

Offered: 3/22/68
Referred: Commerce

Original sponsor: Health, Welfare and
Education Committee by request

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 400

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to real estate brokers."

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

8 * Section 1. AS 08.88.211(a) is amended to read:

9 (a) A person is entitled to take a real estate broker examination
10 if he

11 (1) has had at least 24 months of active and continuous
12 experience as a real estate salesman;

13 (2) has been a resident of the state for at least 90 days;

14 (3) is at least 21 years old;

15 (4) has not engaged in conduct that demonstrates that he is
16 unfit to be a real estate broker;

17 (5) is a United States citizen [;

18 (6) FILES A REQUIRED BOND].

19 * Sec. 2. AS 08.88.211(b)(5) is repealed.

20 * Sec. 3. AS 08.88.261 is amended to read:

21 Sec. 08.88.261. OUT-OF-STATE LICENSEES. A person who holds a
22 valid, active license from another state is entitled to a license of the
23 kind he holds there without examination if he (1) meets the require-
24 ments of sec. 211 of this chapter; and (2) the real estate commission
25 of the state in which he presently holds a license provides Alaska
26 licensees like privileges [PASSED AN EXAMINATION IN THE OTHER STATE
27 AT LEAST AS COMPREHENSIVE AS THE ALASKA EXAMINATION].

28 * Sec. 4. AS 08.88.311 is amended to read:

29 Sec. 08.88.311. BRANCH OFFICES. If a branch office is not within

1 a 25-mile radius of the [IN THE SAME ELECTION DISTRICT AS THE] principal
2 office, [OR IF IT IS BEYOND THE REAL ESTATE BROKER'S IMMEDIATE SUPER-
3 VISION,] the real estate broker shall employ an associate real estate
4 broker to be in charge of it. [NO REAL ESTATE BROKER MAY PLACE A REAL
5 ESTATE SALESMAN IN CHARGE OF A PRINCIPAL OR BRANCH OFFICE.]

6 * Sec. 5. AS 08.88.421 is amended to read:

7 Sec. 08.88.421. EXCEPTIONS. This chapter does not apply to

8 (1) a person making a real estate transaction with respect
9 to real estate he owns or on his own behalf;

10 (2) an attorney in fact under a power of attorney authoriz-
11 ing the consummation of a specific real estate transaction; an attorney
12 in fact may not act as such for more than two transactions in a calendar
13 year; however, an auctioneer acting under a power of attorney authoriz-
14 ing the sale at auction of specific real estate is not limited to two
15 transactions in a calendar year if he is bonded in the amount of
16 \$5,000 against wrongful acts or defaults in the conduct of his business;

17 (3) a lawyer performing his duties as a lawyer;

18 (4) a public official in the conduct of his official duties;

19 (5) a person acting as receiver, trustee, administrator,
20 executor, or guardian;

21 (6) a person acting under court order;

22 (7) a person acting under the authority of a will or trust
23 instrument;

24 (8) a person dealing in mineral-rights transactions;

25 (9) a person employed by a real estate broker for the pur-
26 pose of auctioning specific real estate.