

involved in or serving as agent for a person involved in residential real estate transaction." Well the main reason is...did someone ask a question? Do you want to put it on the record? Oh, well the main reason for this is so that the rights that we are requesting be given to every buyer and seller, that it will not be construed by the bill that those who hand out this rights, these are their only duties. In other words, we don't want anyone to construe that the mere giving out of the consumers rights is the only or all the duties licensed real estate agents have, and that was the main reason for it. And it's not to be construed that any other rights that a buyer or a seller has are negated or taken away by this bill. In other words, all the rights and all the duties in the law today affecting real estate would still be the same. This would not take away those rights that they already have, nor would it negate the duties of those who are licensed real estate agents or brokers, et cetera. Thank you, Mr. President.

PRESIDENT: Senator Hannibal, do you wish to make a point on this?

SENATOR HANNIBAL: Mr. President, members, I thank you, Senator Higgins, for explaining my question off the microphone as to why, but...and I understand what you're saying. I am still somewhat confused as to the necessity of something like this. I'm trying to think one of two things have to be, either there is some implications that other rights are being negated or changed because of this that I am not aware of or this is something that we do in all legislation and I'm not aware that we do that. Could you respond to those?

SENATOR HIGGINS: Senator Hannibal, the reason this is being put in the bill is so that no one can go into court and say, well, since I've given out this Consumers Rights Act, I've done everything I have to do as a real estate agent. In other words, it is legal language that I had drawn up by a law professor who said, in this manner your bill will never be able to be used in a civil case as an excuse by anyone that they've done all that they were required to do under the law. I'll read it again. "Nothing in the Real Estate Consumer Rights Act," or this bill as it is called, "shall serve to alter or negate any duty or right of any person who is involved in or serving as agent for a person involved in a residential real estate transaction." In other words, we