in Colorado and violating the anti-fraud provisions of the Colorado Securities Act. Heartland raised millions of dollars from hundreds of investors by allegedly perpetrating a long running scheme to defraud investors by engaging in the fraudulent offer and sale of unregistered securities, in the form of interests in oil and gas drilling operations, through the use of unlicensed sales

representatives, to investors nationwide. The Commissioner alleged in his complaint that the Defendants operated "boiler rooms" in Englewood and Greenwood Village, Colorado. Boiler rooms typically feature numerous salesmen, each making hundreds of cold-calls per day to unsuspecting individuals, using scripted sales pitches and high pressure tactics to push investment opportunities. The Commissioner alleges that sales agents for these Defendants have engaged in this practice of cold-calling unsophisticated investors nationwide to push investment opportunities in oil and gas well drilling, making numerous misleading and unsubstantiated statements to investors regarding the prospects for successful investment returns and the previous track records for previous oil and gas drilling, all the while minimizing or dismissing the risk associated with drilling each well. Trial has not been set.

People v. Michael Marshall and Gregory Russell - This is a criminal action filed in Denver District Court. Marshall and Russell were indicted by the Denver County Grand Jury in a 70 count indictment where they were accused of scamming 60 investors out of approximately \$10 million. The money was purportedly invested in their companies, Uriels and Emerald Sierra. Both are charged with violating Colorado's Organized Crime Control Act, as well as Conspiracy to Commit Securities Fraud, Conspiracy to Commit Theft, 63 counts of securities fraud and 4 counts theft.

In the Matter of E*Trade Securities - This is a licensing action against the broker-dealer license of E*Trade based upon the alleged fraudulent sale of certain "auction rate securities" ("ARS") to Colorado investors. E*Trade sold ARS to Colorado investors, since at least 2005 and continuing until the ARS market collapsed completely in February of 2008. In selling ARS, E*Trade sales representatives told investors that ARS was a short-term, cash-equivalent, liquid investment when they were not. A six day hearing was held in May, 2010, and we are waiting for the court's decision.

With respect to other broker-dealers who sold auction rate securities to Colorado investors, in the last two years, the Division has reached settlements with 14 broker-dealers. The settlements reached have resulted in these firms buying back the ARS sold to Colorado investors and paying the Division penalties. The value of the ARS bought back from Colorado investors by these firms is approximately \$2.2 billion, and the penalties paid by these firms to Colorado exceeds \$8 million.

Cease and Desist Order Proceedings:

The Division received cease and desist authority five years ago. In the past two years, the Division initiated 30 C & D actions. Of those 30 actions, most involved the offer of investments in real estate transactions and the offer of interests in oil and gas ventures. With the on-going problems in the housing market, and the continuing rise of the price of oil, the Division anticipates seeing more real estate, and oil and gas offerings. Most of these actions involve out-of-state companies selling

unregistered securities in Colorado in a fraudulent manner. The Division anticipates initiating more actions involving these kind of offerings next fiscal year.

Senior Investment Fraud:

With the growing number of seniors, and the continued increase in senior investment fraud, the Division will continue to focus its attention on the issues involving senior investment fraud. These include rulemaking regarding the use of so-called senior or professional designations, educating seniors about the perils of attending free lunch seminars, and taking enforcement actions against financial advisers who sell seniors unsuitable investment products.

Investment Adviser Switch Over

With the passage of the federal Dodd-Frank Act in 2010, and commencing at the beginning of 2012, states will have sole regulatory authority over investment adviser firms with assets under management up to \$100 million, with the SEC having sole regulatory oversight of firms with assets over \$100 million. Prior to the passage of Dodd-Frank, states had oversight of firms with assets under management of less than \$25 million. Raising the demarcation line from \$25 million to \$100 million will increase the number of investment Adviser firms over which the Division has sole regulatory oversight by approximately 100 firms. Not only will the number of firms increase, but the size of the firms will increase from small firms with less than \$25 million to large firms with \$100 million in assets. The Division anticipates that the examination of firms with \$100 million in assets will inherently be more complex, and require additional staff time than examining a firm with \$25 million in assets. With this background, the state legislature approved three new field examiners positions for the Division in 2011.

PRIOR YEAR LEGISLATION

S.B. 09-026 – Athletic Trainer Practice Act (Williams, Riesberg): This bill requires athletic trainers to be registered and establishes a registration program in the Division of Registrations.

S.B. 09-138 – Continuation of Certified Nurse Aides (Boyd, Gagliardi): This bill continues the regulation of certified nurse aides (CNAs) through September 1, 2020, and makes adjustments to the regulation program and advisory committees.

S.B. 09-167 – Continuation of Chiropractic Examiners (Boyd, Kefalas): This bill continues the regulation of chiropractors by the Division of Insurance until July 1, 2020, and implements recommendations made in the 2008 sunset review.

S.B. 09-239 – Continuation of State Board of Nursing (Tochtrop, Riesberg): This bill continues the state board of nursing through July 1, 2020, and makes changes to implement the recommendations made in the 2008 sunset review. The bill also establishes the requirements an advance practice nurse must satisfy in order to receive provisional prescriptive authority.

S.B. 09-272 – High Cost Mechanism Transfer (Keller, Pommer): This bill transfers \$15 million from the Colorado High Cost Support Mechanism to the High Cost Administrative Fund contingent on the passage of S.B. 09-279.

S.B. 09-279 – Cash Fund Transfers (Keller, Pommer): This bill transfers \$15 million from the High Cost Administrative Fund to the General Fund.

H.B. 09-1053 – Regulation of Financial Institutions (Balmer, Romer): This bill repeals the "Colorado Foreign Capital Depository Act" which regulated how a financial institution can conduct business in Colorado as a foreign capital depository, and modifies banking board membership by replacing the executive officer of an industrial bank with the executive officer of a licensed money transmitter on the banking board.

H.B. 09-1085 – Mortgage Loan Originator Licensing Act (Rice, Heath): This bill modifies and renames the Mortgage Broker Licensing Act, as well as defines the term "mortgage loan originator" and states that on and after July 31, 2010, mortgage loan originators must be registered with the Nationwide Mortgage Licensing System and Registry.

H.B. 09-1086 – Continuing Competency of Mental Health Professionals (McGihon, Boyd): This bill sets forth requirements for the renewal of licenses or certifications for social workers, marriage and family therapists, professional counselors, and addiction counselors.

H.B. 09-1136 – Competency to Perform Electrical Work (Kerr J., Spence): This bill establishes renewal requirements for professional electrician licenses and adopts requirements that the state electrical board establish standards and rules to ensure the continued competency of electricians.

H.B. 09-1188 – Michael Skolnik Medical Transparency Act (Ryden, Carroll M.): This bill modifies the Michael Skolnik Medical Transparency Act by requiring physicians to disclose ownership interest and employment contracts that are health care related, involuntary limitations or reduction in medical staff membership or privileges at a health facility that occurred after January 1, 1988, and criminal convictions or plea bargains that occurred after a practitioner received a license to practice medicine in any state or country.

H.B. 09-1202 – Regulation of Disposition of Dead Human Bodies (Todd, Foster): This bill requires funeral establishments and crematories to be registered and establishes the associated registration program in the Division of Registrations.

H.B. 09-1244 – Exempt Property Carriers from PUC Regulation (Casso, Kopp): This bill exempts property carriers by motor vehicle from regulation by the Public Utilities Commission, and grants authority for the enforcement of financial responsibility and insurance requirements of such carriers to the Department of Public Safety.

2010 Session Bills

S.B. 10-109 – Medical Marijuana Regulation: Requires the Department of Public Health and Environment (DPHE) to promulgate new rules for medical marijuana identification cards and prescribing physicians. Establishes requirements for physicians who prescribe medical marijuana and allows the State Board of Medical Examiners in the Department of Regulatory Agencies to investigate and sanction physicians guilty of violations. Also allows DPHE to impose sanctions on physicians guilty of violating these requirements. Establishes reporting requirements for patients with a valid identification card who are convicted of a drug offense and requirements for patients with legal guardians. Makes the following appropriations:

- Appropriates \$815,224 cash funds from the Medical Marijuana Program Cash Fund and 2.1 FTE to the Department of Public Health and Environment (DPHE).
- Reappropriates \$593,333 along with 1.2 FTE to the Department of Regulatory Agencies (DORA) from the moneys appropriated to the DPHE.
- Reappropriates \$612,463 along with 5.2 FTE to the Department of Law for the provision of legal services to DPHE and DORA. Of this amount, \$99,879 is from the DPHE and \$512,584 is from DORA.

S.B. 10-124 – Skolnik Medical Transparency Act Revisions: Extends the Michael Skolnik Medical Transparency Act to certain health care professionals applying for a new, reinstated, reactivated or renewal license or certification to submit information to the State Board of Medical Examiners. Appropriates \$98,873 cash funds from the Division of Registrations Cash Fund and 1.0 FTE to the Division of Registrations in the Department of Regulatory Agencies and reappropriates \$7,538 to the Department of Law for the provision of legal services.

H.B. 10-1001 – Increase Renewable Energy Targets: Requires a utility to have a renewable energy portfolio standard (RPS) equal to 30 percent by 2020 and requires a portion of the RPS to be met through "distributed generation" (DG). Allows the Public Utilities

Commission (PUC) to reduce the DG percentage after 2014 and incrementally reduce the existing standard rebate offer if the market can support the change. Directs the PUC to require registration with a regional system for tracking renewable energy generation for large DG facilities. The act also:

- Allows a utility to advance funds that do not exceed the 2 percent rate cap from year to year for the acquisition of renewable energy resources with PUC approval;
- Directs the PUC to ensure that a utility allocates its expenditures according to the proportion of its revenues derived from residential and nonresidential customers;
- Increases the threshold at which a utility may negotiate purchases of renewable energy credits from individual customers from 100 kW to 500 kW; and
- Allows the PUC to determine a reasonable retail rate that solar program participants pay into the renewable energy standard adjustment.
- Requires new photovoltaic (PV) installations occurring on and after January 1, 2012 to be funded through ratepayer incentives and rebates and to be installed by licensed electricians or apprentices.
- Authorizes any committee formed by executive order for the purpose of studying the desirability of regulating solar installers to request a sunrise review.
- Appropriates \$51,440 cash funds from the PUC Fixed Utility Fund and 0.5 FTE to the Public Utilities Commission in the Department of Regulatory Agencies.

H.B. 10-1114 – Money Transmitters: Authorizes the Banking Board (Board) to share information about money transmitters with the United States Attorney General. Requires money transmitter agents to provide certain business information to the Board, sign a statement containing a notice of the money laundering laws, and/or receive training on money laundering laws. Prohibits a money transmitter from employing an agent who has committed certain crimes related to banking or property. Makes the initial violation a class 2 misdemeanor and subsequent violations a class 1 misdemeanor. Appropriates \$23,124 cash funds from the Division of Banking Cash Fund and 0.5 FTE to the Division of Banking in the Department of Regulatory Agencies.

H.B. 10-1128 – Regulatory Efficiencies: Clarifies that moneys collected on behalf of administering entities of professional peer review programs do not constitute state fiscal year spending for purposes of Section 20 of Article X of the State Constitution (TABOR). Clarifies that exemptions from the dental practice act apply to dental students and residents. Deletes duplicative requirements for foreign-trained dentists teaching at dental schools and duplicative requirements for X-ray technicians. Authorizes the

Director of the Division of Registrations to take disciplinary action against massage therapists convicted of unlawful sexual behavior or prostitution-related offenses. Exempts out-of-state chiropractors and medical doctors working at United States Olympic Committee sanctioned events, and out-of-state medical doctors working at Shriners hospitals from the requirement to obtain special temporary licenses. Repeals the regulation of athlete agents by the Division of Registrations. Reduces the FY 2010-11 appropriation to the Division of Registrations in the Department of Regulatory Agencies by \$25,887 cash funds, and reduces the appropriation to the Department of Law by \$9,799 reappropriated funds.

H.B. 10-1141 – Mortgage Company Registrations: Creates the five member Board of Mortgage Loan Originators (Board) in the Division of Real Estate as a Type 1 board and requires the Board to regulate mortgage companies, loan originators, and brokers. Requires mortgage companies and loan originators to have a state license and be registered with the Nationwide Mortgage Licensing System and Registry effective January 1, 2011. Requires mortgage companies and loan originators to obtain a unique identifying number that must appear on all residential loan application forms. Appropriates \$15,782 cash funds from the Mortgage Company Loan Originator Licensing Fund to the Division of Real Estate in the Department of Regulatory Agencies and reappropriates \$6,407 to the Department of Law for the provision of legal services.

H.B. 10-1148 – Repeal Continuing Competency for Architects: Repeals the continuing professional competency requirement for an architect. Reduces the FY 2010-11 appropriation to the Division of Registrations by \$11,307 cash funds, and reduces the appropriation to the Department of Law by the same amount of reappropriated funds.

H.B. 10-1197 – Conservation Easement Tax Credit Cap: Limits aggregate credits for donating conservation easements to \$26 million each year for the 2011, 2012, and 2013 income tax years. Taxpayers are first required to submit a claim for a tax credit to the Division of Real Estate, which will issue a certificate in the order the claims were received. If more than \$26 million in credits are claimed, the claims not issued certificates will be placed on a waiting list and certificates will be issued in a subsequent year. Appropriates \$9,028 cash funds from the Conservation Easement Holder Certification Fund and 0.2 FTE to the Division of Real Estate in the Department of Regulatory Agencies.

H.B. 10-1224 – Continuation of Podiatry Regulation: Continues the regulation of podiatrists by the Colorado Board of Podiatry until July 1, 2020 and implements the recommended changes in the 2009 sunset review. Appropriates \$3,149 cash funds from the Division of Registrations Cash Fund to the Division of Registrations and reappropriates \$2,261 to the Department of Law for the provision of legal services.

H.B. 10-1260 – Continuation of Medical Examiners Board: Continues the regulation of medical doctors by the Colorado Medical Board through July 1, 2019, and implements the recommendations made in the 2009 sunset review. On January 1, 2011 transfers the

regulation of emergency medical technicians from the Board to the newly-created, eleven member, Emergency Medical Practice Advisory Council within the Department of Public Health and Environment. Appropriates \$29,686 cash funds from the Division of Registrations Cash Fund to the Division of Registrations and reappropriates \$16,584 to the Department of Law for the provision of legal services.

H.B. 10-1278 – HOA Ombudsman: Creates the Home Owners Association (HOA) Information and Resource Center (Center) which is under the direction of the HOA Information Officer. Requires the Center to advocate on behalf of unit owners, mediate disputes, and act as a clearing house for information on the governing law, to track inquiries and complaints, and to report annually on the number and type of inquiries and complaints received. Requires HOAs to register and pay the applicable fee and prohibits an HOA from pursuing lien for assessments or otherwise enforce its rights and remedies under the "Colorado Common Interest Ownership Act" if the HOA fails to register and/or pay the fee. Caps the registration fee at \$50 and exempts HOAs from the fee if they do not charge a fee or cap their fee at \$400. Creates the HOA Information and Resource Center Cash Fund (Fund). Makes an appropriation of \$205,828 cash funds from the Fund and 2.0 FTE to the Division of Real Estate in the Department of Regulatory Agencies and reappropriates \$15,679 along with 0.1 FTE to the Department of Law for the provision of legal services.

H.B. 10-1313 – Supplemental Appropriations Bill: Supplemental appropriation to the Department of Regulatory Agencies for FY 2009-10.

H.B. 10-1365 – Conversion of Coal to Gas: Requires all rate-regulated utilities that own or operate coal-fired electric generating units to submit to the Public Utilities Commission (PUC) a plan to reduce emissions from those units covering the lesser of 900 megawatts or 50 percent of the utility's coal-fired electric generating units in Colorado. Allows the Department of Public Health and Environment the opportunity to comment on the utilities' plans and to determine whether the new or repowered electric generating units proposed under the plans will achieve certain emission rates. Requires the PUC to accept, reject or modify plans by December 15, 2010 and requires utilities to implement plans by December 31, 2017. Allows the PUC on and after January 1, 2012 to approve interim rates and requires a utility to rebate the excess if a final rate is lower than an interim rate. Appropriates \$74,115 cash funds and 0.6 FTE to the Public Utilities Commission in the Department of Regulatory Agencies and reappropriates \$13,041 along with 0.1 FTE to the Department of Law for the provision of legal services.

H.B. 10-1376 – Long Bill: General appropriations act for FY 2010-11.

H.B. 10-1385 – Insurance Fraud Fees: Requires the insurance fraud fee be credited to the newly created Insurance Fraud Cash Fund, and caps the fee at \$561. Requires the fee be used to offset the direct and indirect costs of insurance fraud investigations and prosecutions by the Department of Law. Reduces the FY 2010-11 appropriation to the Division of Insurance by \$860,186 cash funds.

H.B. 10-1415 – Registration of Surgical Assistants: Effective April 1, 2011 creates a registration program in the Division of Registrations for surgical assistants and surgical technologists. Requires the Division to create a database of registered surgical assistants and surgical technologists, and requires employers to check the database before employing a surgical assistant or surgical technologist. Appropriates \$43,414 cash funds from the Division of Registrations Cash Fund and 0.4 FTE to the Division of Registrations in the Department of Regulatory Agencies and reappropriates \$3,769 to the Department of Law for the provision of legal services.

2011 Session Bills

S.B. 11-076 – PERA Refinance: For the 2011-12 state fiscal year only, reduces the employer contribution rate for the State and Judicial divisions of the Public Employees' Retirement Association (PERA) by 2.5 percent and increases the member contribution rate for these divisions by the same amount. In effect, continues the FY 2010-11 PERA contribution adjustments authorized through S.B. 10-146 for one additional year. Reduces the Department's total appropriation by \$826,773 total funds, of which \$24,058 is General Fund, \$749,724 is cash funds, \$47,038 is reappropriated funds, and \$5,953 is federal funds.

S.B. 11-088 – Direct-entry Midwives Continuation: Continues the regulation of direct-entry midwives in the Division of Registrations until September 1, 2016, and implements changes recommended in the 2010 sunset review. Broadens the scope of practice for direct-entry midwives to include limited prescriptive authority to obtain and administer vitamin K, immune globulin and antihemorrhagic drugs, and authorizes the administration of intravenous fluids. Expands the mandatory disclosures for direct-entry midwives to address the new authorities, informed consent, and emergency procedures. Clarifies the distinction between serious and less serious violations, and requires the director of the division to establish a fine schedule and the circumstances under which fines may be imposed. Appropriates \$5,859 cash funds to the Department of Regulatory Agencies and reappropriates \$4,109 to the Department of Law for the provision of legal services.

S.B. 11-091 – Veterinary Medicine Continuation: Continues the State Board of Veterinary Medicine and its functions until September 1, 2022. Creates an exemption to the veterinarian-client-patient relationship (VCPR) for the purpose of dispensing prescription drugs and modifies the definition of the VCPR to allow for emergency coverage by another veterinarian. Allows veterinarians to establish professional service corporations under statutory guidelines, and directs the Board to develop a uniform system and schedule of fines for violations. Modifies the grounds for discipline, and imposes a two-year waiting period for a veterinarian whose license was revoked to reapply for licensure. Exempts the practice of animal physical therapy by a licensed physical therapist from the licensing requirements of the Colorado Veterinary Practice Act. Requires all veterinary clinics to have a Colorado-licensed veterinarian designated as responsible for all veterinary medical decisions and care provided to a patient present in

the facility. Subjects a corporate veterinary practice that fails to do so to a fine. Allows an unlicensed person to assist in a surgical procedure if the person is under the immediate supervision of a licensed veterinarian. Appropriates \$12,075 cash funds to the Department of Regulatory Agencies and reappropriates \$4,402 to the Department of Law for the provision of legal services.

S.B. 11-094 – Optometric Examiners Continuation: Implements the recommendations of the 2010 sunset review of the Colorado State Board of Optometric Examiners and continues the functions of the board until September 1, 2022. Appropriates \$5,460 cash funds to the Department of Regulatory Agencies and reappropriates \$4,410 to the Department of Law for the provision of legal services.

S.B. 11-128 – Child Only Health Plans: Requires all insurance carriers selling individual health benefit plans in Colorado to provide at least one child-only health benefit plan for children up to age 19, without regard to preexisting conditions, during two specified month-long enrollment periods per year. Specifies when the first enrollment must occur and time periods of subsequent enrollment. Requires insurance carriers to give notice of the open enrollment opportunities, instructions for enrolling, a link to the public programs administered by the Department of Health Care Policy and Financing on their website. Requires the Commissioner of Insurance to collect information about the number of applicants for a child-only plan, the number enrolled, the number of applicants denied enrollment, and the reasons for the denials in conjunction with the annual Health Cost Report Survey. Provides an informational only appropriation of \$5,455 federal funds to the Division of Insurance, and reappropriates \$2,935 to the Department of Law for the provision of legal services.

S.B. 11-151 – Supplemental Appropriation: Supplemental appropriation to the Department of Regulatory Agencies for FY 2010-11.

S.B. 11-169 – Physical Therapists Continuation: Implements the recommendations in the 2010 sunset review of the regulation of physical therapists, and continues the regulatory program until 2018. Creates the State Physical Therapy Board, a new certification program for assistants to physical therapists, and establishes requirements for physical therapists to demonstrate continued competency. Appropriates \$101,814 cash funds and 1.4 FTE to the Division of Registrations, and \$62,566 to the Executive Director's Office. Reappropriates \$23,680 to the Governor's Office of Information Technology for the provision of information technology services, and \$38,886 to the Department of Law for the provision of legal services.

S.B. 11-187 – Mental Health Boards Continuation: Continues the State Boards of Psychologist Examiners, Social Work Examiners, Marriage and Family Therapist Examiners, Licensed Professional Counselor Examiners, and the State Grievance Board and implements recommendations from the 2010 sunset review. Creates the State Board of Addiction Counselor Examiners and eliminates the regulatory authority of the director of the Division of Registrations over addiction counselors. Establishes a new sunset date of

September 1, 2020, for these oversight boards. Appropriates \$261,540 cash funds and 3.4 FTE to the Division of Registrations, and \$271,088 to the Executive Director's Office. Reappropriates \$176,088 to the Department of Law for the provision of legal services.

S.B. 11-192 – Prescription Drug Monitoring Program Continuation: Continues the Prescription Drug Monitoring Program (PDMP), and clarifies that only prescriptions that have been dispensed are to be tracked, repeals the prescription controlled substance abuse monitoring advisory committee, and makes changes to the administration of the program. Expands access to the PDMP to law enforcement officials and regulatory boards in the Department of Regulatory Agencies. Requires physicians and pharmacies to disclose to the patient that their information will be entered into the PDMP database. Appropriates \$50,326 cash funds and 1.0 FTE to the Division of Registrations.

S.B. 11-209 – Long Bill: General appropriations act for FY 2011-12.

H.B. 11-1033 – Repeal Schedule P Filings: Eliminates the requirement for property and casualty insurance companies to file an annual schedule of their aggregate Colorado claims data with the Division of Insurance in the Department of Regulatory Agencies. Reduces the appropriation to the Division of Insurance by \$5,333 cash funds.

H.B. 11-1100 – Military Experience Licensure Qualifications: Requires the Division of Registrations in the Department of Regulatory Agencies to accept an applicant's education, training, or service completed while a member of the armed services towards the qualifications to receive a professional license or certification. Appropriates \$94,388 cash funds to the Department of Regulatory Agencies, and reappropriates \$34,484 along with 0.4 FTE to the Department of Law for the provision of legal services.

H.B. 11-1195 – Voluntary Licensure of Private Investigators: Creates a voluntary license for private investigators in Colorado. Establishes licensure requirements and grounds for discipline. Appropriates \$82,533 cash funds and 1.0 FTE to the Department of Regulatory Agencies, and reappropriates \$7,337 to the Department of Law for the provision of legal services. Appropriates \$19,750 cash funds to the Department of Public Safety for background checks.

H.B. 11-1300 – Disputed Conservation Easements: Authorizes the use of an expedited process for resolving disputed claims over conservation easement tax credits with certain provisions. Modifies the aggregate cap for claims for conservation easements that was a part of H.B. 10-1197. Appropriates \$12,112 cash fund from the Conservation Easement Holder Certification Fund to the Department of Regulatory Agencies and reappropriates \$2,352 to the Department of Law for the provision of legal services. For additional information on H.B. 11-1300, see the "Recent Legislation" section at the end of the Department of Revenue.

WORKLOAD REPORTS

Workload Reports for the Department are listed as follows:

DIVISION OF BANKING	Actual FY 09-10	Actual FY 10-11	Estimate FY 11-12	Estimate FY 12-13
Regulated Institutions (as of 6/30)				
Commercial and Industrial Banks	105	79	76	76
Trust Companies	8	8	8	8
Money Order/Transmitter Licensees	46	51	55	60
Foreign Capital Depositories	0	0	0	0
Total Assets and other funds under supervision (000s omitted)				
Target			\$144,000,000 5% increase	
Actual	\$193,383,696	\$137,200,000		
* FirstBank combined from 25 banks to 1				
<p>1 Functional Activities Regulated include: Safety and soundness and Public Deposit Protection Act (PDPA) examinations of state-chartered commercial, industrial banks, and trust companies (94); PDPA examinations of federally-chartered commercial banks (17); examinations of PDPA escrow providers (6); Electronic Data Processing examinations of service providers and in-house IT systems(9); Uniform Consumer Credit Code examinations (51); Bank Secrecy examinations of state-chartered commercial and industrial banks (51); trust examinations of trust companies and state-chartered bank trust departments (5); and money order company examinations (29).</p> <p>2 Includes total assets as of March 2008 in commercial banks (\$36.1 billion), industrial banks (\$1.1 billion), trust companies (\$2.0 billion), plus trust assets (\$75.6 billion), the average monthly amount of public deposits (\$4.7 billion), and exchange sold or issued subject to the Money Transmitters Act (\$19.1 billion as of 12/31/07).</p> <p>3 Includes total assets as of March 2009 in commercial banks (\$36.7 billion), industrial banks (\$932 million), trust companies (\$ 515 million), plus trust assets (\$43.7 billion), the average monthly amount of public deposits (\$5.3 billion), and exchange sold or issued subject to the Money Transmitters Act (\$15.6 billion as of 12/31/08).</p> <p>4 Includes total assets as of March 2010 in commercial banks (\$37.9 billion), trust companies (\$561 million), plus trust assets (\$136.7 billion), the average monthly amount of public deposits (\$6.7 billion), and exchange sold or issued subject to the Money Transmitters Act (\$11.5 billion as of 12/31/09).</p> <p>5 Includes total assets as of March 2011 in commercial banks (\$36.3 billion), trust companies (\$0.6 billion), plus trust assets (\$81.7 billion), the average monthly amount of public deposits (\$7.0 billion), and exchange sold or issued subject to the Money Transmitters Act (\$11.6 billion as of 12/31/10).</p>				

Required Examinations -mandated				
Target	157	222	154	**
Actual	154	195		
Percentage of Required Examinations Completed				
Target	100.00%	97.00%	104.00%	**
Actual	100.00%	84.00%		
Additional Discretionary Examinations Performed				
Target	3	0	0	**
Actual	2	2		
Days to Complete Report and Submit to Institution (Safety and Soundness Examinations)				
Target	35	35	35	35
Actual	46	57		
Days to Complete Report and Submit to Institution (Specialty Examinations)				
Target	14	14	14	14
Actual	11	11		
Processing Correspondence				
Estimate	10	10	10	10
Actual	4	3		
Complaint Processing				
Estimate	3 – 20	3 – 20	3 – 20	3 – 20
Actual	3-105 average 39	3-56 average 19		
<p>1) The Division's examination function is risk-based. At the commencement of each fiscal year an examination schedule is estimated in accordance with risk-based criteria. This estimate changes during the year based on changes in the risk-based criteria, such as improvement in the financial conditions/ratings of a financial services institution, as well as other factors such as industry consolidation, charter conversions, and new charters/licensees. At the conclusion of the fiscal year, the Division is able to determine the actual number of examinations required as a result of these changes.</p> <p>2) The Division conducted two non-mandated examinations one on a commercial bank and one on a public deposit protection act.</p> <p>3) The Division measures its performance in two ways: (1) From the day a written complaint about a financial services institution chartered or licensed by the Division is received by the Division to the date it sends out its letter regarding the complaint to the subject financial services institution, and (2) To measure the number of days from the beginning of the process until the complaint is closed.</p> <p>** Projections for FY 11-12 are not available.</p>				

CIVIL RIGHTS DIVISION	Actual FY 09-10	Actual FY 10-11	Estimate FY 11-12	Estimate FY 12-13
Enforcement				
Inventory of open cases at year end (cases assigned to investigators plus cases in conciliation status).				
Target	696	577	644	651
Actual	627	637		
Percentage of cases settled before completion of investigative process.				
Target	15%	15%	15%	15%
Actual	13%	10%		
Average number of cases submitted for disposition per FTE, based on standards per investigator or FTE classification				
Target	84	84	80	80
Actual	81	81		
Number of new cases opened				
Target	808	800	782*	782*
Actual	734	724		
Number of cases closed				
Target	850	850	775	775
Actual	845	714		
Number of appeals of no-probable cause case determinations				
Target	92*	95*	84*	84*
Actual	108	61		
Education/Training				
Training/education sessions and presentations conducted by staff				
Target	90	90	90	90
Actual	112	108		
Number of persons trained				
Target	2,500	2,500	3,000	3,000
Actual	3,849**	3,625**		
*Projection based upon 3 year average				
**The Division sponsors civil rights conferences, forums, training, and fairs to provide education/information				

Division of Financial Services	Actual FY 08-09	Actual FY 09-10	Actual FY 10-11	Estimate FY 11-12	Estimate FY 12-13
Credit Unions					
Institutions					
Target	54	50	47	43	40
Actual	52	50	45		
Examinations Conducted					
Target *	36	36	32	30	30
Actual **	33	38	39		
*Based on statutory exam requirement of once every 18 months					
** Based on statutory exam requirement of once every 18 months plus additional examinations for credit unions needing extra supervision according to the Division's risk-based approach					
On-site Contacts Conducted					
Target	12	15	16	15	15
Actual	29	16	9		
Target	\$8,100	\$9,000	\$9,300	\$9,200	\$9,200
Actual	\$8,842	\$9,257	\$9,237		
* Corporate Assets (in millions)					
Target	\$3,000	\$ -	\$ -	\$ -	
Actual	\$3,000				
Savings and Loan Associations (including PDPA)					
Institution Main Offices					
Target	4	4	4	5	5
Actual	4	4	4		
Branch Offices					
Target	12	12	12	13	13
Actual	12	12	12		
Assets (in millions)					
Target	\$450	\$450	\$480	\$480	\$480
Actual	\$454	\$473	\$410		
Eligible Public Depositories					
Target	13	12	11	10	10
Actual	12	11	10		
Target	0	0	0		
Actual	0	0			

Division of Financial Services	Actual FY 08-09	Actual FY 09-10	Actual FY 10-11	Estimate FY 11-12	Estimate FY 12-13
Target	\$125	\$135	\$150	\$150	\$150
Actual	\$138	\$153	\$153		

Office of Consumer Counsel	Actual FY 08-09	Actual FY 09-10	Actual FY 10-11	Estimate FY 11-12	Estimate FY 12-13
Workload –The OCC does not estimate target numbers, as it cannot anticipate the filings or cases that may be brought before the PUC in any given year					
Target					
Actual	758	644	766		
Case Interventions/Ongoing Active Cases					
Target					
Actual	65	82	30		
Retention Filings Reviewed for Compliance					
Target					
Actual			120		
Cases Forgone Due to Lack of Resources					
Target					
Actual	0	2	1		
Savings to Consumer –The OCC does not estimate target numbers, as it cannot anticipated annual savings as a result of unknown interventions that may be required as a result of various utility actions					
Solely Responsible (in millions)					
Target					
Actual	28.92	18.57	19.57		
Primarily Responsible (in millions)					
Target					
Actual	7.65	0	0		
Jointly Responsible (in millions)					
Target					
Actual	22.44	27.96	6.07		
Outreach Program					
Target – 3 New, 3 Updates	6	6	6	6	6
Actual – 3 New, 4 Updates	8	8	6		
Develop a speakers bureau - Target	8	8		8	8
Actual	12	12	10		

DIVISION OF INSURANCE	Actual FY 09-10	Actual FY 10-11	Estimate FY 11-12	Estimate FY 12-13
Producer Licensing				
Producer License Reviews				
Target		3,000	2,500	2,500
Actual	2,509	1,945		
Examinations Given				
Target – All License Types		18,000	16,000	16,000
Actual – All License Types	15,484	15,093		
New Licenses Issued				
Target				
Resident Licenses		7,200	7,000	7,000
Non Resident Licenses		18,000	18,000	18,000
Surplus Lines		400	300	300
Bail Bondsmen		100	75	75
Reinstatement of Licenses		3,750	4,000	4,000
Public Adjusters		50	50	50
Total		29,500	29,425	29,425
Actual				
Resident Licenses	6,410	6,452		
Non Resident Licenses	15,234	18,738		
Surplus Lines	314	297		
Bail Bondsmen	84	65		
Reinstatement of Licenses (Estimate-database does not provide this info)	3,602	4,118		
Public Adjusters	55	83		
Total	25,699	29,789		
Renewal Licenses Issued				
Target		41,000	43,000	43,000
Actual	39,335	42,738		
Miscellaneous Other Activities				
Target				
Producer Registrations	12,852	15,000	15,000	15,000
Duplicate Licenses	9	50	10	10
Letters of Certification	1,533	3,000	1,500	1,500
Letters of Clearance	392	350	350	350

DIVISION OF INSURANCE	Actual FY 09-10	Actual FY 10-11	Estimate FY 11-12	Estimate FY 12-13
Name and Address changes	8,240	10,000	12,000	12,000
Total	23,026	28,400	26,860	26,860
Actual (Actual numbers are on calendar year basis)				
Producer Registrations		18,248		
Duplicate License		0		
Letters of Certification		1,009		
Letters of Clearance		336		
Name and Address Change		11,481		
Total		31,074		
Total Active Licensees				
Target		117,000	125,000	125,000
Actual	123,204	129,559		
Financial, Corporate Affairs, and Premium Taxes				
Annual Financial Statements Received				
Target		1,480	1,480	1,480
Actual	1,476	1,471		
Domestic Annual Financial Statements Analyzed				
Target		46	46	46
Actual	46	46		
Troubled Company Monitoring, Foreign				
Target		60	60	60
Actual	75	56		
Premium Tax Annual Returns Received				
Target		1,500	1,500	1,500
Actual	1,478	1,485		
Annual Premium Tax Returns Audited				
Target		750	700	700
Actual	738	703		
Surplus Lines Tax Returns				
Target		1,300	1,400	1,400
Actual	1,405	1,550		

DIVISION OF INSURANCE	Actual FY 09-10	Actual FY 10-11	Estimate FY 11-12	Estimate FY 12-13
Quarterly Premium Tax Returns Received				
Target		2,400	2,400	2,400
Actual	2,427	2,427		
Initial and Renewal Authorizations +				
Target		450	550	550
Actual	442	526		
Other Authority Actions+ +				
Target		300	300	300
Actual	343	299		
Financial Examinations				
Financial Examinations Conducted				
Target		7	8	12
Actual	9	7		
Consumer Affairs				
Complaint Files Opened				
Target		4,000	3,500	3,500
Actual	3,401	2,983		
Auto Protests Received				
Target		1,200	1,300	1,300
Actual	1,415	1,276		
Closed Cases				
Target		4,800	3,500	3,500
Actual	4,680	3,354		
Consumer Complaints/Average Days Open				
Target		80	80	80
Actual	79	82		
Protests/Average Days Open				
Target		60	50	50
Actual	50	50		
Incoming Telephone Calls				
Target		25,000	20,000	20,000
Actual	22,950	18,286		
Walk-Ins				
Target		150	150	150

DIVISION OF INSURANCE	Actual FY 09-10	Actual FY 10-11	Estimate FY 11-12	Estimate FY 12-13
Actual	198	158		
Spanish Speaking Consumers (Walk-in and Phone Inquiries)				
Target		150	120	120
Actual	122	97		
Consumer Complaints Customer Survey Cards Returned				
Target		1,200	1,200	1,200
Actual	997	1,029		
Consumer Complaints Survey Results: Excellent or Satisfactory				
Target	90%	90%	90%	90%
Actual		91%		
Dollars Saved Consumers				
Target		8,000,000	12,000,000	12,000,000
Actual	12,526,643	11,696,075		
E-mail Contacts				
Target		3,000	5,000	5,000
Actual	3,586	4,950		
Provider Complaints (started tracking 04-05)				
Target		400	300	300
Actual	179	244		
Rates & Forms Section (WC from Actuaries)				
Policy Forms Reviewed				
Target	500	500	200	200
Actual	640	199		
Policy Certifications Processed				
Target (law change will result in fewer filings returned in future years)	3,700	3,700	3,500	3,500
Actual	3,857	3,922		
Rate & Rule Filings: Prior Approval				
Target	2,000	400	800	800
Actual	564	821		
Rate & Rule Filings: File and Use				
Target	4,500	4,500	4,500	4,500
Actual	5,893	4,353		
Rate, Rule, and Form Telephone Calls				

DIVISION OF INSURANCE	Actual FY 09-10	Actual FY 10-11	Estimate FY 11-12	Estimate FY 12-13
Target	4,000	2,000	2,000	2,000
Actual	2,133	2,433		
Desk Audits of Companies				
Target	5	5	5	5
Actual	7	66		
Rates/Forms customer Survey Cards Returned)				
Target (the Division hopes that surveys will be returned in increasing numbers)	0	0	0	0
Actual		0		
Rates/Forms Survey results: Excellent or Satisfactory (DO NOT DO ANY LONGER)				
Target	0	0	0	0
Actual		0		
Rates/Forms Dollars Saved Consumers				
Target	5,000,000	5,000,000	5,000,000	5,000,000
Actual	93,695,325	44,420,475		
Compliance and Investigations				
Stipulations				
Target	65	65	65	65
Actual	83	67		
Final Agency Orders				
Target	90	90	90	90
Actual	99	80		
Cease and Desist Orders				
Target	10	10	5	5
Actual	1	0		
Other Orders (including Orders setting Asside C&Ds)				
Target	10	10	60	60
Actual	27	54		
Service of Process				
Target	600	600	600	600
Actual	557	530		
Legislation (tracking)				
Target	40	40	50	50
Actual	45	36		

DIVISION OF INSURANCE	Actual FY 09-10	Actual FY 10-11	Estimate FY 11-12	Estimate FY 12-13
Regulations				
Target	35	35	40	40
Actual				
Regulations	47	37		
Emergency Regulations	5	4		
Bad Check Recovery				
Target	5	0	0	0
Actual	0	0		
Refereed to Collections				
Target	10	30	15	15
Actual	15	13		
Records Request (Other than C&I)				
Target	100	100	250	250
Actual	164	216		
Investigation Complaint Files Opened				
Target	450	450	600	600
Actual	638	625		
Investigation Inquiry Files Opened (Fraud referrals & Monitoring)				
Target	425	600	900	900
Actual	1,091	966		
Investigation Inquiry WILMA Files Opened (No Complaint Opened)				
Target	100	100	200	200
Actual	100	222		
Investigation Closed Complaint Files				
Target	525	525	550	550
Actual	547	570		
Investigation Closed Complaint Files/Average Days Open				
Target	180	180	180	180
Actual	182	231		
Investigation Closed Inquiry Files/Average Days Open				
Actual	30	30	30	30
Target	8	16		
Investigation Incoming Telephone Calls				
Target	950	950	950	950

DIVISION OF INSURANCE	Actual FY 09-10	Actual FY 10-11	Estimate FY 11-12	Estimate FY 12-13
Actual	668	470		
Investigation Walk-Ins				
Target	25	25	25	25
Actual	15	11		
Market Regulation				
Market Conduct				
Market Conduct Examinations				
Target	15	15	16	10
Actual (Orders issued)	8	14		
Market Regulatory Actions				
Level 1 Market Analysis reviews				
Target – as assigned by the NAIC	25	25	0	0
Actual	39	14		
Other Market Regulatory Actions (self-audits; desk audits; interrogatories; trending meetings)				
Target	65	55	20	20
Actual	63	17		
Market Regulation Planning Meetings (at least quarterly)				
Target	4	4	4	4
Actual	7	2		
Market Regulation Reports; Surveys; Data Calls and MCAS				
Target	480	480	14	14
Actual	492	469		

Public Utilities Commission	Actual FY 09-10	Actual FY 10-11	Estimate FY 11-12	Estimate FY 12-13
Fixed Utilities				
Rate & Price Change Cases Filed (Advice + transmittal letters, including amendments and withdrawals, and contracts)				
Target	400	400	475	
Actual	292	432		
Rate Cases Suspended & Heard				
Target	22	22	10	
Actual	6	10		

Public Utilities Commission	Actual FY 09-10	Actual FY 10-11	Estimate FY 11-12	Estimate FY 12-13
Applications Processed				
Target	130	225	150	
Actual	125	144		
Interconnection Related Filings				
Target	80	80	85	
Actual	18	80		
Gas Safety Inspections – Performed				
Target	220	220	300	
Actual	326	306		
Gas Safety Inspections – Violations Cited				
Target	5	5	5	
Actual	8	5		
Gas Safety Inspections – Construction Inspection				
Target	80	150	150	
Actual	142	173		
Gas Safety Inspections – Incident Investigation				
Target	10	10	12	
Actual	12	13		
Special Reports, Adoption Notices & Promotional Offers				
Target	125	125	5	
Actual	11	3		
Pass-on Filings (LSN Tariff changes)				
Target	40	40	100	
Actual	27	109		
Rulemaking Cases				
Target	6	6	6	
Actual	10	6		
Consumer Complaints Closed				
Target	3000	3000	2000	
Actual	2053	1932		
Money Saved by Consumers *				
Target	*	*		

Public Utilities Commission	Actual FY 09-10	Actual FY 10-11	Estimate FY 11-12	Estimate FY 12-13
Actual	490458	\$299,555		
Annual Financial Report Filings				
Target	400	400	425	
Actual	440	424		
Toll Reseller Registrations				
Target	80	60	25	
Actual	12	0		
*The PUC has no "target" savings and prefers not to "estimate" savings as such dollar savings are totally a result of what complaints have occurred and are resolved. Note: Included are \$14,946 in refunds to customers from tariff refund plans.				
Transportation				
Time Schedules and Rate Change Requests Received and Analyzed – Intrastate Regulated Carriers				
Target	80	80	80	80
Actual	68	80		
Vehicle Inspections Completed – Intrastate Carriers				
Target	1,000		800	1,000
Actual	563	502		
Authority Applications Processed – Intrastate Regulated Carriers				
Target	140		110	110
Actual	128	104		
Petitions processed-Intrastate Regulated Carriers				
Target			40	40
Actual		40		
Permits, Registrations and Stamps Processed/Issued				
Target	20,000		18,000	18,000
Actual	12,099	17,639		
Insurance Filings Processed				
Target	20,000		8,000	8,000
Actual	11971	8037		
Information Requests				
Target	25,000		12,000	12,000
Actual	19,024	12,091		

Public Utilities Commission	Actual FY 09-10	Actual FY 10-11	Estimate FY 11-12	Estimate FY 12-13
Showcause(Insurance/stamps/UCR) - revocations completed				
Target	1,300	1,300	1,200	1,200
Actual	1318	1,254		
Number of Intrastate Carriers – Regulated and Exempt				
Target	8,000		3,800	3,800
Actual	3,734	3,748		
Compliance Audits Completed – Intrastate Carriers				
Target	325	325	325	325
Actual	237	190		
Show cause (Annual Report) Investigations				
Target	2	2	1	1
Actual	0	1		
Complaints Closed**				
Target	300	300	300	300
Actual	361	575		
Investigations Closed				
Target	325	325	325	325
Actual	236	322		
Money Saved by Consumers *				
Target	*	*	*	*
Actual	\$2,291	\$8,235		
Civil Penalty Assessment Notices Issued				
Target	50		25	25
Actual	28	19		
Highway-Rail Crossing Safety Inspections - Performed				
Target	50		50	50
Actual	189	62+139****		
Rail Fixed Guideway Safety Inspections - Performed				
Target	100	100	75	75
Actual	39	72.5		
*The PUC has no "target" savings and prefers not to "estimate" savings as such dollar savings are totally a result of what complaints have occurred and are resolved.				
** Consumer Affairs began taking Transportation complaints on January 1, 2007. Transportation complaints taken from July 1, 2006 - December 31, 2006 have been reported as "Investigations Closed"				

Public Utilities Commission	Actual FY 09-10	Actual FY 10-11	Estimate FY 11-12	Estimate FY 12-13
<p>*** 157 includes crossings that were checked to see if proper signs were installed pursuant to Commission Order, and photographs taken at crossings that were not the subject of a diagnostic review. These are special cases that will not happen every year. **** 139 were crossings inspected during a BNSF equipment move and inspection trip. These trips do not occur every year.</p>				

DIVISION OF REAL ESTATE	Actual FY 09-10	Actual FY 10-11	Estimate FY 11-12	Estimate FY 12-13
Education and Licensing Sections				
New Broker Licenses Issued				
Target	2,250	2,000	1,650	1,750
Actual	1,988	1,634		
Total Broker and Appraiser Licensing Examinations Administered				
Broker Target	5,500	5,250	4,500	4,750
Broker Actual	5,207	4,551		
Appraiser Target	200	200	200	200
Appraiser Actual	250	218		
New Corporations/Partnerships				
Target	600	350	400	500
Actual	376	404		
License Transfers				
Target	11,000	9,750	8,750	9,000
Actual	9,667	8,824		
Broker and Salesperson License Renewals				
Target	12,000	10,750	10,700	11,000
Actual	10,662	10,660		
New Subdivisions				
Target	10	10	10	10
Actual	7	8		
Subdivision Renewals				
Target	150	125	120	120
Actual	121	117		

DIVISION OF REAL ESTATE	Actual FY 09-10	Actual FY 10-11	Estimate FY 11-12	Estimate FY 12-13
New Appraisers—Certified General				
Target	75	60	50	50
Actual	60	54		
New Appraisers—Certified Residential				
Target	75	100	60	60
Actual	215	63		
New Appraisers—Licensed				
Target	20	30	15	15
Actual	30	15		
New Appraisers—Registered				
Target	60	60	60	60
Actual	58	66		
Appraisal Renewals				
Target	1,200	1,100	1,000	1,000
Actual	1,172	1,031		
Continuing Education Course Approvals				
Broker Target	500	500	600	600
Broker Actual	204	826		
Appraiser Target	300	230	230	230
Appraiser Actual	221	222		
New Mortgage Loan Originator Licenses Issued				
Target	1,000	400	600	800
Actual	685	1,775		
Mortgage Loan Originator License Renewals				
Target	0	4,000	5,000	5,000
Actual	1,057	4,019		
Total Real Estate Licenses (as of June 30) Active + Inactive				
Target	45,000	47,000	42,000	40,000
Actual	46,267	44,075		
Brokers Licenses (as of June 30) (included in total)				
Target	45,000	42,000	37,000	35,000
Actual	41,577	39,062		
Salespersons Licenses* (as of June 30) (included in total)				
Target	0	0	0	0

DIVISION OF REAL ESTATE	Actual FY 09-10	Actual FY 10-11	Estimate FY 11-12	Estimate FY 12-13
Actual	0	0		
Mortgage Loan Originator Licenses (as of June 30) (included in total)				
Target	5,400	5,000	5,000	5,000
Actual	4,690	5,013		
Subdivision Licenses (as of June 30)				
Target	170	130	120	120
Actual	130	116		
Appraisers—Total				
Target	4,025	3,000	3,250	3,250
Actual	3,597	3,365		
Appraisers—Certified General (included in total)				
Target	1,175	1,100	1,100	1,100
Actual	1,131	1,116		
Appraisers—Certified Residential (included in total)				
Target	1,500	1,400	1,400	1,400
Actual	1,404	1,387		
Appraisers—Licensed (included in total)				
Target	600	500	350	350
Actual	518	407		
Appraisers—Registered (included in total)				
Target	750	500	400	400
Actual	544	455		
<i>*Effective January 1, 1997, new salesperson licenses are no longer issued</i>				
Enforcement Section (Real Estate <u>Brokers</u>)				
Complaints in Progress				
Target	275	225	200	200
Actual	172	185		
Complaints Received (respondents)				
Target	860	850	700	700
Actual	787	684		
Completed Investigations (respondents)				
Target	775	650	600	600

DIVISION OF REAL ESTATE	Actual FY 09-10	Actual FY 10-11	Estimate FY 11-12	Estimate FY 12-13
Actual	548	499		
Cases Referred to Hearing				
Target	100	124	124	124
Actual	143	124		
Completed Hearing Cases				
Target	200	65	60	60
Actual	3	138		
Completed by Attorney General				
Target	50	40	55	55
Actual	25	33		
Completed by Expedited Settlement Procedure (ESP)				
Target	150	150	140	140
Actual	189	105		
Revocations/Suspensions				
Target	75	75	100	100
Actual	68	115		
Other Disciplinary Actions				
Target	100	75	100	100
Actual	66	110		
Completed Cases Through Diversion/Alternative Discipline Procedure				
Target	25	40	35	35
Actual	34	35		
Cases Pending Hearing (with offers of Expedited Settlement (ESP)				
Target	50	45	30	30
Actual	30	21		
Cases Pending Hearing (AG filing of charges and prosecution)				
Target	50	45	45	45
Actual	63	47		
Enforcement Section (Real Estate <u>Appraisers</u>)				
Complaints in Progress				
Target	200	205	175	175
Actual	173	139		

DIVISION OF REAL ESTATE	Actual FY 09-10	Actual FY 10-11	Estimate FY 11-12	Estimate FY 12-13
Complaints Received (respondents)				
Target	250	250	225	225
Actual	182	218		
Completed Investigations (respondents)				
Target	175	175	230	230
Actual	105	228		
Cases Referred to Hearing				
Target	50	50	70	70
Actual	76	99		
Completed Hearing Cases				
Target	50	5	75	75
Actual	0	102		
Completed by Attorney General				
Target	15	10	15	15
Actual	2	6		
Completed by Expedited Settlement Procedure (ESP)				
Target	35	55	60	60
Actual	63	96		
Revocations/Suspensions				
Target	35	25	20	20
Actual	4	1		
Other Disciplinary Actions				
Target	50	45	65	65
Actual	34	72		
Completed Cases Through Diversion/Alternative Discipline Procedure				
Target	25	25	75	75
Actual	21	84		
Cases Pending Hearing (with offers of Expedited Settlement (ESP)				
Target	25	15	20	20
Actual	8	26		
Cases Pending Hearing (AG filing of charges and prosecution)				
Target	15	10	10	10
Actual	8	5		

DIVISION OF REAL ESTATE	Actual FY 09-10	Actual FY 10-11	Estimate FY 11-12	Estimate FY 12-13
Enforcement Section (Mortgage Loan Originators)				
Complaints in Progress				
Target	600	275	200	200
Actual	264	166		
Complaints Received (respondents)				
Target	600	600	600	600
Actual	602	563		
Completed Investigations (respondents)				
Target	600	570	400	400
Actual	547	395		
Cases Referred to Hearing				
Target	100	225	220	220
Actual	362	216		
Completed Hearing Cases				
Target	75	250	220	220
Actual	1	234		
Completed by Attorney General				
Target	10	20	25	25
Actual	11	36		
Completed by Expedited Settlement Procedure (ESP)				
Target	65	210	200	200
Actual	368	198		
Revocations/Suspensions				
Target	30	45	30	30
Actual	66	28		
Other Disciplinary Actions				
Target	50	160	160	160
Actual	239	161		
Completed Cases Through Diversion/Alternative Discipline Procedure				
Target	0	65	50	50
Actual	65	43		
Cases Pending Hearing (with offers of Expedited Settlement (ESP)				
Target	20	60	40	40

DIVISION OF REAL ESTATE	Actual FY 09-10	Actual FY 10-11	Estimate FY 11-12	Estimate FY 12-13
Actual	95	17		
Cases Pending Hearing (AG filing of charges and prosecution)				
Target	10	35	25	25
Actual	35	21		
Auditing Section				
Broker Trust Accounts				
Target	10,000	10,000		
Actual	0			
Brokers Audited—Total				
Target	50	25	100	120
Actual	0			
Brokers Audited—On-Site (included in total above)				
Target	50	25	25	30
Actual	0			
Brokers Audited—Expedited (included in total above)				
Target	0	0	75	90
Actual	0	0		
Brokers Required to Correct Deficiencies				
Target	40	5		
Actual	0			
Brokers to Hearing				
Target	40	10		
Actual	0			
Referred to Attorney General				
Target	5	5		
Actual	0			
Completed by Expedited Settlement Procedures				
Target	35	5		
Actual	0			
Completed by Alternate Discipline Procedures				
Target	0	0		
Actual	0			

DIVISION OF REAL ESTATE	Actual FY 09-10	Actual FY 10-11	Estimate FY 11-12	Estimate FY 12-13
Completed by Letter of Admonishment (LOA) / Other Means				
Target	0	0		
Actual	0			
Estimated average daily escrows (\$000)				
Target	\$250,000	250,000		
Actual	0			
Amounts Audited (\$000)				
Target	\$1,000,000	1,000,000		
Actual	0			
Shortages Found (\$000)				
Target	\$20,000	200,000		
Actual	0			
Shortages Replaced (\$000)				
Target	\$20,000	200,000		
Actual	0			

DIVISION OF REGISTRATIONS	Actual FY 08-09	Actual FY 09-10	Actual FY 10-11	Estimate FY 11-12	Request FY 12-13
Examinations (1)					
Accountancy					
Estimate	9,350	9,330	8,400	8,000	8,100
Actual	9,316	8,243	7,476		
Acupuncturists					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A				
Addiction Counselors					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A				
Architects/Engineers/Land Surveyors					
Estimate	3,100	3,100	3,200	3,000	3,000
Actual	3,119	3,286	2,561		
Athletic Agents - Legislatively Ended 7/1/10					
Estimate	N/A	N/A	N/A	N/A	N/A

DIVISION OF REGISTRATIONS	Actual	Actual	Actual	Estimate	Request
Examinations (1)	FY 08-09	FY 09-10	FY 10-11	FY 11-12	FY 12-13
Actual	N/A				
Athletic Trainers					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A	N/A	N/A	N/A	N/A
Barber/Cosmetology					
Estimate	6,000	5,000	5,800	6,882	7,000
Actual	4,697	5,666	6,341		
Boxing					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A				
Chiropractic					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A				
Dental					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A				
Electrical					
Estimate	2,000	1,900	1,700	1,500	1,500
Actual	1,791	1,697	1,345		
Funeral Homes / Crematories					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A				
Hearing Aid Providers/Audiologists					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A				
Landscape Architects					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A				
Lay Midwives					
Estimate	6	6	6	5	5
Actual	6	7	5		
Massage Therapists					
Estimate	N/A	N/A	N/A	N/A	N/A

DIVISION OF REGISTRATIONS	Actual	Actual	Actual	Estimate	Request
Examinations (1)	FY 08-09	FY 09-10	FY 10-11	FY 11-12	FY 12-13
Actual	N/A				
Mental Health – Licensed Professional Counselors					
Estimate	210	210	230	286	310
Actual	210	226	265		
Mental Health – Marriage and Family Therapists					
Estimate	38	38	25	28	28
Actual	28	22	36		
Mental Health – Psychology					
Estimate	78	78	100	190	239
Actual	94	123	152		
Mental Health – Social Work					
Estimate	325	325	325	487	540
Actual	311	378	420		
Mental Health – Registered Psychotherapists					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A				
Medical					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A				
Nursing					
Estimate	3,436	3,450	3,502	3,400	3,500
Actual	3,458	3,366	3,253		
Nurse Aides					
Estimate	12,770	11,000	17,100	16,300	16,500
Actual	10,926	16,200	16,232		
Nursing Home Administrators					
Estimate	35	84	70	72	75
Actual	89	60	70		
Occupational Therapists					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A				
Optometric					
Estimate	N/A	N/A	N/A	N/A	N/A

DIVISION OF REGISTRATIONS	Actual FY 08-09	Actual FY 09-10	Actual FY 10-11	Estimate FY 11-12	Request FY 12-13
Examinations (1)					
Actual	N/A				
Outfitters					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A				
Passenger Tramway					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A				
Pharmacy					
Estimate	599	635	640	592	595
Actual	594	611	539		
Physical Therapy					
Estimate	175	175	190	425	450
Actual	145	193	269		
Plumbers					
Estimate	800	900	800	550	550
Actual	885	740	480		
Podiatry					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A				
Private Investigators - Voluntary License					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A	N/A	N/A		
Respiratory Therapy					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A				
Surgical Technicians					
Estimate	N/A	N/A	N/A	N/A	N/A
Actual	N/A				
Veterinarians					
Estimate	180	230	240	325	340
Actual	237	238	250		

DIVISION OF REGISTRATIONS	Actual	Actual	Actual	Estimate	Request
Examinations (1)	FY 08-09	FY 09-10	FY 10-11	FY 11-12	FY 12-13
TOTAL DIVISION OF REGISTRATIONS					
Total Estimate	39,102	36,461	42,328	42,042	42,732
Total Actual	35,906	41,056	39,694		

Examinations are defined as the number of examinations administered, whether directly by the Division or by private contractor selected by the Board. Examination scores submitted as part of the application requirements are not included.

DIVISION OF REGISTRATIONS	Actual	Actual	Actual	Estimate	Request
New Licenses	FY 08-09	FY 09-10	FY 10-11	FY 11-12	FY 12-13
Accountancy					
Estimate	1,050	958	952	960	960
Actual	943	961	1,014		
Acupuncturists					
Estimate	103	105	101	105	105
Actual	102	99	86		
Addiction Counselors					
Estimate	395	363	549	365	365
Actual	367	731	720		
Architects/Engineers/Land Surveyors					
Estimate	2,048	2,289	2,550	2,300	2,300
Actual	2,855	2,245	2,346		
Athletic Agents - Legislatively Ended 7/1/10					
Estimate	130	1	0	N/A	N/A
Actual	2	2	0		
Athletic Trainers					
Estimate	N/A	700	50	50	50
Actual	N/A	404	87		
Barber/Cosmetology					
Estimate	3,259	3,000	2,899	3,000	3,000
Actual	2,943	2,855	3,134		
Boxing					

DIVISION OF REGISTRATIONS	Actual	Actual	Actual	Estimate	Request
New Licenses	FY 08-09	FY 09-10	FY 10-11	FY 11-12	FY 12-13
Estimate	800	850	1,146	1,200	1,200
Actual	1,091	1,200	1,276		
Chiropractic					
Estimate	176	150	155	170	170
Actual	145	165	160		
Dental					
Estimate	554	500	492	500	500
Actual	492	491	516		
Electrical					
Estimate	3,353	2,800	2,352	2,000	2,000
Actual	2,625	2,078	2,003		
Funeral Homes / Crematories					
Estimate	N/A	349	25	10	10
Actual	N/A	241	13		
Hearing Aid Providers/Audiologists					
Estimate	87	78	75	70	70
Actual	75	74	71		
Landscape Architects					
Estimate	100	75	60	65	70
Actual	249	56	60		
Lay Midwives					
Estimate	9	8	5	5	5
Actual	7	11	6		
Massage Therapists					
Estimate	6,500	400	1,600	1,500	1,500
Actual	7,536	2,599	1,511		
Mental Health – Licensed Professional Counselors					
Estimate	350	350	413	840	840
Actual	381	444	432		
Mental Health – Marriage and Family Therapists					
Estimate	55	18	41	160	160
Actual	45	37	55		
Mental Health – Psychology					
Estimate	125	115	140	150	150

DIVISION OF REGISTRATIONS	Actual FY 08-09	Actual FY 09-10	Actual FY 10-11	Estimate FY 11-12	Request FY 12-13
New Licenses					
Actual	121	136	148		
Mental Health – Social Work					
Estimate	432	300	400	500	500
Actual	365	502	485		
Mental Health – Registered Psychotherapists					
Estimate	765	800	985	500	500
Actual	800	1,170	849		
Medical					
Estimate	1,584	1,600	1,700	1,750	1,750
Actual	1,711	1,778	1,788		
Nursing					
Estimate	6,046	5,500	5,548	6,000	6,000
Actual	5,558	5,537	5,970		
Nurse Aides					
Estimate	5,065	5,000	6,000	6,800	6,800
Actual	5,225	6,229	6,702		
Nursing Home Administrators					
Estimate	37	43	40	30	30
Actual	42	38	26		
Occupational Therapists					
Estimate	2,040	140	285	275	275
Actual	2,182	283	267		
Optometric					
Estimate	86	75	60	60	60
Actual	73	55	58		
Outfitters					
Estimate	59	64	70	60	60
Actual	62	69	60		
Passenger Tramway					
Estimate	13	15	8	5	5
Actual	11	4	5		
Pharmacy					
Estimate	987	950	1,000	1,000	1,000
Actual	975	1,033	996		

DIVISION OF REGISTRATIONS	Actual FY 08-09	Actual FY 09-10	Actual FY 10-11	Estimate FY 11-12	Request FY 12-13
New Licenses					
Physical Therapy					
Estimate	446	350	400	1,626	1,123
Actual	378	404	497		
Plumbers					
Estimate	1,500	1,100	1,000	700	700
Actual	1,085	786	673		
Podiatry					
Estimate	9	7	9	30	30
Actual	6	11	32		
Private Investigators - Voluntary License					
Estimate	N/A	N/A	N/A	500	25
Actual	N/A	N/A	N/A		
Respiratory Therapy					
Estimate	275	200	210	210	210
Actual	193	211	212		
Surgical Technicians					
Estimate	N/A	N/A	1,760	100	100
Actual	N/A	N/A	1,900		
Veterinarians					
Estimate	240	280	255	260	260
Actual	255	255	273		
TOTAL DIVISION OF REGISTRATIONS					
Total Estimate	38,678	29,533	31,575	33,856	32,883
Total Actual	38,900	33,194	34,431		

New licenses include those that are issued, whether directly by the Division or by private contractor selected by the board. Electrical and Plumbing apprentice registrations and Engineer/Land Surveyor interns are included. Additional authorities to practice are not included.

DIVISION OF REGISTRATIONS	Actual FY 08-09	Actual FY 09-10	Actual FY 10-11	Estimate FY 11-12	Request FY 12-13
License Renewals (1)					
Accountancy (2)					
Estimate	375	14,915	1,204	18,020	1,200
Actual	703	14,772	1,161		
Acupuncturists					

DIVISION OF REGISTRATIONS	Actual	Actual	Actual	Estimate	Request
License Renewals (1)	FY 08-09	FY 09-10	FY 10-11	FY 11-12	FY 12-13
Estimate	0	925	0	1,103	0
Actual	0	914	0		
Addiction Counselors					
Estimate	0	2,697	0	3,655	0
Actual	0	2,589	0		
Architects/Engineers/Land Surveyors (2)					
Estimate	9,124	16,500	12,250	17,115	13,020
Actual	12,277	16,957	16,320		
Athletic Agents - Legislatively Ended 7/1/10					
Estimate	N/A	0	0	N/A	N/A
Actual	N/A	0	0		
Athletic Trainers (2)					
Estimate	N/A	N/A	380	437	0
Actual	N/A	0	364		
Barber/Cosmetology					
Estimate	12,073	28,769	13,860	31,610	13,500
Actual	12,312	30,817	13,131		
Boxing					
Estimate	45	45	58	60	62
Actual	37	73	57		
Chiropractic					
Estimate	0	2,300	0	2,606	0
Actual	0	2,273	0		
Dental					
Estimate	0	8,110	0	8,821	0
Actual	0	8,292	0		
Electrical (2)					
Estimate	18,134	0	0	20,547	0
Actual	18,388	0	0		
Funeral Homes / Crematories					
Estimate	N/A	N/A	241	242	245
Actual	N/A	N/A	233		
Hearing Aid Providers/Audiologists					
Estimate	0	415	0	566	0

DIVISION OF REGISTRATIONS	Actual	Actual	Actual	Estimate	Request
License Renewals (1)	FY 08-09	FY 09-10	FY 10-11	FY 11-12	FY 12-13
Actual	0	447	0		
Landscape Architects					
Estimate	570	598	728	717	720
Actual	485	674	703		
Lay Midwives					
Estimate	53	50	61	57	60
Actual	46	51	56		
Massage Therapists					
Estimate	0	0	9,513	0	10,000
Actual	0	0	8,968		
Mental Health – Licensed Professional Counselors (2)					
Estimate	0	4,410	0	4,784	0
Actual	0	3,966	0		
Mental Health – Marriage and Family Therapists (2)					
Estimate	0	621	0	656	0
Actual	0	570	0		
Mental Health – Psychology (2)					
Estimate	0	2,400	0	2,497	0
Actual	0	2,283	0		
Mental Health – Social Work (2)					
Estimate	0	4,220	0	4,733	0
Actual	0	3,948	0		
Mental Health – Registered Psychotherapists (2)					
Estimate	0	2,550	0	3,483	0
Actual	0	1,821	0		
Medical (2)					
Estimate	18,403	1,650	18,050	1,900	15,000
Actual	17,129	1,871	14,874		
Nursing					
Estimate	27,550	25,000	28,806	37,621	40,000
Actual	25,883	33,750	35,473		
Nurse Aides					
Estimate	0	28,622	0	38,062	0
Actual	0	26,390	0		

DIVISION OF REGISTRATIONS	Actual FY 08-09	Actual FY 09-10	Actual FY 10-11	Estimate FY 11-12	Request FY 12-13
License Renewals (1)					
Nursing Home Administrators					
Estimate	310	380	420	443	450
Actual	372	416	422		
Occupational Therapists					
Estimate	N/A	0	2,317	0	2,400
Actual	N/A	0	2,277		
Optometric					
Estimate	1,096	0	1,132	0	1,200
Actual	1,097	0	1,163		
Outfitters					
Estimate	707	711	719	747	750
Actual	693	705	735		
Passenger Tramway					
Estimate	360	360	361	352	355
Actual	356	362	357		
Pharmacy					
Estimate	2,244	6,879	2,250	7,118	2,400
Actual	1,934	6,619	2,253		
Physical Therapy					
Estimate	5,300	0	5,641	0	6,862
Actual	5,084	0	5,454		
Plumbers					
Estimate	0	7,724	0	8,614	0
Actual	0	7,760	0		
Podiatry (2)					
Estimate	190	185	188	0	243
Actual	180	187	203		
Private Investigators Voluntary License					
Estimate	N/A	N/A	N/A	N/A	490
Actual	N/A	N/A	N/A		
Respiratory Therapy					
Estimate	1,944	0	2,438	0	2,200
Actual	2,076	0	2,178		
Surgical Technicians					

DIVISION OF REGISTRATIONS	Actual	Actual	Actual	Estimate	Request
License Renewals (1)	FY 08-09	FY 09-10	FY 10-11	FY 11-12	FY 12-13
Estimate	N/A	N/A	0	1,670	1,700
Actual	N/A	N/A	0		
Veterinarians					
Estimate	3,547	0	4,568	0	3,900
Actual	3,677	0	3,712		
TOTAL DIVISION OF REGISTRATIONS					
Total Estimate	102,025	161,036	104,564	218,236	116,757
Total Actual	102,729	168,507	110,094		

(1) Most licenses are renewed every other year for a period of two years. Smaller volume boards renew yearly and larger volume boards renew half each year (Registered Nurses and Cosmetologists.) Renewals are those licenses where the renewal has been approved and the license printed. A few professions renew every three years.

(2) The renewal cycles of the following professions were changed to avoid crossing fiscal years, to allow some professions to renew every 2 years, or to effectively implement continued competency legislation: Mental Health Professions, Nursing Home Administrators, Podiatry, Certified Public Accountants, Physicians, Architects, Electrical, and Athletic Trainers.

DIVISION OF REGISTRATIONS	Actual	Actual	Actual	Estimate	Request
License Reinstatements (1)	FY 08-09	FY 09-10	FY 10-11	FY 11-12	FY 11-13
Accountancy					
Estimate	350	130	135	241	242
Actual	209	134	382		
Acupuncturists					
Estimate	19	22	20	23	19
Actual	18	35	18		
Addiction Counselors					
Estimate	15	70	20	55	25
Actual	17	50	22		
Architects/Engineers/Land Surveyors					
Estimate	450	564	400	595	600
Actual	626	635	524		
Athlete Agents - Legislatively Ended 7/1/10					
Estimate	0	0	0	0	0
Actual	0	0	0		
Athletic Trainers					

DIVISION OF REGISTRATIONS	Actual	Actual	Actual	Estimate	Request
License Reinstatements (1)	FY 08-09	FY 09-10	FY 10-11	FY 11-12	FY 11-13
Estimate	N/A	0	25	5	5
Actual	N/A	0	3		
Barber/Cosmetology					
Estimate	1,500	2,000	2,000	2,117	1,500
Actual	2,005	1510	1681		
Boxing					
Estimate	1	5	5	6	6
Actual	6	5	7		
Chiropractic					
Estimate	20	70	20	65	45
Actual	22	66	25		
Dental					
Estimate	76	95	50	94	91
Actual	89	92	87		
Electrical					
Estimate	180	200	250	250	214
Actual	238	268	100		
Funeral Homes / Crematories					
Estimate	N/A	0	15	3	3
Actual	N/A	0	2		
Hearing Aid Providers/Audiologists					
Estimate	9	11	10	4	15
Actual	20	3	15		
Landscape Architects					
Estimate	5	5	10	17	10
Actual	6	15	11		
Lay Midwives					
Estimate	1	1	1	2	2
Actual	1	3	0		
Massage Therapists					
Estimate	N/A	0	100	50	50
Actual	N/A	0	53		
Mental Health – Licensed Professional Counselors					
Estimate	30	115	35	52	40

DIVISION OF REGISTRATIONS	Actual	Actual	Actual	Estimate	Request
License Reinstatements (1)	FY 08-09	FY 09-10	FY 10-11	FY 11-12	FY 11-13
Actual	42	75	38		
Mental Health – Marriage and Family Therapists					
Estimate	5	11	10	14	10
Actual	10	12	9		
Mental Health – Psychology					
Estimate	14	45	15	30	24
Actual	20	29	23		
Mental Health – Social Work					
Estimate	30	98	38	75	55
Actual	51	74	41		
Mental Health – Registered Psychotherapists					
Estimate	50	110	55	105	63
Actual	59	101	45		
Medical					
Estimate	80	140	98	120	107
Actual	107	119	106		
Nursing					
Estimate	800	853	775	800	850
Actual	890	773	834		
Nurse Aides					
Estimate	650	700	600	900	785
Actual	946	596	699		
Nursing Home Administrators					
Estimate	12	15	16	15	15
Actual	16	14	14		
Occupational Therapists					
Estimate	0	0	25	10	6
Actual	0	0	12		
Optometric					
Estimate	10	7	8	8	6
Actual	8	7	2		
Outfitters					
Estimate	30	30	35	33	36
Actual	35	32	38		

DIVISION OF REGISTRATIONS	Actual FY 08-09	Actual FY 09-10	Actual FY 10-11	Estimate FY 11-12	Request FY 11-13
License Reinstatements (1)					
Passenger Tramway					
Estimate	0	0	0	0	0
Actual	0	0	0		
Pharmacy					
Estimate	28	50	70	50	57
Actual	73	44	53		
Physical Therapy					
Estimate	80	50	75	63	75
Actual	72	59	73		
Plumbers					
Estimate	70	150	65	190	90
Actual	62	188	95		
Podiatry					
Estimate	2	1	1	3	1
Actual	0	0	2		
Private Investigators Voluntary License					
Estimate	N/A	N/A	N/A	N/A	20
Actual	N/A	N/A	N/A		
Respiratory Therapy					
Estimate	30	25	35	29	30
Actual	39	26	23		
Surgical Technicians					
Estimate	N/A	N/A	N/A	50	50
Actual	N/A	N/A	0		
Veterinarians					
Estimate	110	35	55	37	59
Actual	54	36	87		
TOTAL DIVISION OF REGISTRATIONS					
Total Estimate	4,657	5,608	5,072	6,111	5,206
Total Actual	5,741	5,001	5,124		
As of FY05 reinstatements are reported separately from renewals. SB04-024 defined standard reinstatement timeframes and guidelines for all boards and programs such that the workload and process is entirely different than renewals.					

DIVISION OF REGISTRATIONS	Actual FY 08-09	Actual FY 09-10	Actual FY 10-11	Estimate FY 11-12	Request FY 12-13
Active Licensees (1)					
Accountancy					
Estimate	17,475	18,144	19,786	19,307	20,272
Actual (Active, Inactive, Retired)	17,701	18,844	18,388		
Acupuncturists					
Estimate	1,003	1,072	1,126	1,182	1,241
Actual (Active, Inactive)	1,046	1,026	1,126		
Addiction Counselors					
Estimate	2,904	3,157	3,400	3,916	4,111
Actual	3,080	3,293	3,730		
Architects/Engineers/Land Surveyors					
Estimate	29,498	30,481	32,243	32,910	34,555
Actual (Active, Inactive, Retired)	29,738	30,601	31,343		
Athlete Agents - Legislatively Ended 7/1/10					
Estimate	130	2	N/A	N/A	N/A
Actual	2	4	N/A		
Athletic Trainers					
Estimate	N/A	700	454	468	491
Actual	N/A	404	446		
Barber/Cosmetology					
Estimate	49,028	51,424	52,044	54,697	57,431
Actual	50,170	49,044	52,092		
Boxing					
Estimate	1,100	1,224	1,300	1,398	1,467
Actual	1,194	1,272	1,331		
Chiropractic					
Estimate	2,501	2,721	2,637	2,793	2,932
Actual (Active, Inactive)	2,655	2,477	2,660		
Dental					
Estimate	8,535	9,176	9,193	9,750	10,237
Actual (Active, Inactive, Retired)	8,952	8,693	9,286		
Electrical					
Estimate	20,380	19,791	23,211	22,710	23,845
Actual	19,308	20,711	21,629		

DIVISION OF REGISTRATIONS	Actual	Actual	Actual	Estimate	Request
Active Licensees (1)	FY 08-09	FY 09-10	FY 10-11	FY 11-12	FY 12-13
Funeral Homes / Crematories					
Estimate	N/A	349	266	250	253
Actual	N/A	241	247		
Hearing Aid Providers/Audiologists					
Estimate	532	566	602	623	635
Actual	552	532	596		
Landscape Architects					
Estimate	569	698	779	775	800
Actual	681	719	755		
Lay Midwives					
Estimate	60	55	70	64	67
Actual	54	65	61		
Massage Therapists					
Estimate	6,500	7,716	11,621	10,633	11,164
Actual	7,528	10,121	10,127		
Mental Health – Licensed Professional Counselors					
Estimate	4,280	4,535	4,900	5,688	5,752
Actual	4,424	4,570	5,036		
Mental Health – Marriage and Family Therapists					
Estimate	619	667	684	826	862
Actual	651	628	691		
Mental Health – Psychology					
Estimate	2,372	2,524	2,587	2,759	2,896
Actual	2,462	2,457	2,628		
Mental Health – Social Work					
Estimate	4,238	4,532	4,900	5,231	5,492
Actual	4,421	4,538	4,982		
Mental Health – Registered Psychotherapists					
Estimate	2,192	2,774	3,908	3,500	3,675
Actual	2,706	3,098	3,667		
Medical					
Estimate	21,848	23,305	24,082	25,016	26,266
Actual (Active, Inactive)	22,737	22,382	23,825		
Nursing					

DIVISION OF REGISTRATIONS	Actual	Actual	Actual	Estimate	Request
Active Licensees (1)	FY 08-09	FY 09-10	FY 10-11	FY 11-12	FY 12-13
Estimate	68,314	69,305	73,241	77,609	81,489
Actual (Active, Inactive, Retired)	67,615	70,296	71,921		
Nurse Aides					
Estimate	27,276	32,598	36,518	44,891	47,135
Actual	31,803	31,485	38,839		
Nursing Home Administrators					
Estimate	416	459	494	476	499
Actual	448	454	453		
Occupational Therapists					
Estimate	2,040	2,214	2,605	2,622	2,753
Actual	2,160	2,465	2,497		
Optometric					
Estimate	1,177	1,173	1,264	1,259	1,321
Actual (Active, Inactive)	1,144	1,204	1,199		
Outfitters					
Estimate	721	756	810	825	866
Actual	738	765	786		
Passenger Tramway					
Estimate	370	374	367	378	396
Actual	365	363	360		
Pharmacy					
Estimate	9,178	9,873	10,120	11,084	11,628
Actual (Active, Inactive)	9,632	9,839	10,556		
Physical Therapy					
Estimate	5,883	5,675	6,401	7,500	7,832
Actual	5,537	6,001	6,023		
Plumbers					
Estimate	8,840	9,314	8,731	9,221	9,497
Actual	9,087	8,591	9,068		
Podiatry					
Estimate	200	203	208	242	254
Actual (Active, Inactive)	198	200	230		
Private Investigators Voluntary License					
Estimate	N/A	N/A	N/A	500	525

DIVISION OF REGISTRATIONS	Actual	Actual	Actual	Estimate	Request
Active Licensees (1)	FY 08-09	FY 09-10	FY 10-11	FY 11-12	FY 12-13
Actual	N/A	N/A	N/A		
Respiratory Therapy					
Estimate	2,633	2,419	2,779	2,581	2,710
Actual	2,360	2,594	2,458		
Surgical Technicians					
Estimate	N/A	N/A	1,760	1,993	2,092
Actual	N/A	N/A	1,898		
Veterinarians					
Estimate	4,314	4,098	4,460	4,297	4,511
Actual (Active, Inactive)	3,998	4,294	4,092		
TOTAL DIVISION OF REGISTRATIONS					
Total Estimate	307,126	324,075	349,551	369,974	387,952
Total Actual	315,147	324,271	345,026		

"Active" Licenses = number of active licenses on June 30, 2010. This includes the renewable license statuses of Active, Inactive and Retired. Electrical and Plumbing apprentices and Engineer/Land Surveyor interns are not included since they do not renew. Additional authorities to practice are not included.

DIVISION OF REGISTRATIONS	Actual	Actual	Actual	Estimate	Request
Complaints Received and Handled (1)	FY 08-09	FY 09-10	FY 10-11	FY 11-12	FY 12-13
Accountancy					
Estimate	130	135	250	350	370
Actual	121	220	332		
Acupuncturists					
Estimate	13	16	17	15	17
Actual	15	19	13		
Addiction Counselors					
Estimate	78	110	175	175	175
Actual	108	155	118		
Architects/Engineers/Land Surveyors					
Estimate	125	180	200	200	210
Actual	178	226	192		

Athlete Agents - Legislatively Ended 7/1/10

DIVISION OF REGISTRATIONS	Actual	Actual	Actual	Estimate	Request
Complaints Received and Handled (1)	FY 08-09	FY 09-10	FY 10-11	FY 11-12	FY 12-13
Estimate	6	5	N/A	N/A	N/A
Actual	0	0	N/A		
Athlete Trainers					
Estimate	N/A	40	20	10	15
Actual	N/A	0	5		
Barber/Cosmetology					
Estimate	500	620	775	1,200	1,400
Actual	600	758	1,098		
Boxing					
Estimate	25	10	5	5	5
Actual	8	2	2		
Chiropractic					
Estimate	85	110	100	105	110
Actual	99	93	95		
Dental					
Estimate	295	315	350	400	400
Actual	291	402	242		
Electrical					
Estimate	150	200	200	200	200
Actual	188	178	197		
Funeral Homes / Crematories					
Estimate	N/A	25	20	20	20
Actual	N/A	6	8		
Hearing Aid Providers/Audiologists					
Estimate	24	32	30	20	25
Actual	27	28	19		
Landscape Architects					
Estimate	10	5	5	8	10
Actual	5	3	10		
Lay Midwives					
Estimate	10	8	6	7	7
Actual	6	7	7		
Massage Therapists					
Estimate	195	120	50	60	55

DIVISION OF REGISTRATIONS	Actual	Actual	Actual	Estimate	Request
Complaints Received and Handled (1)	FY 08-09	FY 09-10	FY 10-11	FY 11-12	FY 12-13
Actual	10	35	42		
Mental Health – Licensed Professional Counselors					
Estimate	84	74	110	127	127
Actual	67	108	97		
Mental Health – Marriage and Family Therapists					
Estimate	17	14	20	30	30
Actual	12	17	16		
Mental Health – Psychology					
Estimate	66	60	100	99	99
Actual	52	97	69		
Mental Health – Social Work					
Estimate	88	77	90	83	83
Actual	52	88	53		
Mental Health – Registered Psychotherapists					
Estimate	85	79	120	130	130
Actual	76	117	105		
Medical					
Estimate	1,116	1,050	1,100	1,150	1,150
Actual	1,012	1,182	1,137		
Nursing					
Estimate	650	650	650	575	575
Actual	584	542	529		
Nurse Aides					
Estimate	300	300	315	300	300
Actual	253	295	194		
Nursing Home Administrators					
Estimate	32	35	35	35	35
Actual	31	31	30		
Occupational Therapists					
Estimate	40	25	15	15	20
Actual	5	7	15		
Optometric					
Estimate	21	20	20	15	15
Actual	15	20	6		

DIVISION OF REGISTRATIONS	Actual	Actual	Actual	Estimate	Request
Complaints Received and Handled (1)	FY 08-09	FY 09-10	FY 10-11	FY 11-12	FY 12-13
Outfitters					
Estimate	50	40	45	40	40
Actual	32	39	38		
Passenger Tramway					
Estimate	6	6	6	3	5
Actual	2	5	2		
Pharmacy					
Estimate	180	250	425	487	487
Actual	458	433	443		
Physical Therapy					
Estimate	26	41	25	20	25
Actual	37	15	19		
Plumbers					
Estimate	100	120	140	130	130
Actual	119	144	128		
Podiatry					
Estimate	20	20	20	20	20
Actual	16	16	17		
Private Investigators Voluntary License					
Estimate	N/A	N/A	N/A	30	30
Actual	N/A	N/A	N/A		
Respiratory Therapy					
Estimate	15	27	20	12	15
Actual	24	13	9		
Surgical Technicians					
Estimate	N/A	N/A	18	43	43
Actual	N/A	N/A	151		
Veterinarians					
Estimate	93	93	100	100	100
Actual	86	121	101		
TOTAL DIVISION OF REGISTRATIONS					
Total Estimate	4,635	4,912	5,577	6,219	6,478
Total Actual	4,589	5,422	5,539		

DIVISION OF REGISTRATIONS	Actual	Actual	Actual	Estimate	Request
Complaints Received and Handled (1)	FY 08-09	FY 09-10	FY 10-11	FY 11-12	FY 12-13
(1) Complaints include (a) those that are received externally from the public, consumers, licensees, etc. (b) those that are generated internally by board members or staff, and (c) non-jurisdictional complaints.					

DIVISION OF REGISTRATIONS	Actual	Actual	Actual	Estimate	Request
Inspection Data by Board Staff	FY 08-09	FY 09-10	FY 10-11	FY 11-12	FY 12-13
Barber/Cosmetology					
Estimate	500	300	275	450	450
Actual	264	264	422		
Electrical					
Estimate	52,500	45,000	50,000	34,000	34,000
Actual	42,715	32,132	32,655		
Nursing					
Estimate	8	7	18	10	10
Actual	6	15	8		
Nurse Aides					
Estimate	65	70	80	80	80
Actual	44	67	60		
Passenger Tramway					
Estimate	758	750	768	761	763
Actual	747	760	757		
Pharmacy					
Estimate	1,400	900	1,400	1,300	1,300
Actual	1,277	1,051	1,202		
Plumbers					
Estimate	13,000	11,000	14,000	10,000	10,000
Actual	11,149	9,386	9,123		
TOTAL DIVISION OF REGISTRATIONS					
Total Estimate	68,231	58,027	66,541	46,601	46,603
Total Actual	56,202	43,675	44,227		
The inspection numbers for electrical and plumbing listed above for FY10 are corrections over the FY12 Budget Narrative / Workload Statistics document					

DIVISION OF REGISTRATIONS	Actual	Actual	Actual	Estimate	Request
Inspection Data by Board Staff	FY 08-09	FY 09-10	FY 10-11	FY 11-12	FY 12-13

FY 11 Board or Program Actions								
Board or Program	Revocations (1)	Suspensions (2)	Held in abeyance or stayed/ suspended (3)	Stipulations (4)	Letters of Admonition	Other Actions (5)	Dismissals	Dismissed with Letters of Concern (6)
Accountancy	16	6	0	102	20	8	76	85
Acupuncturists	0	0	0	1	1	1	2	8
Addiction Counselors	10	1	0	18	13	3	47	16
Architects/Engineers/Land Surveyors	4	1	0	33	30	9	43	77
Athletic Trainers	0	0	0	0	0	0	3	0
Barber/Cosmetology	5	0	0	487	86	113	125	279
Boxing	0	0	0	1	2	0	1	0
Chiropractic	1	2	0	6	8	3	20	28
Dental	6	15	0	39	22	4	127	58
Electrical	10	1	8	56	13	66	43	13
Funeral Homes & Crematories	0	0	0	1	0	1	2	4
Hearing Aid Providers/Audiologists	0	0	0	1	1	0	10	5
Landscape Architects	0	0	0	2	0	3	5	1
Lay Midwives	2	0	0	0	0	0	4	1
Massage Therapists	2	0	0	9	0	12	9	0
Mental Health								
- Licensed Professional Counselors	3	2	0	5	5	2	63	12
- Marriage and Family Therapists	0	0	0	1	0	0	5	6
- Psychology	1	2	0	4	1	2	30	19
- Social Work	1	1	0	4	6	0	40	15
- Unlicensed Psychotherapists	0	0	1	12	5	3	50	11
Medical	15	24	1	24	63	20	521	133
Nursing	39	57	0	43	105	3	167	168
Nurse Aides	59	7	0	0	43	1	41	45

FY 11 Board or Program Actions								
Board or Program	Revocations (1)	Suspensions (2)	Held in abeyance or stayed/ suspended (3)	Stipulations (4)	Letters of Admonition	Other Actions (5)	Dismissals	Dismissed with Letters of Concern (6)
Nursing Home Administrators	0	1	0	2	0	2	15	2
Occupational Therapists	0	0	0	4	0	0	2	0
Optometric	0	1	0	0	0	0	6	0
Outfitters	1	0	0	8	4	11	11	0
Passenger Tramway	0	0	0	1	1	0	0	0
Pharmacy	20	16	0	122	30	15	77	206
Physical Therapy	0	0	0	2	0	2	6	2
Plumbers	4	0	5	31	14	31	54	9
Podiatry	0	0	0	0	0	0	13	5
Respiratory Therapy	1	0	0	1	2	0	4	2
Surgical Technicians	0	0	0	4	0	0	147	0
Veterinarians	3	4	0	10	10	10	20	38
TOTAL DIVISION OF REGISTRATIONS	203	141	15	1,034	485	325	1,789	1,248
FY 09-10 Actual	203	196		838	470	225	2,620	
FY 08-09 Actual	175	168		826	367	339	2,294	
<p>(1) Revocations include voluntary surrender of license. (2) Suspensions include those actively served and summary suspensions and agreements to cease practice in lieu of suspension. (3) Prior to FY11 these were included with Suspensions (4) Stipulations – which includes probation (5) Other Actions include cease and desist orders, citations, cases combined for closure, and injunctions (6) Prior to FY12 these numbers were included in number of dismissed cases</p>								

FY 11 Complaints Investigated							
Board or Program	<u>July 1,2010-June30, 2011</u>			<u>As of June 30, 2011</u>			
	Carried over from FY 10	Received	Investigated	Under investigation	Over 8 months old	Pending Hearing	
Accountancy	4	12	8	8	0	10	
Acupuncturists	0	3	1	2	0	0	
Architects/Engineers/Land Surveyors	2	15	12	5	0	9	
Athlete Agents - Legislatively Ended 7/1/10	0	0	0	0	0	0	
Athletic Trainers	0	2	1	1	0	0	
Barber/Cosmetology	0	4	4	0	0	8	
Boxing	0	0	0	0	0	0	
Chiropractic	2	55	26	31	1	22	
Dental	36	66	81	21	0	23	
Electrical	4	15	18	1	0	10	
Funeral Homes and Crematories	1	2	2	1	0	1	
Hearing Aid Providers/Audiologists	0	3	3	0	0	0	
Landscape Architects	0	0	0	0	0	1	
Lay Midwives	1	4	4	1	0	1	
Massage Therapists	6	26	23	9	0	10	
Mental Health							
Addiction Counselors	13	32	29	16	0	9	
Licensed Professional Counselors	6	19	11	14	0	7	
Marriage and Family Therapists	1	2	2	1	0	0	
Psychology	3	10	8	5	0	2	
Social Work	7	14	16	5	0	4	
Registered Psychotherapists	10	21	23	8	0	7	
Medical	23	81	65	39	1	98	
Nursing	76	155	159	72	0	46	
Nurse Aides	39	66	74	31	0	19	
Nursing Home Administrators	0	14	7	7	0	4	
Occupational Therapists	0	1	1	0	0	0	
Optometric	1	3	3	1	0	1	
Outfitters	4	3	6	1	0	5	
Passenger Tramway	0	0	0	0	0	0	

FY 11 Complaints Investigated						
Board or Program	<u>July 1, 2010-June 30, 2011</u>			<u>As of June 30, 2011</u>		
	Carried over from FY 10	Received	Investigated	Under investigation	Over 8 months old	Pending Hearing
Pharmacy	0	0	0	0	0	12
Physical Therapy	0	9	5	4	0	3
Plumbers	3	5	8	0	0	7
Podiatry	1	0	1	0	0	0
Respiratory Therapists	0	5	2	3	0	1
Surgical Technicians	0	0	0	0	0	0
Veterinarians	8	8	16	0	0	8
TOTAL DIVISION OF REGISTRATIONS	251	655	619	287	2	328
FY 09-10 Actual	200	626	575	251	4	358
FY 08-09 Actual	207	557	564	200	4	408

(1) Received by the Office of Investigations from Boards and Programs for formal investigation. Does not include all complaints received and handled by Boards and Programs (Chart 5) or investigations conducted by board staff, specifically, Pharmacy, Tramway, or Barber/Cosmetology.

FY 11 Expedited Settlement							
Board or Program	<u>July 1, 2010-June 30, 2011</u>						
	Carried over from 2010	Received	Completed	Settled	Not Settled	Currently Open	Over 90 days old
Accountancy	27	133	131	125	6	30	6
Acupuncturists	1	0	1	1	0	0	0
Architects/Engineers/Land Surveyors	1	45	41	36	5	8	0
Athlete Agents - Legislatively Ended 7/1/10	0	0	0	0	0	0	0
Athletic Trainers	0	0	0	0	0	0	0
Barber/Cosmetology	50	210	248	248	0	28	0
Boxing	0	2	2	2	0	0	0
Chiropractic	3	10	12	7	5	1	0
Dental	36	29	67	37	30	6	1
Electrical	10	77	76	68	8	11	7

FY 11 Expedited Settlement							
Board or Program	<u>July 1, 2010-June 30, 2011</u>						
	Carried over from 2010	Received	Completed	Settled	Not Settled	Currently Open	Over 90 days old
Funeral Homes and Crematories	0	1	1	1	0	0	0
Hearing Aid Providers/Audiologists	1	0	2	2	0	0	0
Landscape Architects	0	1	1	1	0	0	0
Lay Midwives	0	1	1	1	0	0	0
Massage Therapists	2	13	17	14	3	1	0
Mental Health							
Addiction Counselors	3	24	23	22	1	12	3
Licensed Professional Counselors	2	5	8	8	0	1	0
Marriage and Family Therapists	0	1	1	1	0	0	0
Psychology	1	0	1	0	1	0	0
Social Work	0	12	9	6	3	4	3
Registered Psychotherapists	2	10	14	12	2	0	0
Medical	3	15	18	17	1	1	0
Nursing	17	64	70	52	18	14	6
Nurse Aides	7	1	8	1	7	0	0
Nursing Home Administrators	0	1	1	1	0	0	0
Occupational Therapists	1	3	4	4	0	0	0
Optometric	0	0	0	0	0	0	0
Outfitters	2	9	10	10	0	2	1
Passenger Tramway	0	1	1	1	0	0	0
Pharmacy	30	140	154	145	9	23	0
Physical Therapy	0	3	2	2	0	1	0
Plumbers	7	49	49	40	9	7	1
Podiatry	0	0	0	0	0	0	0
Respiratory Therapists	1	2	3	2	1	0	0
Surgical Technicians	0	6	6	6	0	0	0
Veterinarians	4	12	18	15	3	0	0
TOTAL DIVISION OF REGISTRATIONS	211	880	1,000	888	112	150	28
FY 09-10 Actual	111	935	835	726	109	211	52
FY 08-09 Actual	142	767	798	631	167	111	1

As of FY12, Received, Completed, Settled, and Not Settled includes those cases that were previously closed in ESP but were referred back to ESP at a later time for further discipline.

DIVISION OF SECURITIES	Actual FY 09-10	Actual FY 10-11	Estimate FY 11-12	Estimate FY 12-13
Enforcement Section				
Enforcement Statistics and Projections				
Total Caseload				
Target	360	348	348	348
Actual	294	315		
Target	290	252	252	252
Actual	224	248		
Licensed Respondents (included in total above)				
Target	100	96	90	90
Actual	70	67		
File Carryover				
Target	220	204	204	204
Actual	201	195		
Target	180	144	150	150
Actual	154	153		
Licensed Respondents (included in total above)				
Target	55	60	60	60
Actual	47	42		
New Cases				
Target	145	156	150	150
Actual	129	114		
Target	108	108	108	108
Actual	102	94		
Licensed Respondents (included in total above)				
Target	50	50	50	50
Actual	27	20		
Files Closed				
Target	144	132	138	138
Actual	93	129		
Target	110	84	96	96
Actual	70	101		

DIVISION OF SECURITIES	Actual FY 09-10	Actual FY 10-11	Estimate FY 11-12	Estimate FY 12-13
Licensed Respondents (included in total above)				
Target	50	48	42	42
Actual	23	28		
Total Legal Actions				
Target	170	175	175	175
Actual	160	171		
Administrative Legal Actions				
Total Administrative Legal Actions				
Target	85	84	78	78
Actual	43	44		
Referrals				
Target	20	18	18	18
Actual	12	13		
Consent Orders				
Target	50	48	42	42
Actual	24	35		
Stop Orders				
Target	1	1	1	1
Actual	0	1		
Broker-Dealer/Cease & Desist Actions Filed				
Target	20	22	22	22
Actual	5	14		
Hearings Held				
Target	4	4	4	4
Actual	4	3		
Orders/Hearings				
Target	4	4	8	8
Actual	8	7		
Judicial Review and Appeal				
Target	1	1	1	1
Actual	0	1		
Summary Suspensions				

DIVISION OF SECURITIES	Actual FY 09-10	Actual FY 10-11	Estimate FY 11-12	Estimate FY 12-13
Target	5	5	6	6
Actual	0	8		
Summary Revocations				
Target	4	5	6	6
Actual	7	7		
Other				
Target	12	9	9	9
Actual	0	3		
Civil Legal Actions				
Total Civil Legal Actions				
Target	70	75	87	87
Actual	79	85		
Referrals to Attorney General's Office				
Target	16	18	20	20
Actual	19	19		
Subpoena Enforcement Actions				
Target	6	6	9	9
Actual	9	9		
Complaints Filed				
Target	8	10	16	16
Actual	11	24		
Subpoena Enforcement Orders				
Target	5	6	9	9
Actual	11	11		
TRO's Obtained				
Target	2	2	2	2
Actual	2	2		
Preliminary Injunctions				
Target	3	3	3	3
Actual	1	2		
Permanent Injunctions				
Target	20	24	24	24

DIVISION OF SECURITIES	Actual FY 09-10	Actual FY 10-11	Estimate FY 11-12	Estimate FY 12-13
Actual	12	12		
Bankruptcy Actions				
Target	2	2	0	0
Actual	1	0		
Appeals				
Target	2	2	2	2
Actual	0	0		
Other				
Target	10	12	12	12
Actual	2	6		
Criminal Legal Actions				
Total Criminal Legal Actions				
Target	35	36	40	40
Actual	38	40		
Referrals to Prosecutor				
Target	7	9	12	12
Actual	14	14		
Grand Jury Proceeding				
Target	5	6	6	6
Actual	5	5		
Indictments				
Target	5	6	6	6
Actual	5	5		
Complaints/Information				
Target	3	3	3	3
Actual	2	3		
Convictions				
Target	10	12	12	12
Actual	9	10		
Appeals				
Target	1	1	1	1
Actual	0	0		

DIVISION OF SECURITIES	Actual FY 09-10	Actual FY 10-11	Estimate FY 11-12	Estimate FY 12-13
Assistance				
Target	3	3	3	3
Actual	0	0		
Other				
Target	6	6	9	9
Actual	6	6		
Examination Section				
As of June 30, 2010, there were:				
2,340 broker-dealers licensed in Colorado.				
Securities Registration				
Registration by Coordination				
Target	60	51	55	55
Actual	43	66		
Registration by Qualification				
Target	4	4	4	4
Actual	4	6		
Limited Offering Registration per 11-51-304(6)				
Target	1	1	1	1
Actual	0	0		
Local Government Trust Registrations				0
Target	0	0		
Actual				
Local Government Trust Ann. Renewal				
Target	2	2	2	2
Actual	2	2		
Colorado Municipal Bond Registrations				
Target	0	0	0	0
Actual	0	0		
Colorado Municipal Bond Exemptions				
Target	120	120	120	120
Actual	106	133		
Claim of Exemption				
Target	2,000	1,700	1,700	1,700
Actual	1550	1,641		

DIVISION OF SECURITIES	Actual FY 09-10	Actual FY 10-11	Estimate FY 11-12	Estimate FY 12-13
Investment Companies				
Target	2,300	2,300	2,450	2,450
Actual	2,597	2,618		
Broker-Dealer and Investment Adviser Licensing (SEC = Securities and Exchange Commission)				
SEC Broker-Dealer Applications				
Target	175	175	155	155
Actual	158	147		
Investment Adviser Applications				
Target	254	300	350	350
Actual	247	258		
SEC Broker-Dealer Renewals				
Target	2,300	2,300		
Actual	2,240	2,205		
Investment Adviser Renewals				
Target	2,000	2,000	2,200	2,200
Actual	2087	2,136		
Non-SEC Broker-Dealer Applications				
Target	1	4	2	2
Actual	1	4		
Non-SEC Broker-Dealer Renewals				
Target	10	10	6	6
Actual	7	6		
FINRA Sales Representative Applications				
Target	37,000	36,500	41,500	41,500
Actual	35,065	41,072		
FINRA Sales Representative Renewals				
Target	143,800	144,000	150,000	150,000
Actual	145504	153,576		
FINRA Disciplinary Withdrawals				
Target	275	300	300	300
Actual	341	292		
Non-FINRA Sales Representative Applications				

DIVISION OF SECURITIES	Actual FY 09-10	Actual FY 10-11	Estimate FY 11-12	Estimate FY 12-13
Target	5	5	20	20
Actual	1	15		
Non-FINRA Sales Representative Renewals				
Target	10	10	30	30
Actual	7	12		
Investment Adviser Representative Applications				
Target	2,400	2,100	2,150	2,150
Actual	2,058	2,136		
Investment Adviser Representative Renewals				
Target	8,500	9,000	9,550	9,550
Actual	9,231	9,522		
Investment Adviser Representative Withdrawals				
Target	NA	NA		
Actual	NA	NA		
Field Examinations				
Units				
Target	50	120	160	160
Actual	66	65		