

ALASKA LEGISLATURE COMMITTEE FILES 1997-1998 00/2

9267 HOUSE LABOR & COMMERCE

- 7/5 "supervise . . . physical . . . maintenance Is this so broad that one would need a license for routine property management functions like hiring painters, landscapers and snow plow services?
- 14/8 Reciprocal licensing Does any of this bill address two hot issues: consumer rebates and relocation companies? In the former, Costco (and other other groups) are marketing their memberships to consumers which include the opportunity to get a discount or rebate from real estate agents affiliated with the affinity organization. In the latter, relocation companies are securing fees from real estate agents who work with transferring buyers and sellers, even if the buyer or seller chose the agent independent of any "referral" from the relocation service.
- The Real Estate Commission in Alaska has not addressed the affinity group question, but a federal court in Mississippi just upheld a regulation of the Commission there that outlaws the practice.
- As for relocation companies, the Alaska Commission recently required by regulation that such fee payments be disclosed on the listing, the purchase agreement and at closing. They have stopped short of forbidding the practice.
- Both practices send income out of Alaska to faceless corporate entities. This is revenue that would otherwise be spent for the direct benefit of Alaska's consumers. That revenue also ensures the local real estate industry's financial viability, a fact that is good for consumers also.
- 15/7-9 Business location The language appears to prevent an agent from meeting clients or doing other business from a home office, or new construction sales center. The technology makes remote and mobile operations more viable. Why discourage it, if the broker still has supervisory responsibility?

COMPARISON

**CHSB 33, VERSION F
AND
CSHB 33, VERSION H**

Prepared by

Rep. Rokeberg's Office

OCTOBER 1997

**CSHB 33/ Version F
March 18, 1997**

adopted as working document by
House Labor & Commerce

Title: An Act relating to real estate
licensing and the real estate surety
fund

Section 1, page 1. Qualification of
commission members. New language
regarding endorsements

Section 2, page 2. Requires Real
Estate Commission to elect officers at
first meeting of each fiscal year.

Section 3, page 2. Assistants. Sets
forth what actions the Commission
may delegate to assistants.

Section 4, page 2. Duties of the
commission. Adds language regard-
ing endorsements, specialties, asso-
ciation management. Allows Depart-
ment of Commerce & Economic De-
velopment to prosecute violations of
this chapter. Permits publication of
disciplinary action in Commission's
newsletter and allows information on
such action to be released for general
publication.

**CSHB 33/Version H
September 8, 1997**

NOTE: Endorsement concept deleted.
Real estate surety fund changes de-
leted. Commercial broker language
deleted. *Corresponding language
changes made which are not
individually mentioned below.*

Title: An Act relating to real estate
licensing.

DELETED

Section 1, page 1

Section 2, page 1

Section 3, page 2

Permits issuance of temporary permit to personal representative of legally incompetent broker so that the business of that broker may be managed. Grants authority to levy civil fines.

Section 5, page 5. Commission Regulations. Adds setting ethical standards and minimum standards of conduct and defining of terms to the regulatory powers of the Commission.

Section 6, page 6. Amends language concerning real estate education to include general public, licensees, commission members and staff. Permits the Commission to provide educational opportunities for instructor training. Permits Commission to charge fees for educational programs and publications of the Commission; such fee to be deposited in the Real Estate Surety Fund.

Section 7, page 6. Amends language concerning educational requirements for initial license.

Section 8, page 6. Amends language concerning educational requirements for license renewal.

Section 9, page 6. Makes clear that educational courses must be approved by the Commission before such are taken and accepted as meeting the education or continuing education requirements.

Section 10, page 7. New language indicates that Commission is to establish education for each type of license. Must allow courses required to earn professional designation sponsored by National Association of Realtors, Building Owners and Man-

DELETED

Section 4, page 5

Section 5, page 5

Section 6, page 5

Section 7, page 5

Section 8, page 6. With NEW subsection (g) added, page 6, regarding development of four eight-hour core curricula for continuing education in: real estate sales, property management, community association

agers Association, or other recognized national organization to fulfill educational requirements. Computer training specifically designed for real estate applications is to be permitted. Courses from an accredited college or university as part of a real estate curriculum and which are at least one semester in length must be allowed.

Section 11, page 7. License required. Adds language concerning endorsements. Adds limited liability company to those which must hold license to perform real estate activities enumerated.

Section 12, page 8. New language concerning commercial real estate services broker and activities of same.

Section 13, page 9. Civil penalty for unlicensed or unauthorized practice. Allows Commission to enter order levying civil penalty which may not exceed \$5,000 or the amount of gain realized plus \$5,000, whichever is greater, for each offense. Provides for written notification, hearing on the record. Appeal is to the Superior Court.

management, and commercial sales.

Section 9, page 6. New sections 6-9, page 7. Address community association or property management, administrative or financial maintenance of real estate, acceptance of fees.

DELETED

Section 10, page 7. Subsection (c) introduction changed to reflect House Labor & Commerce committee discussion. Changed from "After providing a person written notice of an order issued under this section, the commission shall grant a 30-day" to "Before entering an order under (a) of this section, the commission shall send the person written notice of the proposed order that grants the person a 30-day"

Section 14, page 10. Endorsements. New language concerning real estate endorsements in sales, property management or community association management.

DELETED

Section 15, page 10. Entitlement to license and endorsements. Amends language to provide endorsement provisions.

Section 11, page 8

Section 16, page 14. New language concerning commercial real estate brokers and license for same.

DELETED

Section 17, page 15. Insurance Requirement. New language requiring that licensee carry errors and omissions insurance. If Commission offers such coverage for annual premium of \$200 or less, the licensee is to submit two years' payment on each license anniversary date or initial license. Commission is to offer licensee opportunity to purchase if available. If errors and omission insurance not available under the premium cap, these sections will not be enforced.

Section 12, page 10

Section 18, page 16. Content and purpose of examination. Adds language regarding additional items which may be included in any examination. Adds language concerning endorsement and specialty examinations so that each level of licensure will have exam questions about that endorsement.

Section 13, page 11

Section 19, page 16. Adds language permitting the Commission to designate someone to review the examination and the contents of same.

Section 20, page 17. Reexamination. Minor word change ("for" to "with").

Section 21, page 17. Fees. Adds language concerning endorsements. Adds language allowing fees for reciprocal licensing, reinstatement of lapsed license and endorsement, changes to registered office information, course certification and recertification, instructor approval and renewal of approval.

Section 22, page 17. Reinstatement of lapsed license. Amends procedure and time lines for reinstatement of lapsed license.

Section 23, page 18. Inactive license. Amends language concerning inactive license.

Section 24, page 19. Reciprocal licensing. Allows a person holding a valid license from another states which has a reciprocal licensing agreement with Alaska, to be granted Alaska license after passing Alaska passing Alaska portion of exam.

Section 14, page 12

Section 15, page 12

Section 16, page 12

Section 17, page 12

Section 18, page 13

Section 19, page 14

Section 20, page 14. Bonding requirement. **NEW SECTION.** Provides that a licensee who collects, controls, or disburses money in community association management must file evidence of coverage by a bond in the amount of \$1 million. running to the association.

Section 25, page 19. License by endorsement. Amends current language concerning license by endorsement (where a reciprocal licensing agreement is not in effect).	DELETED
Section 26, page 19. Real estate surety fund. Language changes.	DELETED
Section 27, page 19. Location. Language changes ("broker's" to "person's", for example). Requires registration of location and who at location.	Section 21, page 14
Section 28, page 20. Change of location. Amended to provide the broker must notify Commission of change of office location on forms provided by the Commission and prior to the change of a principal office.	Section 22, page 15
Section 29, page 20. Branch offices. Amended to reflect specialty language and practice of that specialty.	Section 23, page 15
Section 30, page 20. Possession and display of license certificates. Licensees must turn over their license certificate to broker who employs them. Employing broker is to display broker license and certificated employees licensees in office where licensees' employment is registered.	Section 24, page 15
Section 31, page 21. Making of transactions. Provides that all money/proceeds collected in trust should be immediately turned over to broker or authorized agent. Licensee must perform services through a broker.	Section 25, page 16
Section 32, page 21. Personal service contracts.. Changes "listings"	Section 26, page 16

language to personal service contract and sets forth requirements for same.

Section 33, page 22. Record of transactions. Amends to set forth type of transactions and the various records that must be maintained and the length such records must be retained.

Section 34, page 22. New section concerning record of transactions. Calls for licensee to maintain certain records for a certain length of time and make such records available to the Commission upon request. Defines "three-year requirement" time line.

Section 35, page 23. When commission or other fee is earned. Amends to include management fee or other compensation. Requires that a licensee has no right under law to enforce collection of commission or other fee unless through enforcement of terms of written personal service contract.

Section 36, page 23. Signs. Amends to require that signs be approved by Commission and that such signs are to be registered with the Commission. Provides that if the building an office is located in has different sign requirements or limitations, those requirements shall be honored by the Commission.

Section 37, page 23. Conflict of interest. Amends and defines what a conflict of interest is. Includes such items as personal financial interest, anticipated personal interest, ownership (whole or part), represents more than one party in transaction without giving notice required by law, re-

Section 27, Page 16

Section 28, page 17

Section 29, page 18

Section 30, page 18. New language reflects "premises" instead of "building" to make clear that sign restrictions for premises (i.e., condo complexes) are to be honored.

Section 31, page 18

ceives compensation from someone other than a party to contract.

Section 38, page 24. Disclosure of agency to prospective buyers and sellers. Amends, for the most part, to change "person licensed under this chapter" or "person" to "licensee".

Section 39, page 25. Prohibited conduct. Amends language concerning prohibited conduct. Licensee may not falsely represent to: have been awarded degree or other designation, be a member or an affiliate of a professional organization, be a member of a franchise or other business association, or be certified or endorsed as a specialist. Licensee may not pay fee or commission for performance of act under this chapter to a person unless that person is licensed under this chapter. Licensee may not knowingly make, authorize, direct or aid in publication of false statement or misrepresentation concerning land or a subdivision or other real estate offered for sale, lease or rent or concerning an association managed. Violation is class A misdemeanor.

Section 40, page 26. Adds new subsection to prohibited conduct. Person may not use license issued to

Section 32, page 19

Section 33, page 20. Licensed Assistants. **NEW SECTION.** Licensee permitted to employ licensed assistant if agreement is in writing and conforms to state and federal regulations, approved by broker who employs licensee, licensee agrees to be responsible for assistant, and broker agrees to be liable for actions of assistant.

Section 34, page 21. Language changes consistent with dropping of endorsement and/or speciality provisions.

Section 35, page 22

another person, give false or forged evidence to commission in attempt to obtain license or endorsement, impersonate applicant under this chapter, knowingly use or attempt to use expired or suspended or revoked or nonexisting license or endorsement, falsely claim to be licensed under this chapter.

Section 41, page 27. Real estate surety fund. Adds "and fees collected under AS 08.88.091(a)" to this section. Makes other minor language changes. **DELETED**

Section 42, page 27. Payments by real estate licensees. Licensee must pay fee not to exceed \$125 in addition to license fee to surety fund. When fund reaches \$250,000, commission shall adjust fees so fund is maintained at not less than \$250,000 **DELETED**

Section 43, page 27. Claim for Payment. Claims must be filed on Commission claim form within two years. Sets out procedure for filing claims. **Section 36, page 22.** Adds reference to "Except as provided in AS 08.88.285(c)" (see Section 20 - bonding - page 14).

Section 44, page 29. Language changes to cover new licensee term (real estate services licensee). **DELETED**

Section 45, page 29. Licensee language changes. **DELETED**

Section 46, page 29. Licensee language changes. **DELETED**

Section 47, page 29. Findings and payment. Licensee language changes and other minor changes. **DELETED**

Section 48, page 30. Real estate surety fund may be charged cost of claim hearing. Amounts recovered by Commission shall be deposited into surety fund. **DELETED**

Section 49, page 30. Payment of small claims judgment. Award shall be paid from surety fund on small claims judgement if judgment has not been satisfied by licensee responsible. **DELETED**

Section 50, page 30. Maximum liability. Maximum liability may not exceed \$5,000 for any one licensee (current). Makes language changes. **DELETED**

Section 51, page 31. Right to subrogation. Changes "Amounts subsequently realized" to "Money collected". **DELETED**

Section 52, page 31. Exceptions. Adds following to exceptions provisions. This law do not apply to: (1) person licensed in another profession while performing duties authorized under that license; (2) bookkeeper performing bookkeeping functions; (3) tradesmen or vendors performing maintenance and repair functions; (4) employee of real estate firm or property owner who delivers or accepts a real estate contract or application or a related amendment to or

Section 37, page 22. In subsection (1) adds reference to "manages or " regarding a person's own property. Reorders exceptions from version F. Major changes from version F in subsections 13-19. Among these changes: Exemptions granted to person managing four or fewer residential units, owner of unit of self-managed community association managing within that association without payment, developer during period developer controls 51% of association, resident manager, attorney in fact for relative. "Relative" means spouse, great grandparent, grandparent, parent, uncle, aunt, sibling, child, nephew, niece, grand-

from another person; (5) individual assisting in real estate duties by carrying out administrative, clerical or maintenance tasks. These are in addition to those currently in law.

Section 53, page 33. Adds to the exceptions section by adding language concerning various endorsements and describes who is exempt from the licensing provisions. For example, person dealing with own real property sale unless involving subdivided land, attorney in fact for two or fewer sales per year, mineral rights transactions, person managing own real property, person managing four or fewer residential units for another, resident manager, owner of unit of self-managed community association, or developer of a community association during certain periods.

Section 54, page 34. Definitions. Adds some clarifying language to some definitions currently in law.

Section 55, page 35. More definitions. Adds definition of "broker", "commercial real estate services broker", "community association management", "employed", "employed real estate services licensee", "property management", "real estate services licensee", "real estate transaction".

child, great grandchild, which are all by whole or half blood or by marriage. Not included are step relations.

DELETED

Sections 38-40, pages 24-25. Define "commission", "real estate", and "resident manager".

Section 41, page 25. Defines "community association management", "employed", "property management", "real estate licensee", "real estate transaction".

Section 56, page 36. Amends 18.80.300(1) concerning blockbusting by changing language to reflect "real estate services" and "services licensees".

DELETED

Section 57, page 36. Amends 21.66.310(b) to reflect "real estate services broker" instead of "real estate broker".

DELETED

Section 58, page 37. Amends 23.20.526(a)(8) to reflect "real estate services licensee".

DELETED

Section 59, page 37. Amends 34.08.600, Escrow of deposits, to make "real estate broker" "real estate services broker".

DELETED

Section 60, page 37. Amends 45.63.080(4) to refer to "real estate services licensee".

DELETED

Section 61, page 37. Repeals AS 08.88.091(c) and 08.88.111.

Section 42, page 26. Repeals AS 08.88.111 (Commission Regulations) as to examinations. General ability of Commission to adopt regulations is in 08.88.081 which is not changed by this Version H.

Section 62, page 37. Transitional licensing. Sets forth provisions for transitional licensing.

Section 43, page 26. Provides:
(a) person may practice community association management without a license until one year after the effective date of Section 1 of this Act.
(b) Person who meets requirements of this subsection is eligible for license without completing education requirements of Section 5 if person applies by one year after

effective date of "Section 1" of this Act and if that person (1) demonstrates person is currently engaged as principal in practice of community association management and has passed the broker's examination, is eligible for a real estate broker license; or (2) if same as #1 but has passed the associate broker examination, is eligible for a real estate associate broker license; or (3) has passed salesman examination and currently engaged in community association management under supervision of principal, eligible for real estate salesman license.

NOTE: REFERENCE to "Section 1" appears to be in error. This will be checked with legal.

Section 63, page 38. Other Transitional Provisions. Covers terms of Commission members. Allows a person to be appointed to Commission without having held a specific endorsement for three years during the first three years after the legislation

Section 64, page 39. Effective dates, section 17.

Section 65, page 39. Effective dates, various sections.

DELETED

Section 44, page 27. Effective date, AS 08.88.173(a) Section 12 is effective 90 days after effective date of AS 08.88.173(b). Section 12.

Section 45, page 27. All other sections take effect immediately.

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DIVISION OF LEGAL AND RESEARCH SERVICES
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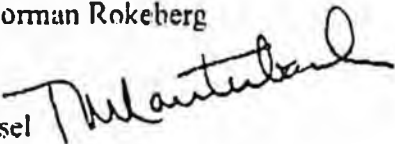
130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

September 8, 1997

SUBJECT: Real Estate Licensing (CSHB 33(L&C), "H" version)

TO: Representative Norman Rokeberg

FROM: Terri Lauterbach 
Legislative Counsel

Enclosed is the rough draft of CSHB 33(L&C), "H" version, that you requested for the real estate convention. I have attempted to include your written instructions of August 20, as modified and expanded by our telephone conversation of August 29 (moving part of old sec. 12 to old sec. 11, addition of \$1 million bonding requirement for community association managers, return to use of "salesman," and deletion of "services" in the phrase "real estate services licensee").

Because of the tight schedule to meet your deadline, there really wasn't time to check with you on questions I developed during the drafting process. Please take an especially close look at the following areas to see if they represent the policy you want:

(1) While returning most nomenclature to current law, as requested, I kept the new phrase "real estate licensee" and its definition. This phrase did not seem to me to be related to the endorsement concept so it didn't necessarily have to change because of that. Also, its use avoids having to repeat the longer "real estate broker, associate real estate broker, and real estate salesman" phrase in several sections. Is this retention of "real estate licensee" okay? Please check where it is used to ensure that the new definition is appropriate in all of the contexts where "real estate licensee" replaces current law. Thank you.

(2) In AS 08.88.071(a)(3)(F), I deleted "endorsement," as requested. Is "specialty" still okay or should it also be deleted?

(3) In AS 08.88.071(a)(3)(H), I deleted the references to the different types of transactions (sales, property management, and community association management) and used only the phrase "real estate transaction" because that phrase is defined at the end of the bill to include all three types of transactions. "Sales transaction," "property management transaction," and "community association management transaction" are not defined terms. I hope this change is satisfactory.

Representative Norman Rokeberg
September 8, 1997
Page 2

(4) The new material on core curricula for continuing education is new subsection (g) in bill sec. 8. Did I understand your instructions about this?

(5) For clarification, I have reworded AS 08.88.163(c), rather than making just the two-word change you requested. I believe the language I used more clearly states what you want, but let me know if it does not.

(6) Section 20 contains the new bonding requirement. Please let me know if you want something different.

(7) The new language on licensed assistants is in bill sec. 33. The material you gave me used the term "real estate agent" in several places, which is not a term defined in AS 08.88, and I found the language confusing as to which broker was being referred to in paragraphs (1) - (4) (the broker employing the licensee as an associate or salesman or the broker employing the licensee as an assistant?). So, I have attempted to clarify the section the way I think was meant. If I have erred in interpreting your intent, please let me know.

(8) In connection with licensed assistants, I have not included the definition of "licensed assistant" because it is unnecessary. The only places the term is used is in AS 08.88.397 and in AS 08.88.401(b)(2) (which contains a reference back to AS 08.88.397, making a definition unnecessary).

(9) Because the endorsement concept has been dropped in this version, I had to rewrite AS 08.88.900 substantially in sec. 37 in order to restore current law that, in the "F" version, had been moved to new subsections relating to specific endorsements. In the rewrite, I hope I retained all of the other types of changes you wanted in the various exemptions. Please let me know if I missed something or didn't delete something that should have been deleted.

(10) Paragraph (19) of AS 08.88.900 is my attempt to clarify what you meant by "blood relatives (including in-laws but not including cousins)." Please let me know if changes are needed.

(11) Section 43 contains the transitional licensing provisions that I think you wanted. Subsection (a) would delay the licensing requirement for community association managers for one year. Subsection (b) would give current managers a year to pass the appropriate exam to get licensed as a broker, associate, etc., without having to meet the education requirements normally applicable. Please let me know if this is not what you want. (Because of the delayed effective date for the insurance requirement, these subsections refer to "the effective date of sec. 1 of this Act" in order to establish the one-year timeline you requested.)

Representative Norman Rokeberg
September 8, 1997
Page 3

In the rush, I hope we've prepared something for you that will at least be useful for the convention and serve as a discussion piece for future changes. As Tam mentioned, the revisors have not been able to give this bill their full review, so there may be additional questions or need for changes later if they catch something that I have missed in addition to the above questions.

Please let me know if I can be of further assistance.

TML:pl
97-189.plm

Enclosure

FAX COVER SHEET

FAX (907) 465-2029

Mail Stop 3101

**LEGAL SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA**

130 Seward Street, Suite 409

Juneau, Alaska 99801-2105

(907) 465-3867 or 465-2450

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TO: Rep Norman Rokeberg

FAX: 258-2916 PHONE: 258-8191

NUMBER OF PAGES (including cover sheet): 3 DATE SENT Aug. 27 TIME 4:20 pm SENT BY Lynn

DISPOSAL OF ORIGINAL: MAIL FILE THROW AWAY HOLD FOR PICKUP

NOTES/INSTRUCTIONS:
Re: CS HB 33 (LIC)
Real Estate Licensing

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STATE OF ALASKA**

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

August 27, 1997

SUBJECT: Real Estate Licensing (CSHB 33 (L&C)\H)
TO: Representative Norman Rokeberg
FROM: Terri Lauterbach
Legislative Counsel *TLauterbach*

I'm sorry I wasn't in the office when you called earlier today. I hope we make connections tomorrow.

I have taken a quick look at the instructions you sent for the new CS just to see if there'd be any obvious problems once I have a chance to begin drafting it next month. There is, in fact, a basic concept that is not clear to me: I do not know how you wish to address the licensing of community association managers.

I have read in the instructions that you want to eliminate the "endorsement" aspects of the bill and that you want community association managers to be licensed "under current licensing provisions." Does that mean that you want all brokers, assistant brokers, and salesman licenses in the future to cover community association managing and that a person may not be a community association manager without a broker, assistant broker, or salesman license? Or do you envision that community association managers will be separately licensed by the Real Estate Commission and do not need to be brokers, etc.? If they are separately licensed, do they have to meet the surety fund requirements and other requirements applicable to "licensees" in AS 08.88? Also, if they are separately licensed, what are the licensing requirements? In this same subject area, I am also confused by your instructions on page 3, regarding sec. 62. It looks to me like you're asking for licensing as brokers, etc., for persons who can demonstrate current involvement with community association management. These persons, once licensed, will also be able to do everything else brokers can do: list, buy, sell, etc. Is this your intent? If not, please clarify.

I am also in need of clarification regarding sections 11 and 12 of the CS. You have instructed me to delete sec. 12 and to keep sec. 11 but to drop references to endorsements. However, sec. 11 is also amended substantially with regard to what activities are authorized under a real estate license, and sec. 12 picks up the activities deleted in sec. 11. Do you want the deleted language in sec. 11 restored so that the only amendment refers to "limited

Representative Norman Rokeberg
August 27, 1997
Page 2

liability companies?" Do you want the activities described in sec. 12(d) (community association management) added to sec. 11?

One other area of questions at this point involves the nomenclature that you want to use. I notice that one of your instructions is to delete secs. 56 - 60. These sections are technical amendments necessitated by the change to "real estate ~~services~~ license" elsewhere in the bill. Does this instruction to delete secs. 56 - 60 mean that you want to eliminate this change in nomenclature in the rest of the bill? Also, do you wish to keep the change from "salesman" to "practitioner"?

When you have time, please let me know the answers to these questions." I want to make sure that the new CS will achieve your goals. Thank you.

TML:lmb
97-102.lmb

"There may also be additional questions when I start drafting and take more than a quick look at the instructions. Will Janet be back in September or should I contact you?

ALASKA STATE LEGISLATURE

House of Representatives

COMMITTEE ASSIGNMENTS:

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SPECIAL COMMITTEE ON OIL & GAS, MEMBER
JUDICIARY COMMITTEE, MEMBER
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INTERIM:
718 WEST 4TH AVENUE, SUITE 640
ANCHORAGE, AK 99501
PHONE: (907) 258-8191
FAX: (907) 258-2916

SESSION:
STATE CAPITOL
JUNEAU, AK 99801-1182
PHONE: (907) 465-4968
FAX: (907) 465-2040

Representative Norman Rokeberg

MEMORANDUM

TO: Terry Lauterbach
Division of Legal Services
FAX: (907) 465-2029

FROM: Rep. Norman Rokeberg

DATE: August 20, 1997

RE: House Bill 33 Rewrite

A handwritten signature in black ink that reads "Norman Rokeberg".

I have reviewed the LS 0197/F, 3/18/97 draft, and would like another draft committee substitute as follows:

1. Drop the endorsement concept in its entirety and make conforming changes to the bill.
2. Drop all the real estate surety fund changes in the bill (Sections 26, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51) and make necessary title and other changes. Place the real estate surety fund changes in another draft bill for my review.
3. The main concept of the new version of HB 33 will be to bring community association managers into the current licensing program. I am keeping some of the housekeeping measures in HB 33 also.

As to the new draft, with the above in mind:

4. Please delete the following sections, in addition to those

Terry Lauterbach
August 20, 1997
Page Two

mentioned above: 1, 5, 12, 14, 16, 25, 56, 57, 58, 59, 60, 63, 65.

5. Please keep the following sections in the new draft and conform as necessary to bring into line with new community association managers being licensing under current licensing provisions: 2, 3, 4, 6, 7, 8, 9, 10, 15, 17, 19, 20, 22, 23, 24, 27, 28, 30, 31, 32, 33, 34, 35, 37, 38, 40, 52, 64.

6. Section 11: Keep in bill but drop references to endorsements. Keep reference to limited liability company.

7. Section 13. Keep in bill but change subsection (c) from "After providing" to "Before issuing" in the first line.

8. Section 18. Subsection (a) keep in bill and conform as necessary. Delete subsections (b) and (c).

9. Section 21. Keep in bill but drop references to "and endorsements" as necessary.

10. Section 29. Amend to delete last sentence beginning with "Real" on line 22 in subsections (a). Keep rest of (a) and (b) as they presently read.

11. Section 36. Amend to drop reference to "building" and return to the "premises" language that I had earlier suggested. I prefer premises because I do not think that "building" would cover all situations: i.e., office space in a building or office space in a residential setting where other covenants or rules might prevail. I want to get to the point that the Commission must abide by the signage requirements of the owner of the premises or the controlling body of the premises (such as a homeowner's associations, condo board, etc.).

12. Section 39. Keep but drop the language in line 31.

Terry Lauterbach
August 20, 1997
Page Three

13. Section 53:

Page 33: Delete lines 6-7. Line 10, after "behalf" insert ";" and drop rest of line 10 through line 11. Keep lines 12-25. Delete lines 26-27. Keep lines 28-29.

Page 33, lines 30 and 31, through Page 34, line 2, delete. Insert language that a person who is a blood relative (including in-laws but not including cousins) who acts under a power of attorney for a relative/owner is exempt from license requirements with no limitations on the number of transactions.

Page 34: Keep lines 3-5; Delete lines 6-7; keep lines 8-9; amend lines 10-13 to cover as follows: a developer of a community association during the period that the developers retains control of 51% of the association is exempt from licensure; when the developers controls 50% or less of the association, the developer must employ or contract with a real estate licensee.

14. Section 54, Page 34:

Keep lines 14-17; delete lines 18-21; conform lines 22-26; and keep lines 27-31.

15. Section 55. Page 35: Delete subsections (5) and (6).

Conform lines 11-17

Delete lines 20-22

Keep lines 18-19, 23-30

Keep Page 35, line 31, through Page 36, line 14.

16. Section 61: Delete reference to 08.88.091.

17. Section 62: Delete current language.

Insert new language for transitional licensing for community association managers as follows: All community association managers must be licensed as set forth on page 38, lines 7 to 27 with necessary changes made to conform the language to the current licensing set up. Fees for community association managers shall be

Terry Lauterbach
August 20, 1997
Page Four

prorated over the first licensing period.

With the exception of the community association management licensing, all other portions of the bill are to have an immediate effective date.

18. Add the attached amendments to the bill (concerning licensing assistants).

19. Amend the educational requirements section by directing the Real Estate Commission to establish eight hour core curriculum for continuing education in four different and separate areas as follows: real estate sales, property management, community association management, and commercial sales.

I would request that I have a draft of the above changes as soon as possible. I have a meeting scheduled in early September and I would like to have a draft back in my office by September 8, 1997.

Thank you for your assistance. If you have any questions, please do not hesitate to contact me.

Attachment

Draft Language re: licensed assistants

Add a new section:

Sec. 08.88.397 Licensed Assistants. A licensed real estate salesperson or licensed associate real estate broker may act as a licensed assistant to another licensed real estate agent under the following conditions:

- (a) The employee/employer arrangement between the licensed assistant and the employing licensed real estate agent must be in writing and conform to the applicable state and federal rules and regulations regarding employment.
- (b) The employment of the licensed assistant must be approved in writing by the broker of the licensed real estate agent.
- (c) The employing licensed real estate agent is responsible for paying the licensed assistant's wages, appropriate taxes and completing the appropriate state and federal tax forms.
- (d) The broker of the licensed real estate agent retains liability for the actions of the licensed assistant.

Amend AS 08.88.401(b)(2) to read:

Sec. 08.88.401 Prohibited conduct.

sections (a) and (b)(1) have no changes

(b) A person

(2) who is a real estate salesman licensed in this state may not accept a fee or commission for performance of an act for which a license is required by this chapter unless payment is made through the broker who employs the salesperson, except:

(A) wages of a licensed assistant, who is employed by a real estate licensee under AS 08.88.397 may be paid directly by the employing licensee.

Add a new definition:

Sec. 08.88.990 Definitions.

(5) "licensed assistant" means a person who has a real estate license, who is employed by another licensee other than the employing broker.

March 11, 1997

Norman and Shirley:

Rep. Ryan called re HB 33.

He is going to have his surety fund bill idea put into the form of an amendment to present to the committee.

He did talk about this with some of the brokers. Apparently, the amount of the surety fund that is over \$250,000 has been used for "everything" but what it is supposed to be used for. He can't find his information on this but as soon as he does, he will bring it to you.

He feels that the \$125 licensing fee is supposed to be used for surety fund and educational purposes and not for adding new staff at occupational licensing.

BY the way, Norman, this is the addition Grace said she wouldn't want in the bill.

Janet

MAR 21 1997

MEMORANDUM

Representative John Cowdery

TO: shirley
FROM: Casey
DATE: 21 March 97
RE: HB33
Cc:

NOTE:

Shirley, we would like to reference Sec. 13.46.990 and Sec. 15.13.900 for the definition of Family member in HB 33.

AND INTRODUCE THE AMENDMENTS DELIVERED TO YOU
LAST NIGHT.

LEGAL SERVICES

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Mail Stop 3101


130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

March 18, 1997

SUBJECT: Amendments B.2 and B.3 (Draft CSHB 33(), version "B")

TO: Representative John Cowdery
Attn: Marco Pignalberi

FROM: Terri Lauterbach
Legislative Counsel 

Enclosed are the two amendments you requested.

With respect to executors, I believe the bill already covers them under page 30, line 15.

Owners making real estate transactions with respect to their own property or on their own behalf are covered, as to sales, under page 31, lines 17 - 20 and, as to property management, under page 32, lines 6 - 7.

Amendment B.2 adds new paragraphs on pages 31 and 32 to cover family members and lawyers acting for their clients. The amendment also deletes the limit on both pages with respect to the number of transactions that can be performed in a calendar year by people with powers of attorney (attorneys in fact).

Please let me know if I can be of further assistance.

TML:glc
97-189.glc

Enclosure

CORRECTION

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Central Microfilm Services
Department of Education
State of Alaska

MAR 21 1997

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Representative John Cowdery

TO: shirley
FROM: Casey
DATE: 21 March 97
RE: HB33
Cc:

NOTE:

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AND INTRODUCE THE AMENDMENTS DELIVERED TO YW
LAST NIGHT.

Shriver / Rep. POKERS

CORRECTION

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Please let me know if I can be of further assistance.

TML:glc
97-189.glc

Enclosure

A M E N D M E N T

OFFERED IN THE HOUSE

BY REPRESENTATIVE COWDERY

TO: Draft CSHB 33() ("B" Version)

1 Page 31, following line 20:

2 Insert new paragraphs to read:

3 "(2) a person who makes a real estate transaction with respect to real
4 estate owned by a member of the person's family or a real estate transaction on behalf
5 of a member of the person's family unless the transaction involves subdivided land,
6 as defined in AS 34.55.044, that is not in the state;

7 (3) A person who makes a real estate transaction with
8 respect to real estate owned by another for which the person has no
expectation of receiving a commission or other compensation

9 Renumber the following paragraphs accordingly.

10 Page 31, lines 22 - 23:

11 Delete "however, an attorney in fact may not act as such for more than two sales
12 transactions in a calendar year;"

13 Page 32, following line 7:

14 Insert new paragraphs to read:

15 "(2) A person who is not licensed under this chapter who
16 manages real estate or who rents or leases property on behalf of a
17 member of the person's family.

18 (3) A person who manages real estate or who rents or
19 leases property on behalf of another with no expectations of a
commission or other compensation

20 Renumber the following paragraphs accordingly.

1 Page 32, lines 9 - 11:

2 Delete "however, an attorney in fact may not act as such for more than two property
3 management transactions in a calendar year;"

A M E N D M E N T

OFFERED IN THE HOUSE

BY REPRESENTATIVE COWDERY

TO: Draft CSHB 33() ("B" Version)

1 Page 31, following line 20:

2 Insert new paragraphs to read:

3 "(2) a person who makes a real estate transaction with respect to real
4 estate owned by a member of the person's family or a real estate transaction on behalf
5 of a member of the person's family unless the transaction involves subdivided land,
6 as defined in AS 34.55.044, that is not in the state;

7 (3) a lawyer performing duties as a lawyer with respect to real estate
8 owned by the lawyer's client;"

9 Renumber the following paragraphs accordingly.

10 Page 31, lines 22 - 23:

11 Delete "however, an attorney in fact may not act as such for more than two sales
12 transactions in a calendar year;"

13 Page 32, following line 7:

14 Insert new paragraphs to read:

15 "(2) a person who makes a real estate transaction with respect to real
16 estate owned by a member of the person's family or a real estate transaction on behalf
17 of a member of the person's family;

18 (3) a lawyer performing duties as a lawyer with respect to real estate
19 owned by the lawyer's client;"

20 Renumber the following paragraphs accordingly.

1 Page 32, lines 9 - 11:

2 Delete "however, an attorney in fact may not act as such for more than two property
3 management transactions in a calendar year;"

A M E N D M E N T

OFFERED IN THE HOUSE

BY REPRESENTATIVE COWDERY

TO: Draft CSHB 33() ("B" Version)

1 Page 31, following line 23:

2 Insert a new paragraph to read:

3 "(3) a real estate transaction for which the owner has waived
4 application of this chapter; to be eligible for the exemption under this paragraph, the
5 owner of the property for which the exemption is sought shall, before the transaction
6 begins, file a written notice of waiver with the commission that complies with
7 requirements that are set by the commission under its regulations; in addition to the
8 licensing requirements of this chapter, a waiver filed under this paragraph waives
9 application of all other provisions of this chapter that would otherwise be applicable
10 to the transaction;"

11 Renumber the following paragraphs accordingly.

12

13 Page 32, following line 11:

14 Insert a new paragraph to read:

15 "(3) a real estate transaction for which the owner has waived
16 application of this chapter; to be eligible for the exemption under this paragraph, the
17 owner of the property for which the exemption is sought shall, before the transaction
18 begins, file a written notice of waiver with the commission that complies with
19 requirements that are set by the commission under its regulations; in addition to the
20 licensing requirements of this chapter, a waiver filed under this paragraph waives
21 application of all other provisions of this chapter that would otherwise be applicable
22 to the transaction;"

23 Renumber the following paragraphs accordingly.

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MEMORANDUM

March 18, 1997

SUBJECT: Possible "Commercial Sales" Amendment (CSHB 33(L&C))

TO: Representative Norman Rokeberg
Attn: Shirley Armstrong

FROM: Terri Lauterbach 
Legislative Counsel

You have asked for an amendment to differentiate between "commercial sales" and "residential sales" for CSHB 33(L&C).

I need more instruction on this because those two terms are not used in CSHB 33(L&C) so I'm not sure what context the definitions would be used in.

CSHB 33(L&C) does refer to "transactions" that involve a "residential dwelling" in the section that establishes licensing for commercial brokers. If this is what you want to define, then I'd advise that a definition is not necessary. The plain English approach would be sufficient for "residential dwelling".

Please let me know how you want to proceed.

TML:jdr
97-196.jdr

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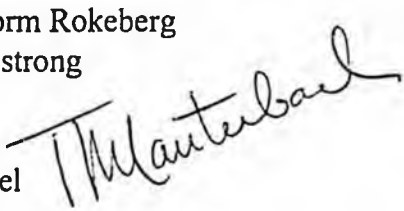
130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

March 18, 1997

SUBJECT: Possible "Family" Amendment for CSHB 33(L&C), F version

TO: Representative Norm Rokeberg
Attn: Shirley Armstrong

FROM: Terri Lauterbach 
Legislative Counsel

You have asked for an amendment that gives a definition of "family." I have found the following possible definitions in the Alaska Statutes:

Sec. 04.06.020. Appointment and qualifications.

In this section, "immediate family member" means a spouse, child, or parent.

Sec. 11.41.220. Assault in the third degree.

(c) In this section, "the person's family member" means

- (1) a spouse, child, grandchild, parent, grandparent, sibling, uncle, aunt, nephew, or niece, of the person, whether related by blood, marriage, or adoption;
- (2) a person who lives or has lived, in a spousal relationship with the person;
- (3) a person who lives in the same household as the person; or
- (4) a person who is a former spouse of the person or is or has been in a dating, courtship, or engagement relationship with the person.

Sec. 13.46.990. Definitions.

(10) "member of the minor's family" means the minor's parent, stepparent, spouse, grandparent, brother, sister, uncle, or aunt, whether of the whole or half blood or by adoption;

Sec. 15.13.400. Definitions.

(6) "immediate family" means the spouse, parents, children, including a stepchild and an adoptive child, and siblings of an individual;

Sec. 16.05.940. Definitions.

(32) ...; "family" means persons related by blood, marriage, or adoption, and a person living in the household on a permanent basis;

Representative Norm Rokeberg
March 18, 1997
Page 2

Sec. 25.10.350. Employment of person under 18.

(e)(2) an individual employed by a member of the individual's family; in this paragraph, "member of the individual's family" means the individual's spouse, parent, step-parent, grandparent, step-grandparent, great grandparent, step-great grandparent, brother, sister, uncle, aunt, great-uncle, or great-aunt, whether of the whole or half blood or by adoption or by marriage.

Sec. 24.45.171. Definitions.

(4) "immediate family" means the spouse and dependent children of an individual;

Sec. 24.60.990. Definitions.

(5) "immediate family" means the spouse, parents, children, including a stepchild and an adoptive child, and siblings of a person;

Sec. 42.40.230. Conflicts of interest.

(f)(2) "immediate family" means

(A) spouse;

(B) dependent, parent, parent-in-law, child, son-in-law, daughter-in-law, sibling, uncle, aunt, niece, or nephew.

Sec. 47.08.140. Definitions.

(6) "family" means two or more persons related by blood or marriage or adoption living as one economic unit;

I will use whatever definition you consider appropriate for CSHB 33(L&C). Just let me know your preference.

I am not aware of any legal term for "a close friend who helps you manage your own private property." If the friend signs documents for you, then the friend would need a power of attorney and would be an attorney in fact.

Please let me know if I can be of further assistance.

TML:jdr
97-195.jdr

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MEMORANDUM

March 18, 1997

SUBJECT: Amendments B.2 and B.3 (Draft CSHR 33(), version "B")

TO: Representative John Cowdery
Attn: Marco Pignalberi

FROM: Terri Lauterbach
Legislative Counsel



Enclosed are the two amendments you requested.

With respect to executors, I believe the bill already covers them under page 30, line 15.

Owners making real estate transactions with respect to their own property or on their own behalf are covered, as to sales, under page 31, lines 17 - 20 and, as to property management, under page 32, lines 6 - 7.

Amendment B.2 adds new paragraphs on pages 31 and 32 to cover family members and lawyers acting for their clients. The amendment also deletes the limit on both pages with respect to the number of transactions that can be performed in a calendar year by people with powers of attorney (attorneys in fact).

Please let me know if I can be of further assistance.

TML:glc
97-189.glc

Enclosure

03/17/97

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BY:JNU

TCN:70417

SCHEDULED FOR:03/17/97 15:15 TO 17:15

FOR:ALL

PUBLIC HEARING

HOUSE LABOR & COMMERCE

LOCATION:ANCHORAGE

HB 33 CHRIS STEPHENS TESTIFY

HB 33 GRAYCE OAKLEY TESTIFY

HB 33 ^② ERIC DYRUD *Anc Bd of Realtors / Leg Comm.* TESTIFY

HB 33 ^① STEPHEN VLAHOVICH *ASSOC. Brokers (ANC)* TESTIFY

HB 33 ^① ~~ERIC~~ MCNALL *- Atty / Comm Assoc.* TESTIFY

on work force

LOCATION:HOMER

HB 33 ^④ MR TERRY YAGER BAY REALTY TESTIFY

HB 33 [✓] MR SCOTT CONNELLY *Pres.* KACHEMAK BOARD TESTIFY

LOCATION:KENAI LIO

HB 33 ^② MR. RON JOHNSON KENAI PEN BD OF R TESTIFY

2 CHM of R. & Comm

LOCATION:MATSU

HB 33 MS KRISTAN TANNER TESTIFY

HB 33 [✓] MS CAROL MEYERS [✓] TESTIFY

18 MAR 97

ALASKA STATE LIBRARY
Public Access Catalog

09:30am

Call Number CIRCULATING COLLECTION Status : checked In
KF665.Z9R43 1986

TITLE The Real estate transactions answer book.
PUBLISHER Greenvale, N.Y. : Panel Publishers, c1986.
DESCRIPT 349 p. ; 25 cm.
UTILITY NO 86009397 107569
ISBN 1) 0916592634
NOTES 1) Includes index.

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18 MAR 97

ALASKA STATE LIBRARY
Public Access Catalog

09:32am

Call Number HISTORICAL LIBRARY Status : checked In
HD1383.A47 vf

AUTHOR Alaska. Real Estate Commission.
TITLE Questions and answers about real estate complaints.
PUBLISHER Juneau : Alaska Real Estate Commission, 1979.
DESCRIPT 6 p. ; 22 cm.
UTILITY NO wln79041484 169993
NOTES 1) Cover title.

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18 MAR 97

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SUBJECTS 1) Real estate business -- Alaska.
2) Real estate business -- Law and legislation -- Alaska.

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18 MAR 97

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Author Alaska. Real Estate Commission.

Title Questions and answers about real estate complaints. Holds: 0

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18 MAR 97

ALASKA STATE LIBRARY
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09:33am

HISTORICAL LIBRARY Status : checked In
HD266.A65A4 1979

AUTHOR Alaska. Legislature. Division of Legislative Audit.
 TITLE A performance review of the Real Estate Commission, May 7, 1979.
 PUBLISHER Juneau, Alaska : State of Alaska, Division of Legislative Audit,
 [1979]
 DESCRIPT 34 p. ; 29 cm.
 UTILITY NO 79625951 //r83 195882

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18 MAR 97

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09:34am

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HD266.A65A46 1981 1 other copy

AUTHOR Alaska. Legislature. Division of Legislative Audit.
 TITLE A performance review of the Real Estate Commission, June 4,
 1981.
 PUBLISHER [Juneau, Alaska] : State of Alaska, Division of Legislative
 Audit, [1981]
 DESCRIPT 18 leaves ; 28 cm.
 UTILITY NO 82620768 //r86 204921

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SUBJECTS 1) Alaska. Real Estate Commission.

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Author Alaska. Legislature. Division of Legislative Audit.
Title A performance review of the Real Estate ... Holds: 0

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18 MAR 97 ALASKA STATE LIBRARY 09:35am
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Call Number HISTORICAL LIBRARY Status : checked In
JK9535.A53R42 1995

AUTHOR Alaska. Legislature. Division of Legislative Audit.

TITLE Department of Commerce and Economic Development, Alaska Real Estate Commission.

PUBLISHER Juneau, Alaska (P.O. Box 113300, Juneau 99811-3300): State of Alaska, Division of Legislative Audit, [1995]

DESCRIPT 18 p. ; 28 cm.

UTILITY NO wln95050156 305359

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Continued...

- NOTES
- 1) Cover title.
 - 2) "January 9, 1995".
 - 3) "Audit Control Number 08-1423-95".
- 1) Alaska. Legislature. Division of Legislative Audit.

- SUBJECTS
- 1) Alaska. Real Estate Commission.
 - 2) Real estate business -- Alaska -- State supervision.

- - - - End of Title Info - - - -

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Title Department of Commerce and Economic ...

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Call Number CIRCULATING COLLECTION Status : checked In
JK9549.A2R42 1995 1 other copy

AUTHOR Alaska. Division of Audit and Management Services.

TITLE Follow-up to the Real Estate Surety Fund program and financial
related audit of January 1994 / project staff, Sandy Jones,
Angela Lindekugel.

PUBLISHER [Juneau, Alaska] : State of Alaska, Division of Audit and
Management Services, [1995]

DESCRIPT 1 v. (various pagings) ; 28 cm.

UTILITY NO wln95188861 315606

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NOTES

- 1) "Report 08-31A".
- 2) "August 1995".
- 1) Alaska. Office of the Governor. Office of Management and Budget. Division of Audit and Management Services.

SUBJECTS

- 1) Alaska. Real Estate Surety Fund. -- Auditing.
- 2) Alaska. Real Estate Commission -- Auditing.
- 3) Real estate business -- Alaska -- State supervision.

SERIES 1) OMB staff papers and reports

ADD AUTHOR 1) Jones, Sandy.

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JK9535.A53R42 1991

Status : checked In

Continued...

2) "Audit Control Number 08-1387-91."

SUBJECTS

- 1) Alaska. Real Estate Commission.
- 2) Real estate business -- Alaska -- State supervision.
- 3) Legislative auditing -- Alaska.

SERIES

- 1) Audit report
- 2) Audit report (Alaska. Legislature. Division of Legislative Audit)

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Author Alaska. Legislature. Division of Legislative Audit.
Title Department of Commerce and Economic ...

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AUTHOR Thomas, Dana Lee, 1918-

TITLE Lords of the land : the triumphs and scandals of America's real estate barons, from early times to the present / by Dana L. Thomas.

PUBLISHER New York : Putnam, c1977.

DESCRIPT 320 p. ; 22 cm.

UTILITY NO 76056624 205138

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NOTES 1) Includes index.



Kristan C. Tanner
Broker Associate, MBA

March 17, 1997

Representative Rokeberg, Chair
Representative Ryan, Committee Member
Labor and Commerce Committee
State Capitol
Juneau, AK 99801-1182

Dear Representatives Rokeberg & Ryan:

After our teleconference on Friday regarding HB33, "an act relating to real estate licensing and the real estate surety fund", I had some additional thoughts regarding some of the concerns that were brought up during the meeting.

Terry McGillivray (staff for the Real Estate Commission) was correct regarding the commercial endorsement. It was brought up during discussion at the task force level and it was not acted upon because it was beyond the scope of what the real estate commission had asked us to consider. However, I agree with Chris Stephens who also testified, that adding a commercial endorsement at this time would be of great benefit to those practicing commercial real estate.

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Above the Crowd!

Fax Cover Letter

MAR 18 1997



Kristan C. Tanner
Broker Associate, MBA

PLEASE DELIVER THE FOLLOWING TO:

Name: Representative Bokberg
Firm: _____
City: _____ Fax Number: 465-2040

TOTAL NUMBER OF PAGES INCLUDING THIS COVER PAGE 1

DATE: 3/18/97 TIME SENT: 11:30 AM

IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL US BACK AS SOON AS POSSIBLE:

MESSAGE: I am the Chair of the Industrial Services Key Working group for AAR. After our meeting Friday with the legislative chair, I will fax you the response from AAR. I will be on teleconference Monday if you have questions, but will not be talking again as I have spoken twice already.

In your information, the current statute does not allow for an exception of family members. So currently it is an unlicensed activity. This new bill sets forth several add'l exceptions including the ^{total of} 4 units which is in addition to the other exceptions. I know you are aware of this, but I am not sure Rep. Ryan understands that this bill will help what is currently against the license law to do for family members. *Kristan*

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Mar-17-97 07:10P

P.01

ALASKA STATE LEGISLATURE House of Representatives

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FAX: (907) 258-2916

SESSION:
STATE CAPITOL
JUNEAU, AK 99801-1102
PHONE: (907) 465-4968
FAX: (907) 465-2040

Representative Norman Rokeberg

JUST THE FAX

Date: 3/17/97

TO: LAA Legal / Terri Lauterbach

FAX: 2029 Telephone 2430

FROM: Representative Norman Rokeberg

FAX: (907) 465-2040 Telephone: (907) 465-4968

Number of Pages: 7 (including this page)

Comments: Please prepare a d+c CS for
Version B dated 3/11/97

*Thanks
Shirley*

Have A Nice Day

CORRECTION

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Kristan C. Tanner
Broker Associate, MBA

March 17, 1997

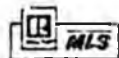
Representative Rokeberg, Chair
Representative Ryan, Committee Member
Labor and Commerce Committee
State Capitol
Juneau, AK 99801-1182

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Representative Rokeberg, Chair
Representative Ryan, Committee Member
March 17, 1997
Page Two

If I can be of any further help, please let me know.

Sincerely,



Kristan C. Tanner, MBA, CCIM
Broker Associate
102737.3133@compuserve.com
REALTOR®

cc: Chris Stephens, 561-8929
Terry McGillivray, 269-8156
Labor & Commerce Committee Members
Representative Brice,
Representative Cowdery, 465-2069
Representative Hudson, 465-2273
Representative Kubina, 465-3799
Representative Sanders, 465-3476



Fax Cover Letter

MAR 18 1997

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Broker Associate, MBA

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Representative Norman Rokeberg

JUST THE FAX

Date: 3/17/97

TO: LAA Legal / Jim Lauterbach

FAX: 2029 Telephone 2430

FROM: Representative Norman Rokeberg

FAX: (907) 465-2040 Telephone: (907) 465-4968

Number of Pages: 7 (including this page)

Comments: Please prepare a d+c CS for
Version B dated 3/11/97

*Thanks
Shirley*

Have A Nice Day

AMENDMENT #3

TO: CSHB 33 (), Version B

By: Rokeberg

CONCEPTUAL AMENDMENT:

Add commercial broker endorsement.

Commercial broker license includes all activities under sales or property management.

Commercial broker education requirements: to be decided by Commission as with other endorsement educational requirements.

Limit all other sales transactions accomplished by real estate services licensee to sales transactions of \$500,000 or less unless the transaction involves a residential dwelling.

*adopted
w/o objection*

Jervis

*Could you provide some language
in the form of an amendment
that will define residential sales
or commercial sales - that lists
the differences -*

*Commercial includes all types
of real estate transactions -*

*Residential only includes single family
dwellings and/or single family, Townhouse
single family dwelling, cabins, unimproved
residential + recreation property as well
family owned duplexes & plexes etc.*

A M E N D M E N T

OFFERED IN THE HOUSE

BY REPRESENTATIVE RYAN

TO: HB 33

1 Page 23, line 25:

2 Delete "for real estate educational purposes as provided in AS 08.88.091"

3 Insert "to the commission to cover the expenses of providing tuition-free courses,
4 seminars, or clinics that will satisfy the education requirements for licensees who are
5 governed by AS 08.88.091. Money in or from the fund may not be expended by the
6 commission for other operating expenses unless authorized in an appropriation made
7 by law [FOR REAL ESTATE EDUCATIONAL PURPOSES AS PROVIDED IN
8 AS 08.88.091]"

9 Page 24, line 2, following "account":

10 Insert "anticipated income to the fund and"

11 Page 24, line 3, following "and":

12 Insert "for"

13 Following "purposes":

14 Insert "authorized under an appropriation made by law"

15 Page 24, line 4, following "\$250,000":

16 Insert "and not greater than \$500,000"

Conceptual
Amendment # 4

by: Rokberg

New sections

Delete ~~existing~~ page 5, lines 2-3
page 9, lines 5-9

delete Part A

Insert: New sections

6 Sec. 08.88.162. Violations and penalties: An unlicensed person who performs acts listed in AS 08.88.161 as
7 those for which a license is required, or a person using or attempting to use the license of another, or a person
8 who gives false or forged evidence of any kind to the commission or to a representative of the commission in
9 obtaining or attempting to obtain a license, or a person who impersonates an applicant, or a person who
10 knowingly uses or attempts to use an expired, suspended, revoked or nonexistent license certificate, or a person
11 who falsely claims to be licensed and authorized to practice under this chapter, or a person who violates any of
12 the provisions of this chapter, is guilty of a misdemeanor, and upon conviction, is punishable by a fine of not
13 more than \$10,000, or by imprisonment of not more than one year, or by both.

14 Sec. 08.88.163. Civil penalty for unlicensed or unauthorized practice. (a) In addition to penalties prescribed
15 by any other provision of law, if a person practices or offers to practice real estate as defined in this chapter
16 without being licensed or authorized to practice in accordance with the provisions of this chapter, the
17 commission may enter an order levying a civil penalty.

18 (b) A civil penalty levied under this section may not exceed \$5,000, or the amount of gain realized plus \$5,000,
19 whichever is greater, for each offense. In levying a civil penalty, the commission shall set the amount of the
20 penalty imposed under this section after taking into account the seriousness of the violation, the economic benefit
21 resulting from the violation, the history of violations, and any other facts the commission considers relevant.

22 (c) After providing a person written notice of an order issued under this section, the commission shall grant a
23 30 day period during which the person may request a hearing on the record.

24 (d) In connection with proceedings under (a) and (b) of this section, the commission may issue subpoenas to
25 compel the attendance and testimony of witnesses and the disclosure of evidence, and may request the
26 department to bring an action to enforce a subpoena.

27 (e) A person aggrieved by the levy of a civil penalty under this section may file an appeal with the superior court
28 for judicial review of the penalty under AS 44.62.560.

29 (f) If a person fails to pay a civil penalty within 30 days after entry of an order under (a) of this section, or within
30 10 days after the court enters a final judgement in favor of the commission of an order stayed pending an appeal
31 under (e) of this section, the department may initiate other action to recover the amount of the penalty.

32 (g) An action to enforce an order under this section may be combined with an action for an injunction under
33 AS 08.88.037.

Part B passed w/o objection

cc:Mail for: charlotte cremer

Subject: Committee Hearing
From: Charlotte Cremer 3/17/97 4:45 PM
To: Shirley Armstrong at LAA_TRANS
To: Janet Seitz at LAA_TRANS

Hello

We have a constituent who has asked to be included on Wed 3/19 at 3:15
for the Labor & Commerce Committee hearing - teleconference number 70495.

Thank you,

Charlotte, Mat-Su Legislative Information Office

376-~~6180~~

3704

fax. 376-6180



Kristan C. Tanner
Broker Associate, MBA

March 17, 1997

Representative Rokeberg, Chair
Representative Ryan, Committee Member
Labor and Commerce Committee
State Capitol
Juneau, AK 99801-1182

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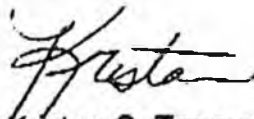
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Representative Rokeberg, Chair
Representative Ryan, Committee Member
March 17, 1997
Page Two

If I can be of any further help, please let me know.

Sincerely,



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Broker Associate
102737.3133@compuserve.com
REALTOR®

cc: Chris Stephens, 561-8929
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Labor & Commerce Committee Members
Representative Brice,
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MAR 18 1997

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Mail Stop 3101


130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

March 18, 1997

SUBJECT: Possible "Commercial Sales" Amendment (CSHB 33(L&C))

TO: Representative Norman Rokeberg
Attn: Shirley Armstrong

FROM: Terri Lauterbach
Legislative Counsel 

You have asked for an amendment to differentiate between "commercial sales" and "residential sales" for CSHB 33(L&C).

I need more instruction on this because those two terms are not used in CSHB 33(L&C) so I'm not sure what context the definitions would be used in.

CSHB 33(L&C) does refer to "transactions" that involve a "residential dwelling" in the section that establishes licensing for commercial brokers. If this is what you want to define, then I'd advise that a definition is not necessary. The plain English approach would be sufficient for "residential dwelling".

Please let me know how you want to proceed.

TML:jdr
97-196.jdr

FAX COVER SHEET

FAX (907) 465-2029
Mail Stop 3101

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TO: Representative N. Rokeberg attn: Shirley
Re: CSAB 33 (L&C)

FAX: 2040 PHONE: _____

NUMBER OF PAGES (including cover sheet): 2 DATE SENT 3/18 TIME 4:15 SENT BY TML

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NOTES/INSTRUCTIONS: The attached fax to me does not contain a requested deadline. Are you still aiming at Friday as discussed on the phone Mon. pm?
Terrin X6658

03/14/97

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BY:ANC

TCN:70416

SCHEDULED FOR:03/14/97 15:15 TO 17:15

FOR:ANC

PUBLIC HEARING

HOUSE LABOR & COMMERCE

LOCATION:ANCHORAGE

HB 178

DOUGLAS

LOTTRIDGE

DEPT OF LAW

TESTIFY

HB 178

JERRY

KURTZ

TESTIFY

HB 33

TERRY

MCGILLIVARY

AK REAL EST COMMTESTIFY

ALASKA STATE LEGISLATURE
House of Representatives

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PHONE: (907) 465-4968
FAX: (907) 465-2040

Representative Norman Rokeberg

MEMORANDUM

TO: Grayce Oakley, FAX (907) 269-8196
Terry McGillvary, FAX (907) 269-8196
Kristen Tanner, FAX (907) 376-6515
Jim Wakefield, FAX: (907) 789-7038

FROM: Rep. Norman Rokeberg *Norman*

DATE: March 11, 1997

RE: House Bill 33 - Real Estate Licensing

I would like to invite each of you to offer testimony before the House Labor & Commerce Committee on Friday, March 14, 1997, beginning at 4:00 p.m., concerning HB 33.

Please let me know if you will be available. The committee's meeting should end by 5:30 p.m. and the hearing will be continued until Monday. I plan on taking public testimony on Monday. Your assistance would be appreciated.

If Grayce could give an overview of the bill and the rest could give short comments on the work of the Task Force and be available to answer questions, I think this might be the best use of our time on Friday.

ALASKA STATE LEGISLATURE

House of Representatives

COMMITTEE ASSIGNMENTS:

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SPECIAL COMMITTEE ON OIL & GAS, MEMBER
JUDICIARY COMMITTEE, MEMBER
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Representative Norman Rokeberg

MEMORANDUM

TO: Grayce Oakley, Real Estate Commission, FAX: (907) 269-8196
Dea Turner, Alaska Association of Realtors, FAX: (907) 561-1779
Sandy Forest, Anchorage Board of Realtors, FAX: (907) 563-8476
Juneau Realtors, c/o Jim Wakefield, FAX: (907) 789-7038
Kenai Realtors, c/o David Feeken, FAX: (907) 283-5388
Randy Boyd, FAX: (907) 562-3550
Don Hilligas, FAX: (907) 272-4146
Greg Gunderson, FAX: (907) 762-3189
Chris Stephens, FAX: (907) 561-8929
William McNall, Esq., FAX: (907) 279-8527
Wiley Brooks, FAX: (907) 272-4821
Bernd Hoffman, FAX: (907) 561-2151
Dale Price, FAX: ~~273-2473~~ - 333-8194
BOMA, FAX: 345-7184
Randy Souser, FAX: (907) 265-3497
Mark Rowley, FAX: (907) 258-9300
Kristan Tanner, FAX: (907) 376-6515
Marsha Jackson, FAX: (907) 279-3765
Carol Meyers, FAX: (907) 373-3628

FROM: Rep. Norman Rokeberg *NORMAN*

DATE: March 11, 1997

RE: HB 33 - Real Estate Licensing

House Bill 33 will be up for a hearing before the House Labor & Commerce Committee on Friday, March 14, beginning about 4:00 p.m. at which time I will present the bill to the committee and hear testimony from the Commission. The hearing will be continued until Monday, March 17, beginning at 3:15 p.m. at which

Memorandum
March 11, 1997
Page 2

time I would like industry testimony. The bill will be teleconferenced to Anchorage; if any other locations are desired please call your legislative information office and request that site be added.

A committee substitute is in the process of being prepared. As soon as I have a copy (which will be after Tuesday evening), I will fax a copy to each teleconference location. Interested parties should request a copy of the proposed committee substitute from their respective legislative information offices.

If you cannot be present at either of the House Labor & Commerce Committee's meetings, please feel free to fax your comments to me at (907) 465-2040 BEFORE Monday at noon so your comments may be distributed to the committee members.

I would further request that each of you notify anyone you feel might be interested in this legislation. Thanks for your assistance.

Mar-11-97 11:22 AM

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Mar-11-97 11:55 AM

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MAR 26 1997



BOND, STEPHENS & JOHNSON
COMMERCIAL REAL ESTATE SERVICES

March 24, 1997

Representative Norman Rokeberg
Alaska State Legislature
State Capital
House of Representatives
Juneau, Alaska 99801-1182

RE: Real Estate Legislation

Dear Representative Rokeberg:

I understand that you are currently sponsoring legislation which will require a separate license endorsement for difficult types of real estate transactions. This type of legislation is long overdue.

Selling residential properties is a totally different business than selling, leasing or managing commercial properties. In order to protect the public, it is vitally important for real estate professionals to have the proper knowledge, training and experience.

Over the past twenty years both residential and commercial property sales and management have become increasingly complex. No one person can be an expert in all areas. As a result, it makes sense to require real estate agents and brokers to become as skilled as possible in specific areas.

I urge you to pass legislation which will mandate specific endorsements for each area of specialization.

Sincerely,

Stuart C. Bond, CCIM
Associate Broker
Commercial and Lease Properties

SCB/mjb

Associated Brokers Inc
2509 Eide St. Suite #4
Anchorage, Ak 99503-2634
(907)258-8888 FAX 276-5696

MAR 24 1997

March 23, 1997

Representative Norm Rokeberg
VIA FAX 465-2040

Dear Representative Rokeberg

I am very concerned about the number and scope of the changes being recommended in House Bill 33. Of most concern to me is the fact that many in the industry are unaware of the changes contemplated and that we will not have adequate time to carefully review a bill with such far reaching changes to the way we do business and the way the public expects us to do business. The Anchorage Board of Realtors has not had an opportunity to review the most recent draft and the Alaska Association of Realtors Legislative Committee only received their draft minutes prior to its Friday meeting. The two largest boards in the state association were either for more time to review the bill or were not present at the legislative meeting.

I know you have worked hard on the bill and that many of the changes in draft bill 33 are timely and appropriate such as requiring licensing of property management and association management services. However, others are controversial or have not been adequately reviewed/revised and should be eliminated or delayed pending further review.

I would ask that the following changes be made to draft bill 33.

**RECOMMENDED CHANGES TO
DRAFT BILL HB 33, DTD 3/18/97**

A. Page 1, Section 1 to AS 08.88.051, Qualifications of the Commission
Recommended change: Add the following new sentence to end of current text. "Two of the licensed members must hold an associate broker or broker license".

Rationale: Legislation as currently drafted could result in 0 licensed members on the Real Estate Commission having their associate broker or broker license. It is very important that some representation on the commission be brokers or associate brokers.

B. Page 4, Section 4, AS 08.88.071(6), Duties of the Commission

Recommended change: Add to the end of the sentence "...and provide a summary of the violation and facts."

Rationale: Current language only calls for discussing the disciplinary action taken. I believe it is important that the real estate community know the nature of the problem in order to be educational as well as a deterrent.

C. Page 5, Section 5, AS 08.88.081, Commission regulations

Recommended change: Delete (1) calling for the setting ethical standards & minimum standards of professional conduct.

Rationale:

1. I have grave reservations about the advisability of empowering administrative employees or commission members, who meet infrequently, to establish/interpret ethical standards & minimum standards. If this is a desirable requirement, they should be spelled out beforehand.
2. As a Realtor, I am bound by a code of ethics as established by the National Association of Realtors. If a separate standard is developed by the Commission that varies at all from the NAR one, Realtors could be placed in the position of having to violate one or the other. Not only would this cause a great deal of confusion in the industry and in the minds of the public, but such a course of action could result in a licensee having to decide on which code of ethics to violate and then being disciplined by either the Commission or the members trade association.

D. Page 6, Section 6 AS 08.88.091(3)

Recommended change: Delete the word "provide" and substitute the word "identify".

Rationale: We should not expand the scope of the commission to get into training! The commission should identify the requirements and allow the instructors to make their own arrangements. Students already pay hundreds of dollars each to instructors for training and should not have to pay for the education of these instructors through their license fees. If the commission feels there is no other way to accomplish training, then instructors students should fully fund all and any cost of this training!

E. Page 8, Section 12 AS 08.88.161, License required

Recommended change: Delete the new subsections in their entirety.

Rationale:

1. This subsection is extremely invasive to the industry and the public because it creates a "classes" of licensees and brokers. It will restrain trade by limiting traditional practices, limiting the availability of services to the public, increasing fees and educational costs to the industry and its members, and increase the size and cost of administration with little or no benefit to the public or the industry except for some select "classes" of licensees. The public will have fewer people to serve their needs and the cost to them will be increased.
2. Smaller towns and communities will find it difficult, if not impossible, to find licenses with all the proper "endorsements" to conduct their normal course of real estate business. This will result in both buyers and sellers having to employ an attorney(who is exempt from licensing) or having to bring in a licensee with the proper endorsements in at a considerable expense to facilitate the transaction. An even worse result of such endorsements will occur when buyers and sellers intentionally avoid the use of an attorney or licensee and put the transaction together themselves in order to speed the transaction up or to reduce their costs.
3. According to Ron Johnson's comments at the Alaska Association of Realtors Legislative Committee, the thrust of the changes to this section was to insure appropriate and meaningful education was provided to licensees who might specialize in different aspects of the real estate industry. This education can be provided without the use of endorsements simply by providing training in different specialties and allowing the licensee to determine which one of mandated courses and elective ones he or she would attend!

F. Page 10, Section 14 AS 08.88.168

Recommended action: Delete the entire subsection

Rationale: Same as my item E above.

G. Page 14, Section 16 AS 08.88171 (e)

Recommend action: Delete the entire subsection

Rationale: Same as my item E above.

H. Page 15, Section 08.88.173

Recommended action: Add new subparagraph (c) that reads : "If the commission offers E & O insurance in accordance with this section, then the \$125.00 currently charged for licensing and designated for the surety fund shall be eliminated. Additionally, two years from the date of inception of the E & O coverage, licensee renewal fees will be reduced by \$50.00 until the balance of the "surety fund" moneys are used up.

Rationale: If the mandatory E & O coverage is provided, then there will no longer be a need to have and maintain such a fund.

I. **CONCEPTUAL AMMENDMENT:**

"The real estate surety fund shall be removed from the general fund and placed in an interest bearing account."

Rationale: Almost \$500,000.00 in the surcty fund is "sitting around" and not drawing interest income to benefit potential claimants or licensees who pay into the fund every two years.

J. Page 17, Sec 20 AS 08.88.201

Recommended change: Individuals who take subsequent examinations are only required to take and pass the test portion they failed, i.e. general or law.

K. Page 22, Sec 33 & 34 AS 08.88.351

Recommended changes: Change "complete record" to read " all records" in Sec 08.88.351(1) and Sec 34 AS 08.88.351(b)(1).

Rationale: I believe it is reasonable to for a broker to keep all records in a transaction for three years. The use of the word complete could be subject to dispute after a transaction has closed as to what a complete record is or should have been.

L. Page 29, Section 43 AS.08.88.460, Claims for payment

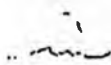
Recommended change: Add (e) that reads: "In the event of a claim from association against a licensee, said association shall be required to show that it's board of directors employed reasonable fiduciary responsibility on the part of the association to protect it's interests and moneys. In cases where the Association failed to exercise reasonable care, the amount due claimant shall be reduced by one half of the normal amount.

Rationale: The surety fund should not automatically bear the full brunt of an association's losses due to acts or omissions of a licensee when said association did exercise reasonable care and oversight over their property. Only when both the licensee and Association Board of Directors

work together and employ reasonable business practices, can past or future abuses be eliminated.

Thank you for your consideration and for the help you have given our industry.

Sincerely,



R. Eric Dyrud
Broker

Cy to:

Alaska Association of Realtors
Chairman, Alaska Association of Realtors Legislative Committee
Anchorage Board of Realtors
Chairman, Anchorage Board of Realtors Legislative Committee
Polar Realty
AAR Investments
Target Realty
Greatland Realty
Alaska Associated Realty
Jack White Real Estate
Executive Secretary, Real Estate Commission

Alaska State Legislature

MAR 24 1997



Official Business
Fax: (907) 465-3472

State Capitol
Juneau, AK 99801-1182
(907) 465-3720
(907) 465-2689

Speaker of the House of Representatives

DATE: March 23, 1997

TO: Representative Norman Rokeberg

Norm

FROM: Speaker Gail Phillips

Gail

RE: HB 33

Several constituents of mine have expressed concerns regarding House Bill 33 which you plan to hear in committee tomorrow. In particular, the Kachemak Board of Realtor's concerns relate to the following issues addressed in that bill:

- 1) Mandatory E & O insurance
- 2) Criteria for certifying the commercial endorsement and using NAR classes as the benchmark. They feel that the Real Estate Commission should develop a test for the commercial endorsement.
- 3) Criteria for transactions for non-commercially endorsed licensees.

I anticipate that the Kachemak Board of Realtors will have several members participating in the teleconference tomorrow, and I hope you will be certain to give them amply time to express their concerns.

Thank you.

cc: Kachemak Board of Realtors

GP:jmj



*Above
the
Crowd!*

MAR 24 1997



Kristan C. Tanner
Broker Associate, MBA

March 24, 1997

Representative Norman Rokeberg
State Capitol
Juneau, AK 99801-1182

Dear Representative Rokeberg:

The Alaska Associate of Realtors Legislative Committee met on Friday to discuss CSHB 33. The committee would like to thank and applaud your efforts, and the efforts of your committee, in working through this large piece of legislation. We appreciate the opportunity to comment.

The Committee has the following recommendation:

Amendment number one: on page 7 CSHB33 (L&C) line 8 delete the word required.

Amendment number four CSHB, Version B: The committee members received the new version of CSHB 33 at the committee meeting. Many members of the committee want a chance to review thoroughly how the commercial broker license section has been added to the new version before specific comment.

Our committee will be meeting again this Friday, the 28th, to continue to discuss the bill and any new amendments to it. We will continue to provide comment as we work through the bill with you.

Thank you again!

Sincerely,

Kristan C. Tanner, MBA, CCIM
Chairman, Industrial Issues KWOG
Alaska Association of Realtors

RE/MAX of Wasilla
1590 E. Financial Drive, Suite 200
Wasilla, Alaska 99654-8237
Direct Line: (907) 373-3575
Office: (907) 376-4515
Fax: (907) 376-6515



Each Office Independently Owned and Operated



MAR 21 1997

ERA REAL ESTATE SPECIALISTS

March 20, 1997

Representative Norm Rokeberg
Alaska State Legislature
Juneau, AK

via facsimile to 907-465-2040

Dear Norm:

Following are some of my suggestions for modifications to HB33

Sec. 08 01.035. APPOINTMENTS AND TERMS.

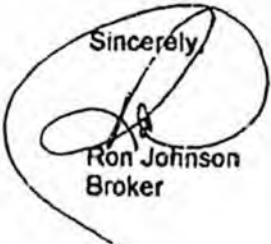
Members of boards subject to this chapter are appointed for staggered terms of four years. A member of a board serves until a successor is appointed. An appointment to fill a vacancy on a board is for the remainder of the unexpired term, caused by resignation or incapacity to complete term.

A member who has served all or part of two successive terms on a board may not be reappointed to that board unless four years have elapsed since the person has last served on the board. Members of boards are appointed to specific terms and must either resign their terms or complete them. They may not be removed prior to completion of the appointed term.

Note: The theory is that the board must maintain continuity especially with knowledge of the activities within the surety fund. As witnessed by the most recent replacements of board members that had not completed their respective terms and were removed strictly for political reasons. This modification would serve to depoliticize this board.

Another consideration that would serve the public well would be to put the Real Estate Commission with Insurance, Securities and Banking rather than Occupational Licensing. This would allow a more responsive handling of complaints. The health and safety always take precedence over real estate transactions.

Thank you for your consideration.

Sincerely,

 Ron Johnson
 Broker

FAX TRANSMITTAL
FROM
BAY REALTY INC.

331 EAST PIONEER AVE
HOMER, AK 99603
PHONE: (907)-235-6183
FAX: (907)-235-4031
EMAIL: bayrealt@xyz.net

MAR 20 1997

DATE: March 20, 1997
TIME: 4:40 PM

FROM: SCOTT CONNELLY

TO:

ATTENTION: Norman Rokeberg

FAX #: (907) 465-2040

TOTAL NUMBER OF PAGES INCLUDING THIS PAGE: 2

IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CALL BACK AS SOON AS POSSIBLE.

COMMENTS:

Norman,

FOLLOWING IS A COPY OF A RESOLUTION PASSED BY THE GENERAL MEMBERSHIP OF THE KACHEMAK BOARD OF REALTORS. HB 33 HAS SOME POTENTIALLY FAR REACHING IMPLICATIONS FOR OUR INDUSTRY AND WE WANT TO MAKE SURE THAT BOTH THE REAL ESTATE INDUSTRY AND THE LABOR & COMMERCE COMMITTEE ARE ALLOWED ENOUGH TIME TO MAKE INFORMED DECISIONS. WE ARE IN THE PROCESS OF FORMULATING INPUT ADDRESSING THE SPECIFIC PORTIONS OF THE BILL THAT WE ARE CONCERNED ABOUT. WE WILL BE HAVING MEMBERS PARTICIPATING IN THE MARCH 24TH TELECONFERENCE. I APPRECIATE YOUR TIME IN CONSIDERING OUR POSITION AND I LOOK FORWARD TO THE PASSING A WORKABLE VERSION OF HB 33 THAT IS IN EVERYONE'S BEST INTERESTS.





Kachemak Board of Realtors

P.O. Box 2660
Homer, Alaska 99603

March 20, 1997

MAR 20 1997

Chairman Norman Rokeberg
State Capitol
Juneau, AK 99801-1182

Honorable Chairman Rokeberg,

Whereas, the Kachemak Board of Realtors met at it's March 1997 general membership meeting, and representing 24 members.

RESOLVED: That HB 33 contains language and references to the livelihood of licensed Real Estate Professionals that is not in keeping with the original intent of HB 33 as initially represented to the Real Estate community.

We respectfully submit that HB 33 should be held in Committee until the state licensed and educated Real Estate Professionals have had an opportunity to review and make recommendations on the full impact this bill will have on their continuing livelihood.

Sincerely,

Scott Connelly
President
Kachemak Board of Realtors

cc: Carol Meyer
Tony Knowles
Gail Phillips
John Torgerson