

COMMITTEE REPORT

HOUSE

3/16/82

FURTHER:

(11)

Date: 4-13-82

Mr. Speaker: (Taken from Rules)

The Committee on FINANCE has had HB 704

"An Act continuing the existence of the Real Estate Commission; and providing for an effective date."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for HB 704 (LHC) same title
 new title
- and recommends do pass
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation 21.1
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

MEMBERS HAVING
OTHER RECOMMENDATIONS:

[Signature]

[Signature]

CHAIRMAN

Original sponsors: Martin and Barnes

Offered: 3/12/82
Referred: Rules

1 IN THE HOUSE

BY THE LABOR AND
COMMERCE COMMITTEE

2 CS FOR HOUSE BILL NO. 704 (L&C)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act continuing the existence of the Real Estate
7 Commission and amending the statutes relating to the
8 commission's responsibilities; and providing for an
9 effective date."

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

11 * Section 1. AS 08.03.010(c)(18) is amended to read:

12 (18) Real Estate Commission (AS 08.88.011) -- June 30, 1986
13 [1982].

14 * Sec. 2. AS 08.88.221(a) is amended to read:

15 (a) The following fees shall be imposed under AS 08.88.011 -
16 08.88.500 [CHARGED A REAL ESTATE BROKER OR ASSOCIATE BROKER LICENSEE OR
17 APPLICANT] when applicable:

- 18 (1) examination \$ 50
- 19 (2) reciprocity 100 [50]
- 20 (3) initial license 100
- 21 (4) [BIENNIAL] renewal - active license 100
- 22 (5) [BIENNIAL] renewal - inactive license 50 [25]
- 23 (6) amendment or transfer of license 5

24 * Sec. 3. AS 08.88.221(d) is amended to read:

25 (d) If the commission contracts with a national testing service to
26 prepare, administer and grade examinations, the examination fee charged
27 under (a)(1) [OR (b)(1)] of this section which the applicant is required
28 to pay to the commission shall be reduced by the amount of the fee
29 charged the applicant by the national testing service for the examina-

1 tion.

2 * Sec. 4 AS 08.88.401 is repealed and reenacted to read:

3 Sec. 08.88.401. PROHIBITED CONDUCT. (a) A person licensed under
4 this chapter may not falsely represent that he has been awarded a degree
5 or other designation or that he is a member or an affiliate of a profes-
6 sional organization.

7 (b) A person

8 (1) who is not a real estate broker licensed in this state
9 may not accept a fee or a commission for performance of an act for which
10 a license is required by this chapter except that a real estate broker
11 validly licensed in another state may accept a fee or commission or a
12 portion of a fee or commission for assisting a real estate broker li-
13 censed in this state in the performance of an act for which a license is
14 required by this chapter;

15 (2) who is a real estate salesman licensed in this state may
16 not accept a fee or commission for performance of an act for which a
17 license is required by this chapter unless acceptance is authorized by
18 the broker who employs the salesman.

19 (c) A person may not knowingly make, authorize, direct, or aid in
20 the publication of a false statement or misrepresentation concerning
21 land or a subdivision or other real estate offered for sale or lease.

22 (d) A person who violates a provision of this section or of AS 08.-
23 88.161 is guilty of a class A misdemeanor.

24 * Sec. 5. AS 08.88.221(b) and (c) are repealed.

25 * Sec. 6. This Act takes effect immediately in accordance with AS 01.10.-
26 070(c).

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. CSHB 704
 Title "An Act continuing the existence of the Real Estate Commission"
 Requested by Labor and Commerce Committee Date 3/12/82

II. FISCAL DETAIL
 Agency Affected Commerce and Economic Development
 Program Category Affected PUBLIC PROTECTION
 BRU, Program, Or Subprogram(s) Affected Real Estate Commission
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	0	0	0	0	0	0

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND	0	21.1	111.0	21.1	111.0	21.1
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME	0	0	0	0	0	0
PART TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

The fee changes in AS08.88 being requested by CSHB704 are simply to increase the 'initial license' and 'renewal of license' fees for salesmen from \$50 to \$100. Approximately 1600 salesmen's licenses are affected on a biennial renewal and approximately 35 per month on a new license basis. It is the Commission's analysis that there are differences in handling salesman's licenses versus broker or associate broker licenses and that the fees should be equal. The adjustment also assists the Commission in its attempts to make revenues equal to expenditures.

IV. DATE 3/19/82 PREPARED BY Lance Youngquist
 AGENCY Real Estate Commission
 Original: Legislative Finance PHONE 586-1212
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

Introduced: 1/29/82
Referred: Labor & Commerce

1 IN THE HOUSE

BY MARTIN AND BARNES

2

HOUSE BILL NO. 704

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

TWELFTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act continuing the existence of the Real Estate
Commission; and providing for an effective date."

7

8

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9

* Section 1. AS 08.03.010(c)(18) is amended to read:

10

(18) Real Estate Commission (AS 08.88.011) -- June 30, 1984

11

[1982].

12

* Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-

13

070(c).

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CSHB 704
 Title "An Act continuing the existence of the Real Estate Commission"
 Requested by Labor and Commerce Committee Date 3/12/82

II. FISCAL DETAIL

Agency Affected Commerce and Economic Development
 Program Category Affected PUBLIC Protection
 BRU, Program, Or Subprogram(s) Affected Real Estate Commission
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	0	0	0	0	0	0

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND	0	21.1	111.0	21.1	111.0	21.1
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME	0	0	0	0	0	0
PART TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

The fee changes in ASC3.88 being requested by CSHB704 are simply to increase the 'initial license' and 'renewal of license' fees for salesmen from \$50 to \$100. Approximately 1600 salesmen's licenses are affected on a biennial renewal and approximately 35 per month on a new license basis. It is the Commission's analysis that there are differences in handling salesman's licenses versus broker or associate broker licenses and that the fees should be equal. The adjustment also assists the Commission in its attempts to make revenues equal to expenditures.

IV. DATE 3/19/82

PREPARED BY Lance Youngquist
 AGENCY Real Estate Commission
 PHONE 586-1212

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

008043

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 704
Title An Act continuing the existence of the Real Estate Commission
Requested by _____ Date _____

II. FISCAL DETAIL

Agency Affected Commerce and Economic Development
Program Category Affected Public Protection
BRU, Program, Or Subprogram(s) Affected Real Estate Commission
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	0	0	0	0	0	0

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND	0	0	0	0	0	
FEDERAL FUNDS	0	0	0	0	0	
OTHER (Specify Source)	0	0	0	0	0	

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME	0	0	0	0	0	
PART TIME	0	0	0	0	0	
TEMPORARY	0	0	0	0	0	

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

IV. DATE 3/19/82 PREPARED BY Lance Youngquist
AGENCY Commerce and Economic Development
Original: Legislative Finance PHONE 586-1212
cc: Budget and Management
Prime Sponsor (First Legislator Named)
33-001 (Rev. 12/81)

Original sponsors: Martin and Barnes

Offered: 3/12/82
Referred: Rules

BY THE LABOR AND
COMMERCE COMMITTEE

1 IN THE HOUSE

2 CS FOR HOUSE BILL NO. 704 (L&C)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act continuing the existence of the Real Estate
7 Commission and amending the statutes relating to the
8 commission's responsibilities; and providing for an
9 effective date."

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

11 * Section 1. AS 08.03.010(c)(18) is amended to read:

12 (18) Real Estate Commission (AS 08.88.011) -- June 30, 1986
13 [1982].

14 * Sec. 2. AS 08.88.221(a) is amended to read:

15 (a) The following fees shall be imposed under AS 08.88.011 -
16 08.88.500 [CHARGED A REAL ESTATE BROKER OR ASSOCIATE BROKER LICENSEE OR
17 APPLICANT] when applicable:

- 18 (1) examination \$ 50
- 19 (2) reciprocity 100 [50]
- 20 (3) initial license 100
- 21 (4) [BIENNIAL] renewal - active license 100
- 22 (5) [BIENNIAL] renewal - inactive license 50 [25]
- 23 (6) amendment or transfer of license 5

24 * Sec. 3. AS 08.88.221(d) is amended to read:

25 (d) If the commission contracts with a national testing service to
26 prepare, administer and grade examinations, the examination fee charged
27 under (a)(1) [OR (b)(1)] of this section which the applicant is required
28 to pay to the commission shall be reduced by the amount of the fee
29 charged the applicant by the national testing service for the examina-

Original sponsors: Martin and Barnes

Offered: 3/12/82
Referred: Rules

BY THE LABOR AND
COMMERCE COMMITTEE

1 IN THE HOUSE

2 CS FOR HOUSE BILL NO. 704 (L&C)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act continuing the existence of the Real Estate
7 Commission and amending the statutes relating to the
8 commission's responsibilities; and providing for an
9 effective date."

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

11 * Section 1. AS 08.03.010(c)(18) is amended to read:

12 (18) Real Estate Commission (AS 08.88.011) -- June 30, 1986
13 [1982].

14 * Sec. 2. AS 08.88.221(a) is amended to read:

15 (a) The following fees shall be imposed under AS 08.88.011 -
16 08.88.500 [CHARGED A REAL ESTATE BROKER OR ASSOCIATE BROKER LICENSEE OR
17 APPLICANT] when applicable:

- 18 (1) examination \$ 50
- 19 (2) reciprocity 100 [50]
- 20 (3) initial license 100
- 21 (4) [BIENNIAL] renewal - active license 100
- 22 (5) [BIENNIAL] renewal - inactive license 50 [25]
- 23 (6) amendment or transfer of license 5

24 * Sec. 3. AS 08.88.221(d) is amended to read:

25 (d) If the commission contracts with a national testing service to
26 prepare, administer and grade examinations, the examination fee charged
27 under (a)(1) [OR (b)(1)] of this section which the applicant is required
28 to pay to the commission shall be reduced by the amount of the fee
29 charged the applicant by the national testing service for the examina-

1 tion.

2 * Sec. 4. AS 08.88.401 is repealed and reenacted to read:

3 Sec. 08.88.401. PROHIBITED CONDUCT. (a) A person licensed under
4 this chapter may not falsely represent that he has been awarded a degree
5 or other designation or that he is a member or an affiliate of a profes-
6 sional organization.

7 (b) A person

8 (1) who is not a real estate broker licensed in this state
9 may not accept a fee or a commission for performance of an act for which
10 a license is required by this chapter except that a real estate broker
11 validly licensed in another state may accept a fee or commission or a
12 portion of a fee or commission for assisting a real estate broker li-
13 censed in this state in the performance of an act for which a license is
14 required by this chapter;

15 (2) who is a real estate salesman licensed in this state may
16 not accept a fee or commission for performance of an act for which a
17 license is required by this chapter unless acceptance is authorized by
18 the broker who employs the salesman.

19 (c) A person may not knowingly make, authorize, direct, or aid in
20 the publication of a false statement or misrepresentation concerning
21 land or a subdivision or other real estate offered for sale or lease.

22 (d) A person who violates a provision of this section or of AS 08.-
23 88.161 is guilty of a class A misdemeanor.

24 * Sec. 5. AS 08.88.221(b) and (c) are repealed.

25 * Sec. 6. This Act takes effect immediately in accordance with AS 01.10.-
26 070(c).

Introduced: 1/29/82
Referred: Labor & Commerce

1 IN THE HOUSE

BY MARTIN AND BARNES

2

HOUSE BILL NO. 704

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

TWELFTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act continuing the existence of the Real Estate

7

Commission; and providing for an effective date."

8

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9

* Section 1. AS 08.03.010(c)(18) is amended to read:

10

(18) Real Estate Commission (AS 08.88.011) -- June 30, 1984

11

[1982].

12

* Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-

13

070(c).

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29