

**HB**

**129**

Chair, Judiciary  
Chair, Economic Development,  
Trade & Tourism  
Energy  
Military & Veteran Affairs  
Joint Armed Services  
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# Alaska State Legislature House of Representatives



While in Session  
State Capitol, Room 118  
Juneau, Alaska 99801-1182  
(907) 465- 3004  
Fax: (907) 465-2070  
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Representative Jay Ramras  
District 10

## Sponsor Statement

### CS for HB 129 (RLS) Revoking Real Estate Salesperson Licenses

CS for House Bill 129 (RLS) makes a simple, but needed, correction to existing law. Under current law, the Alaska Real Estate Commission must revoke the license of a real estate broker or associate broker if that person is convicted of a felony or other crime committed while licensed that, in the judgment of the commission, affects the ability of that person to practice as a broker or associate broker competently and safely or who is convicted of forgery, theft, extortion, conspiracy to defraud creditors, or fraud. Unfortunately this current law does not apply to real estate *salespersons*.

HB 129 simply adds "salesperson" to the statute and thereby enables the Real Estate Commission to likewise revoke the license of a salesperson who commits the same listed crimes. HB 129 also clarifies that the Alaska Real Estate Commission has the authority not only to revoke, but also to refuse to grant or renew the license of a salesperson who was convicted of the listed offenses at a time before the effective date of HB 129.

The need for this legislation came to the attention of the Real Estate Commission after a licensed real estate salesperson was indicted on five counts of bribery, money laundering, and importing a controlled substance. After reaching a plea agreement, all but the drug trafficking charges were dropped. After the guilty plea was entered on the drug trafficking charge, the Real Estate Commission discovered that they had no power to revoke this real estate salesperson's license and after serving the sentence imposed, the real estate salesperson continued to work in a field where customers place faith in their agent's trustworthiness and ability to follow the laws of the State of Alaska to the letter.

As of November 2008 there were 1460 real estate salespersons licensed in Alaska; compared to only 411 associate brokers and 483 brokers. With so many real estate salespersons licensed in Alaska, the urgency and need for this bill is clear. HB 129 empowers the Real Estate Commission to appropriately regulate its profession – including revoking a salesperson's license – and it protects the public interest.

✉: Representative\_Jay\_Ramras@legis.state.ak.us

February 19, 2009

Dear Legislators:

The Alaska Real Estate Commission would like to express support for HB129. The current statute AS 08.88.071(10) only provides for a Broker or an Associate Broker to have their license revoked if convicted of a felony or other crime while licensed.

The Commission, through the Division of Corporations, Business and Professional Licensing issues three types of licenses: Broker, Associate Broker and Salesperson.

This proposed legislation would complete the process that would allow the Commission to also pursue the revocation of the salesperson license. The majority of the licensees are salespersons and therefore, an increased probability would exist that a felony would be committed by a licensed salesperson.

The Commission is tasked with the duty to provide for real estate practice that is conducted competently and safely. All licensees (Broker, Associate Broker and Salespersons) convicted of a felony should be licensed at the discretion of the Real Estate Commission in order to practice in Alaska.

We ask that you consider making the change by adding the license type, Salesperson, to the existing list of licenses in AS 08.88.071(10).

Sincerely,



Brad Cole  
Chairman  
Alaska Real Estate Commission

**Representative Jay Ramras**  
**Chair, House Judiciary**  
**House Labor & Commerce**  
**House Oil & Gas**  
**House Military & Veteran**  
**Affairs**

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**House District 10**

## House of Representatives

### Memo

To: Senator Hollis French  
Chair Senate Labor & Commerce Committee

CC: Cindy Smith, Senate Judiciary Committee Aide

From: Representative Jay Ramras

Date: April 14, 2009

Re: CS for HB 129 (RLS): REVOKING REAL ESTATE SALESPERSON LICENSES

Please schedule CS for House Bill 129 (RLS), REVOKING REAL ESTATE SALESPERSON LICENSES to be heard in the Senate Judiciary Committee.

Attached to this memo please find the following documents:

- CS for HB 129 (RLS) REVOKING REAL ESTATE SALESPERSON LICENSES 26-LS0558R
- Sponsor Statement
- Fiscal Note
- Support letter from Brad Cole, Chairman, Alaska Real Estate Commission
- Bill history
- Office Contact: Margaret Dowling, 465-6841

Thank you.

Representative\_Jay\_Ramras@legis.state.ak.us