

is the definition of a broker. Now I have a sixplex in Omaha, so if I read this right, when I hire a custodian and I tell him you are to shovel the walks, cut the grass, sweep the steps, when my husband and I are out of town take the calls from the tenants if the heat goes off, that would make him a broker under the definition of this bill, I guess. So I just want to make that plain that that is the way I am reading the bill that broker shall mean any person who for a fee, I certainly wouldn't get anybody to do that without paying them. The second thing on page 7, the new language, "Discussing or soliciting a discussion with an owner of a property which is exclusively listed with another broker, the terms upon which the owner would accept...." et cetera, et cetera, that is against the law. I don't know, maybe I am reading it too broad, but just to discuss with an owner of a piece of property, his property, whether I am a real estate broker or not seems to me one of the rights of the first amendment, that I have a right to discuss it with anybody, and if I want to go up to somebody's door and discuss their property and say how is the sale going, that is freedom of speech. Finally my only comment on the bill is the last page or starting on page 9, "Any person or subdivider acting as a broker, salesperson, or subdivider without having first obtained the required license or while his or her license is under suspension, shall be guilty of a Class II misdemeanor." I guess that means that some times the Real Estate Commission has actually suspended some realtors licenses although the latest figures I have, out of 51 complaints, 40 of them were dismissed, a little over 80 percent so I am delighted to see that there is an admission here that we need to do some changing in real estate laws because we do have unethical real estate agents and realtors. So I am happy to see that we have got this section in here, that we are going to punish anybody who already has a license and then has it suspended and goes ahead and sells real estate anyway although I doubt if this portion of the law will ever be invoked because I just don't think you are ever going to find that many suspensions based upon the record today of the Nebraska Real Estate Commission.

PRESIDENT: One minute.

SENATOR HIGGINS: So with that in mind, the things I have pointed out in this bill I am sure Senator Barrett will be able to clear them up but I really wonder about discussing