

* Provide an explanation for why you believe or do not believe that the occupational regulations overseen by your board have been effective.

The securities industry is a highly regulated industry. Persons who receive compensation for the sales of securities sold directly by the issuer, similar to broker-dealer agents, are in a position of trust and have access to sensitive personal financial information about Nebraska consumers. The Department and the State have a strong interest in monitoring the industry and removing bad actors. As can be seen from the numbers provided, the limited number of license denials demonstrates a low barrier of entry into the profession. Further, the numbers of licenses revoked or given penalties is very low in comparison to the number of registrants. While most registrants are of high integrity, the existing regulatory frame work gives the Department the necessary authority to remove bad actors from taking advantage of the sensitive information and position of power they have access to.

Although not every state has the specific issuer-dealer and issuer-dealer agent registration requirement, many states have an agent of issuer registration requirement for those persons receiving sales-based compensation for the sale of securities. Additionally, the Department would share such registration information with other state or federal securities agencies.

What is the potential harm if this occupation is no longer licensed, certified, or regulated?

Primarily, Nebraska would lose its authority to monitor the Nebraska securities industry and remove bad actors. As noted above, issuer-dealer agents have access to sensitive personal financial information of Nebraska consumers and, as such, must meet certain minimum requirements related to education, knowledge, and integrity. The ability to remove bad actors from the marketplace is an important protection for Nebraska consumers.

Most state securities regulators have securities laws and regulations based on the Uniform Securities Act of 1956 or 2002, and model rules promulgated by the North American Securities Administrators Association (NASAA), of which Nebraska is a member. Disciplinary actions and violations of one jurisdiction's securities laws and rules may be the basis for denial of a registrant in another jurisdiction. Although not every state has the specific issuer-dealer and issuer-dealer agent registration requirement, many states have an agent of issuer registration requirement for those persons receiving sales-based compensation for the sale of securities. Additionally, the Department would share such registration information with other state or federal securities agencies.

* Provide a comparison of whether and how other states regulate the occupation.

See above.