

MINUTES OF THE MEETING  
BUSINESS AND LABOR COMMITTEE  
MONTANA STATE  
HOUSE OF REPRESENTATIVES

March 12, 1985

The meeting of the Business and Labor Committee was called to order by Chairman Bob Pavlovich on March 12, 1985 at 8:00 a.m. in Room 312-2 of the State Capitol.

ROLL CALL: All members were present with the exception of Representative Ellerd, who was excused by the chairman.

SENATE BILL 141: Hearing commenced on Senate Bill 141. Senator Tom Keating, District #44, sponsor of the bill, explained that this revises the motor carrier law to exempt from regulating transportation of a commodity under an agreement between a motor carrier and the federal government. The cost of said certificate is \$102 per year and a hearing need not be held.

Representative Driscoll asked Senator Keating who will absorb the costs. Senator Keating explained that the cost is not to the general fund but to the Public Service Commission and that they issue approximately 7 certificates per year, then money then goes to the general fund.

There being no further discussion by proponents and no opponents to the bill, all were excused by the chairman and the hearing on Senate Bill 141 was closed.

SENATE BILL 165: Hearing commenced on Senate Bill 165. Representative Les Kitselman, District #95, introduced the bill for Senator Pat Goodover, District #20, sponsor of the bill. Senate Bill 165 increases the duration of credit life insurance policies exempt from regulations from 10 to 15 years.

Proponent Jerry Loendorf, representing the Montana Consumer Finance Association, stated this was intended to be enacted as part of the original act, but was never followed through. The omission was picked up by the insurance commissioner.

Proponent Gordon Bruce, from the State Auditor's Office, explained that the recommended changes are necessary to bring the credit policies into conformity with the statutes.

There being no further discussion by proponents and no opponents to the bill, all were excused by the chairman and the hearing on Senate Bill 165 was closed.

SENATE BILL 173: Hearing commenced on Senate Bill 173. Senator Jack Haffey, District #33, sponsor of the bill, explained this restructures the Board of Radiologic Technologists and generally revises the law regulating radiologic technology. The bill defined "limited permit technician" and regulates that occupation. The duties of radiologic technologists are clarified and the composition of the board is changed slightly, added Senator Haffey.

Proponent Alice O'Donnell, senior member, Board of Radiologic Technologists, explained that the concerns are for protecting the health, welfare and safety of Montana citizens. Physicians who have their own x-ray equipment, normally do not have a radiologic technologist taking said x-rays. Montanan's are proud of this board that was established many years ago and want to upgrade the profession, added Ms. O'Donnell.

Proponent Adrian Howe, member, Board of Radiologic Technologists, supplied written testimony which is attached hereto as Exhibit 1. Mr. Howe explained the proposed amendments.

Proponent Don Allen, representing the Montana Hospital Association, offered his support of the bill.

In closing, Senator Haffey stated that an attorney general's opinion was the reason for this legislation.

Representative Kitselman asked Adrian Howe, if dentistry is deleted from the bill, will they then come under the Board of Dentistry. Mr. Howe answered that that was correct.

There being no further discussion by proponents and no opponents to the bill, all were excused by the chairman and the hearing on Senate Bill 173 was closed.

SENATE BILL 146: Hearing commenced on Senate Bill 146. Senator Dave Fuller, District #22, sponsor of the bill, explained this revises the real estate licensing laws by requiring up to 15 hours of continuing education for all licensees in any two-year period. An applicant for a salesman's license would be required to complete 60 classroom hours in real estate principles, real estate law, real estate finance and related topics. An

applicant for a broker's license must complete another 60 hours of classroom work in the same fields plus real estate ethics. This is an attempt to improve the real estate profession. The biggest decision a person will make is in purchasing a home, added Senator Fuller.

Proponent Terry Carmody, representing the Montana Association of Realtors, explained that interest rates change daily. A purchaser and seller benefit when their realtor is familiar with current laws, forms, etc. In a survey conducted by the association a 25% return showed 80% favoring more education and 72% favoring continuing education requirements. Sixty hours is less than two weeks of schooling. Approximately 20% of the industry keep current with their education. The university system will implement into their adult continuing education program real estate courses. There are numerous correspondence courses and ongoing seminars offered by the boards at a reasonable cost. Opposition to the bill is due to the continuing education requirement, added Mr. Carmody. Exhibit 2 was distributed to the committee by Mr. Carmody.

Proponent Merilynn Foss, representing the Missoula County Board of Realtors and the Montana Association of Realtors, explained that the vast majority of both associations are in support of Senate Bill 146. There is little assurance presently, that managing brokers have adequate education.

Proponent Paul Little, representing the Bozeman Board of Realtors and the Montana Association of Realtors, explained that a small percentage of the membership keeps up with the changes. This is a reasonable requirement to protect reputations and others life savings, added Ms. Foss.

Proponent Peg Potter, representing the Bozeman Board of Realtors and the Montana Association of Realtors, distributed to committee members Exhibit 3 and 4 which are attached hereto. Exhibit 3 is a copy of the survey that Terry Carmody referred to in his testimony. Currently, 43 states have pre-licensing requirements and 26 have continuing education requirements. The requirement would require one day of training per year, stated Ms. Potter.

Proponent Dan Schulte, Chairman, State Legislative Committee and a member of the Montana Association of Realtors, explained that

when the senate introduced the continuing education amendment, a statewide meeting of the association was called and only one descending vote was received.

Proponent Mimi Parkes, representing the Billings Board of Realtors and the Montana Association of Realtors, stated that prior to 1963 to obtain a brokers license, one would write to the state, pay a \$10 fee and then receive the license. The laws have not been changed since 1963. It is dangerous to have license laws that do not require continuing education.

Proponent Ken Stone, President, Great Falls Board of Realtors, stated that each board has numerous seminars each year that can be validated by the board of rules and regulations and apply toward the 60 hours required. Three members out of 355 oppose this bill because they "do not have time to go back to school", added Mr. Stone.

Proponent Helenne Brogan, of Bridger, stated of the 5,000 licenses, one-half do not belong to the realtors. With the continued changes in the profession, education is necessary to stay current.

Proponent Sue Johnson, representing the Bozeman Board of Realtors, offered her support and supplied Exhibit 5 which is attached hereto.

Proponent Karl Gies, representing the Lewistown Board of Realtors, explained that of their 50 licenses only seven members are full-time realtors. Problems arise due to ignorance. It is a one time deal for most sellers who carry financing, unlike a bank they do not have others to fall back on. Mr. Gies distributed to the committee Exhibit 6 which is attached hereto.

Carroll Krauge, representing the Montana University System, explained that her position is neutral. They will be happy to cooperate with realtors in the continuing education requirement.

Proponent Lon Mitchell, attorney, Board of Realty Regulation, stated that they are the regulatory and disciplinary agency for the state. Of the complaints received, 75 - 80% are due to the direct result of licensee incompetence.

Opponent Betty Kisson, a broker from Butte, explained that she is for education, but this bill is ambiguous and is not a realtor bill. In 1983 there were approximately 10 licenses revoked for misconduct, not all realtors are bad, stressed Ms. Kisson. The bill should be expanded to take into consideration people and those that have been in the business for years should be taken care of. Senate Bill 146 can put people out of business.

Opponent Bill McNulty, a broker from Whitehall, explained that he represents 50% of those realtors that do not belong to the association. All people are constantly being educated. As a tax payer the budget deficit should be looked at should Senate Bill 146 pass. A realtor must spend \$600 to get ready to take a test. The new courses that will be offered through the university system will be implemented with tax payer dollars. The present laws are not being followed through presently, we should not create another bureaucracy, added Mr. McNulty.

In Closing, Senator Fuller, stated that the senate committee amended out the high school requirement. The continuing education requirement is permissive and another bureaucracy is not being set up. The vast majority of training takes place at an annual realtor convention and the only exam required is the pre-licensing examination.

Representative Wallin asked Senator Fuller if the high school diploma requirement has been removed. Senator Fuller explained that a salesperson must have two years of high school and a broker must be a graduate.

Representative Brandewie asked Terry Carmody if the seminars offered by the board are available to non-members. Mr. Carmody explained that they are open to all.

Representative Driscoll asked Lon Mitchell what the current requirement is for renewal of a license. Mr. Mitchell stated that all fees are due by December 31st of each year, if an individual is presently licensed the fees need be paid for renewal.

Representative Brandewie asked Terry Carmody if in the bill "classroom" can be inserted to provide for "15 classroom hours". Mr. Carmody had no objection.

Representative Simon asked Mimi Parks if she is comfortable

with the continuing education requirement. Ms. Parks explained that she is and that if an individual can not spend one day out of every 365 for continuing education, they should not be licensed.

Representative Simon then asked Betty Kissock the same question. Ms. Kissock explained that the law would leave the testing wide open and those that could not pass the test would be put out of business.

Representative Simon asked Senator Fuller if he would object to making the continuing education section of the bill effective in two years to enable the problems to be worked out. Senator Fuller explained that if this is done the bill could die in the senate.

Representative Kitselman asked Senator Fuller if the possibility of denying those individuals, due to economic status or situations preventing them to attend seminars is being created. Senator Fuller explained that the details will be set by the Board of Realty Regulation. Fine courses are offered by the boards and they are open and receptive to any suggestions.

Representative Kitselman asked Betty Kissock to comment on the same question. Ms. Kissock stated that the possibility of losing your license is present. The decisions are all up to the state, realtors have nothing to do with it. Ninety-nine percent of all courses are offered in the Billings, Great Falls, Helena, Missoula and Kalispell areas. Of those currently taking the exam, 45 - 50% are failing. If one can be assured of not losing their license due to failing a test, Ms. Kissock explained that she could support the bill.

Representative Bachini asked Senator Fuller if a grandfather clause could be added to the bill. Senator Fuller explained that the board can not go back and test those presently licensed.

Representative Bachini then asked Senator Fuller if this is strictly permissive and not mandatory. Senator Fuller explained that it is permissive to each individual board, not to the individual.

Representative Thomas asked Mike McNulty to comment on the continuing education requirement. Mr. McNulty explained

that he is a member of the realtor association and representing younger realtors. If a person does not educate themselves they will not make it in the real estate business, added Mr. McNulty.

Representative Bachini asked Terry Carmody if the association could administer this education. Mr. Carmody explained that this would be possible if all brokers were very conscientious, but they are not and not all are involved in the association.

Representative Hansen suggested that the bill should address the broker and require them to education their associates.

There being no further discussion by proponents or opponents, all were excused by the chairman and the hearing on Senate Bill 146 was closed.

SENATE BILL 345: Hearing commenced on Senate Bill 345. Senator Ted Neuman, District #21, sponsor of the bill, stated this is the "Anhydrous Ammonia Facilities Safety Act" and gives the Department of Agriculture authority to adopt rules to regulate anhydrous ammonia facilities and "grandfathers" existing facilities. Provided is a 20 cents per ton inspection fee to fund this act. Anhydrous ammonia is the second most popular fertilizer and must be regulated, added Senator Neuman. The industry supports the bill.

Proponent Leanne Schraudner, representing the Montana Agri Business Association, explained that there are 200 chemical dealers and Senate Bill 345 will help to prevent unfortunate accidents. The rules should be in compliance with the American National Safety Standards. A tax of up to 65 cents per ton may be assessed if needed for the funding of the program.

Proponents Ralph Peck, representing the Department of Agriculture and Jo Bruner, representing the Power Farmers Elevator Company offered their support of the bill.

Representative Simon asked Senator Neuman what the procedure will be if an existing facilities is judged to be unsafe. Senator Neuman explained that they must make the necessary adjustments. Senator Neuman called on Leanne Schraudner for further explanation who stated that the bill provides for a variance that will allow a business to continue with their operation.

Representative Simon asked Leanne Schraudner how many facilities are presently in the state and if there is a problem due to unsafe acts. Ms. Schraudner explained that there are 60 facilities state wide and that this is a precaution that is being taken.

Representative Schultz asked Ralph Peck if \$13,000 is being taken from the experiment station. Mr. Peck stated that the loss of 20 cents will be taken from the fertilizer account not the research account.

Representative Thomas asked Senator Neuman how much time will be required to complete an inspection. Senator Neuman explained that the inspections will be done twice a year and should take approximately three hours.

There being no further discussion by proponents and no opponents to the bill, all were excused by the chairman and the hearing on Senate Bill 345 was closed.

ACTION ON SENATE BILL 345: Representative Schultz moved DO PASS on Senate Bill 345. Second was received, Senate Bill 345 will BE CONCURRED IN by unanimous decision.

ACTION ON SENATE BILL 173: Representative Brown moved DO PASS on Senate Bill 173. Representative Kitselman stated a problem may be created by excluding denturists and asked Alice O'Donnel to comment. Ms. O'Donnel explained that denturists must qualify to take x-rays under the board of dentistry. Representative Brandewie moved the amendments to the bill and explained that by striking denturity they will be subject to the review of the board. Representative Kitselman stated that denturists take a separate exam and if the amendment is adopted denturists and dentists will be separated. Representative Glaser commented that if denturists are excluded from the radiological board they will not be goverened by any board. Representative Driscoll added that if denturitry is stricken, two licenses will be required. Representative Brandewie withdrew his motion. Question being called to Representative Browns DO PASS motion received a unanimous vote. Senate Bill 173 will BE CONCURRED IN.

ACTION ON SENATE BILL 141; Representative Simon moved DO PASS on Senate Bill 141. Second was recieved, Senate Bill 141 will BE CONCURRED IN by unanimous decision.

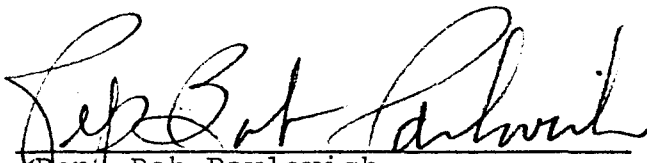
ACTION ON SENATE BILL 165: Representative Kitselman moved DO PASS on Senate Bill 165. Representative Driscoll asked if this will require an individual to have credit life insurance. Representative Kitselman explained that is just extends the requirement to 15 years. Question being called, Senate Bill



Business and Labor  
March 12, 1985  
Page 9

165 will BE CONCURRED IN by unanimous vote.

ADJOURN: There being no further business before the  
committee, the meeting was adjourned at 10:15 a.m.

  
Rep. Bob Pavlovich,  
Chairman

DAILY ROLL CALL  
BUSINESS AND LABOR COMMITTEE

49th LEGISLATIVE SESSION -- 1985

Date March 12, 1985

NAME	PRESENT	ABSENT	EXCUSED
Bob Pavlovich	✓		
Les Kitselman	✓		
Bob Bachini	✓		
Ray Brandewie	✓		
Jan Brown	✓		
Jerry Driscoll	✓		
Robert Ellerd			✓
William Glaser	✓		
Stella Jean Hansen	✓		
Marjorie Hart	✓		
Ramona Howe	✓		
Tom Jones	✓		
Mike Kadas	✓		
Vernon Keller	✓		
Lloyd McCormick	✓		
Jerry Nisbet	✓		
James Schultz	✓		
Bruce Simon	✓		
Fred Thomas	✓		
Norm Wallin	✓		

# STANDING COMMITTEE REPORT

March 11 19 35

MR. SPEAKER

We, your committee on BUSINESS AND LABOR

having had under consideration Senate Bill No. 141

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color

EXEMPT FROM REGULATION TRANSPORT OF A COMMODITY BY MOTOR  
CARRIER FOR U.S.

Respectfully report as follows: That SENATE Bill No. 141

~~DO PASS~~  
BE CONCERNED IN

# STANDING COMMITTEE REPORT

March 11

19 55

MR. SPEAKER

We, your committee on BUSINESS AND LABOR

having had under consideration SENATE Bill No. 345

third reading copy ( blue )  
color

## ANHYDROUS AMMONIA FACILITIES SAFETY ACT

Respectfully report as follows: That SENATE Bill No. 345

DO PASS  
BE CONCURRED IN

# STANDING COMMITTEE REPORT

March 12

19 35

MR. SPEAKER

We, your committee on BUSINESS AND LABOR

having had under consideration SENATE Bill No. 173

third reading copy ( blue )  
color

## REVISION OF RADIOLOGIC TECHNOLOGIST LAW

Respectfully report as follows: That SENATE Bill No. 173

DO PASS:  
BE CONCURRED IN

# STANDING COMMITTEE REPORT

March 11

19 35

MR. SPENNER

We, your committee on BUSINESS AND LABOR

having had under consideration SENATE Bill No. 165

third reading copy (blue  
color)

INCREASE LOAN DURATION FOR EXEMPT CREDIT LIFE & DISABILITY INSURANCE

Respectfully report as follows: That SENATE Bill No. 165

DO PASS  
BE CONCURRED IN

BOARD OF RADIOLOGIC TECHNOLOGISTS

Testimony to the Montana House of Representatives Committee on  
Business and Industry regarding Senate Bill No. 173.

Prepared by Adrian C. Howe, Member  
Board of Radiologic Technologists  
444-4282

Senate Bill 173 is intended to clarify the present law and respond to  
Vol. 40 Opinions of the Attorney General No. 50. The Board of Radiologic  
Technologists supports SB 173 and the following amendments.

Change Section 2 (4) to read: "Licensed practitioner" means a person  
licensed or otherwise authorized by law to practice medicine,  
dentistry, ~~denturist~~, dental hygiene, podiatry, chiropraxy, osteopathy,  
or chiropractic."

Change Section 3(1)(a)(ii) to read: "A person administering X-ray  
examinations related to the practice of dentistry or denturist; or

Rationale

There is no assurance that the denturists have the radiologic training  
as required for other practitioners of the healing arts. Therefore, the  
denturists should not be exempt from the requirement to demonstrate  
proficiency in radiology prior to performing X-ray procedures on persons.  
The Board of Radiologic Technologists believes that the denturist should be  
required to demonstrate the same degree of competence in radiologic  
technology as do other peripheral people who perform X-ray procedures in  
Montana. This is the intent of the amendments proposed to House Bill 649,  
however HB 649 would effect this change only in Initiative 97 and not in SB  
173.

EXPLANATION FOR THE PROPOSED AMENDMENTS TO THE LAWS RELATING TO THE  
PRACTICE OF RADIOLOGIC TECHNOLOGY

SENATE BILL 173

by  
Board of Radiologic Technologists  
Department of Commerce

The following changes are intended to clarify the present law and respond to Vol. 40 Opinions of the Attorney General No. 50,

1. Page 1.                    Section 2-15-1848 would be amended to delete one of  
Lines 22-25                the two radiologist positions on the board and add a  
Page 2.                    physician member who employs at least one permit  
Line 1                      holder. This would place a representative on the  
                             board who is familiar with the problems faced by  
                             physicians who employ permit holders.
2. Page 2.                    Section 37-14-102 would be amended to change the  
Lines 22-23                wording apply X-ray radiation to perform X-ray  
                             procedures and reword content of rule for clarity. The  
                             change in wording corresponds to the definition of  
                             X-ray procedures contained on page 3, lines 10 through  
                             15. Current law leaves questions as to the extent of  
                             work that falls under the jurisdiction of the  
                             radiologic technologist or permit holder.
3. Page 3.                    Section 37-14-102 would be amended to define X-ray  
Line 4-25                    procedures, limited permit technician, and define the  
Page 4.                    functions of a radiologic technologist. The amendments  
Lines 1-15                  would clearly define a limited permit technician, what  
                             is considered an X-ray procedure and what X-ray  
                             procedures fall under the radiologic technologist  
                             functions leaving no room for doubt as to who must be  
                             licensed and the duties allowed those licensees.
4. Page 4.                    Section 37-14-301 clarifies language to correspond with  
Lines 18-20                  amendments in section 37-14-102. Provides an  
Page 5.                    exemption for persons who perform only darkroom  
Line 6-10                    procedures and allows the board to establish by rule  
                             the training required to be exempt. Present law does  
                             not provide a specific exemption for those persons who  
                             only perform darkroom procedures. However, the board  
                             feels there is a need for that individual who is exempt  
                             to be either under the supervision of a licensed  
                             radiologic technologist or radiologist or to have  
                             formal training as there is a risk involved when the  
                             work is not completed properly of overexposure to a  
                             patient due to additional X-rays becoming necessary,  
                             overexposure to compensate for underdevelopment of the  
                             film and a risk of misdiagnosis due to an improperly  
                             developed film.



- Page 5. Amend to correspond to changes in 37-14-102.  
Lines 15-18
- Page 6. Amends subsection (3) of section 37-14-301 to clarify  
Lines 4-7 who can inject contrast media and radioactive isotopes intravenously.
5. Page 6. Section 37-14-306 is amended to respond to the Attorney  
Lines 13-25 General's opinion, (Vol. 40 Opinions of the Attorney  
Page 7. General No. 50). Subsection (1) has been amended to  
Lines 1-12 allow for issuance of a permit when demonstrated to the  
Lines 17-22 satisfaction of the board, instead of radiologists  
Page 8. approved by the board that the individual can safely  
Lines 1-9 perform X-ray procedures. The applicant will also be  
required to demonstrate his capability by completion of  
formal classroom training that meets standards set by  
rule and by means of examination. The board will also  
specify by rule those specific procedures for which  
permits will be issued. The amendment would also allow  
the board to set by rule the contents of a practical  
and oral portion of the examination and the instances  
when these portions will be required. Additional  
eligibility requirements will be set by rule of the  
board for those individuals failing examinations.  
Amendments are included to correspond to the proposed  
amendments in 37-14-102. The amendments would also  
require the board to set by rule the requirements of  
regional hardship, emergency condition and capability  
to perform X-ray procedures without danger to the  
public under the temporary permit section of the  
statutes. In addition an amendment is included to  
require permit applicants to be of good moral  
character, 18 years of age and not addicted to the  
intemperate use of alcohol or narcotic drugs.
6. Page 8. Section 37-14-310 would be amended from a biennial  
Lines 16-20 renewal to an annual renewal. Currently licenses are  
renewed on a two year basis, permit holders renew  
annually. The budgeting process became cumbersome and  
confusing with some monies collected on an annual basis  
and others on a biennial basis.
7. Page 9. Section 37-14-321 would be amended to include limited  
Lines 8-18 permit technicians in the disciplinary action areas.  
Page 10.  
Lines 2-6
8. Page 10. New Section which would provide that the two year  
Lines 7-11 licenses issued to radiologic technologists valid  
through February 1, 1986 would remain valid through  
that period of time even though the annual renewal  
requirements would be effective upon passage and  
approval of the bill.

9. Page 10.  
Lines 12-13

New section provides for an immediate effective date upon passage and approval of the bill. This is being requested due to the fact that current permit requirements are prohibitive for those individuals attempting to obtain permits. Many permit applicants are encountering problems with attempts to obtain verification from radiologists that they can safely perform X-ray procedures.



# First Bank Helena

First National Bank and Trust Company  
On Last Chance Gulch at Sixth Avenue  
P.O. Box 1709  
Helena, Montana 59624  
406 442-2540

Exhibit 2  
Senate Bill 146  
March 12, 1985  
Submitted by: Terry  
Carmody

February 4, 1985

TO WHOM IT MAY CONCERN:

We are in support of SB146, which will require potential real estate salesmen and brokers to take sixty (60) hours of related education before they receive their license. We feel this educational requirement would better serve the community and the real estate industry in the State of Montana.

On occasion we have had new and inexperienced salesmen come into our office with a potential purchaser, in which purchaser has not been fully informed the details of the purchase and given the right information concerning financing. These situations create from our view, a creditability problem with the salesman involved, and puts the education of the buying of a residence on the loan officer involved. We feel that the real estate salesperson and broker do have a place and do provide a valuable service, however, we feel that advising the purchaser as to the contents of a buy-sell or how to go about looking for a house is not the job of the real estate lender.

If we could be of any further assistance, please do not hesitate to call or write us.

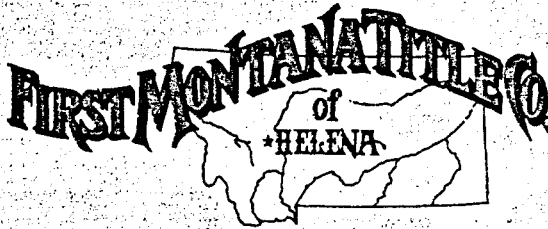
Sincerely,

A handwritten signature in cursive script that reads "Joe Bower".

Joe Bower  
Assistant Vice President  
Real Estate Department Manager

JEB/eal

cc: Joe Merrill, Real Estate West



January 28, 1985

TO WHOM IT MAY CONCERN:

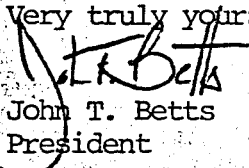
It is with enthusiasm that I write this letter in connection with my concerns with the furthering of real estate education. Having spent most of my career life in the title insurance business, the need for more expertise through education in real estate is very apparent.

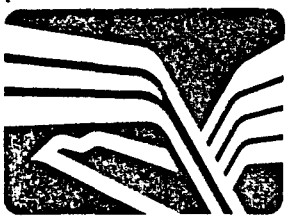
The strict educational requirements in fields that are, in my estimation far less critical than in this field, are somewhat overwhelming. One of the most important investments an individual or a family will ever make is that of purchasing a home. In many cases there are life savings involved and high stakes for a secure future financially.

A real estate license or a broker's license in no way indicates a sufficiency of knowledge by its holder to qualify that individual to counsel a prospective home purchaser or seller for that matter.

I personally feel there is an urgent need for continuing education and educational requirements in real estate, an area that has been sorely neglected in the past.

Very truly yours,

  
John T. Betts  
President



# HOME FEDERAL SAVINGS

A Division of Western Federal Savings

January 28, 1985

TO WHOM IT MAY CONCERN:

I am very much in favor of Senate Bill 146 reference made to increasing the professional educational requirements for the qualifications of becoming a real estate salesperson and real estate broker.

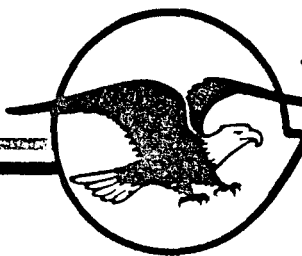
The positive points are professional ethics, being able to communicate in business with lenders as well as clients, and being able to communicate with anyone wishing to purchase a home. Today there are many, many consumers searching for homes as well as the many types of financing with different regulations of which the education is needed to sufficiently serve their customers.

Sincerely yours,

HOME FEDERAL SAVINGS

Linda A. Cockhill  
Sr. Mtg. Loan Officer/Ass't Sec.





# American Federal Savings and Loan Association

Telephone 406/442-3080  
Post Office Box 1182, Helena, Montana 59624  
347 Last Chance Gulch, Helena, Montana 59601

January 25, 1985

Re: Senate Bill #146

To Whom It May Concern,

As a Real Estate Loan Officer in Helena for the past seven years, I have had numerous business dealings with realtors in the area.

For the most part, their knowledge of their business is sound, There have been occasions however, especially with new people, that incomplete or incorrect information has been given by them to their customers. It hurts their business personally and their image as a whole. Increased education is always a plus and would benefit their profession.

Sincerely,

Karen S. Murphy  
Senior Loan Officer  
American Federal Savings & Loan



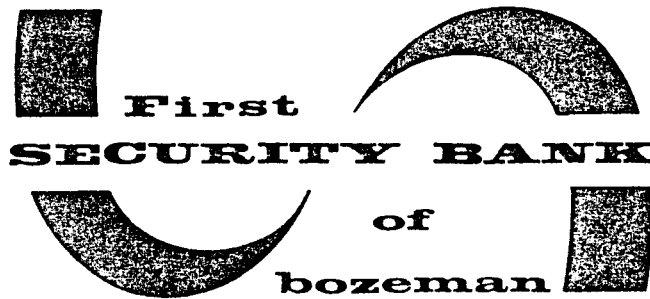
Norwest Bank Helena  
350 North Last Chance Gulch  
Post Office Box 597  
Helena, Montana 59624

To Whom it may concern:

Regarding the issue of additional schooling for Real Estate agents in the State of Montana, I feel that it is very necessary. I have been in the real estate finance field for 14 years and have experienced many encounters with Realtors both good and bad. I feel additional schooling is needed for the following reasons.

1. Real Estate is an ever changing environment. Financing options are as varied as the properties available. The buyer now has the options of Adjustable rates, Shared Equity, Negative Amortization, FHA, VA and Conventional. In order for the Realtor to properly service his customer he must have a basic understanding of finance.
2. The purchase of a home is the single most expensive purchase a person will make in his lifetime. The buyer relies very heavily on the expertise of his realtor to guide him in this purchase.
3. Homeownership is the American Dream. I have personally seen this dream shattered when the Realtor is inexperienced and does not know his responsibilities to his client. Real Estate is a complex issue and requires more than a basic understanding of how to fill out a buy-sell agreement and show someone through a home.
4. The lender on a home loan relies totally on the real estate agent to do the leg work required to clear title problems such as estates, encroachments, pay-offs from other lenders etc. Therefore the agent must have a working knowledge of title matters and how to cure them.
5. I feel the largest injustice a Realtor can do to his customer is to show him a home that the buyer can in no way qualify for. I have seen this happen time and again. The buyer comes in to make application for the loan only to find out that the payments on this size home are far beyond their means. The Realtor must therefore have a basic understanding of how to qualify a borrower and also the expertise to ask the appropriate questions regarding the persons income and debt.

As a real estate loan officer I spend a minimum of 60 hours in schooling each year. This is formalized schooling. In addition I spend a minimum of 2 hours per week keeping abreast of the changes in the real estate market place. As the person paid to represent the buyer I feel it is imperative that we tighten our requirements for the schooling needed to become a Realtor and also look at increasing the necessity to continue that education after the license is issued.



P.O. BOX 910  
BOZEMAN, MONTANA 59715  
PHONE 587-0641


February 1, 1985

Terry Carmody  
Montana Association of Realtors  
910 East Helena Avenue  
Helena, MT 59601

Dear Mr. Carmody:

During the past 10 years, I have had the opportunity of working with many realtors in Montana and South Dakota. Most realtors are dedicated and sincere in their efforts to help home buyers and sellers, however, many do not have the knowledge to be effective. A large percentage of the realtors I have worked with feel their job is over after the purchase agreement is signed and fail to give their clients proper guidance in the loan application and closing process. Due to this lack of knowledge, some realtors appear unprofessional which is a problem for the entire industry. Educational requirements should be increased not only to help new realtors but to strengthen the integrity of the experienced realtors.

Sincerely,

  
GARY SISSON  
Vice President

GS/jkn

RECEIVED  
FEB 4 - 1985  
MAR





# First Bank Great Falls

The First National Bank of Great Falls  
300 Central Avenue  
Great Falls, Montana 59403  
406-761-7200

Real Estate Department

January 25, 1985

TO WHOM IT MAY CONCERN

Subject: House Bill #146

We would like to express our views on House Bill #146.

This bill would enact the criteria to up-grade the licensing requirement for realtors. One requirement would be completion of a high school education. Another would be sixty (60) hours of real estate education prior to being licensed.

As lenders, we feel that education is a priority for all professions. The more that one is informed and updated on issues, the better we can serve our community. If the realtors are required to attain these specific goals, they will gain a degree of professionalism in their career, which benefits the consumer who will receive the best possible service for his dollar.

We hope that our views on this bill will be given your sincere consideration.

Sincerely,

Marilyn K. Rose  
Assistant Vice President



Norwest Bank Great Falls, N.A.  
21 Third Street North  
Post Office Box 5011  
Great Falls, Montana 59403  
406/727-3000

January 25, 1985

Montana Association of Realtors  
Helena, MT 59601


TO WHOM IT MAY CONCERN:

I have been asked by members of the Great Falls Board of Realtors to comment on the issue of pre-license training for prospective real estate agents.

I would recommend that pre-license training be required before a real estate license is issued. On numerous occasions, I have had realtors contact me asking what the closing costs would be on a certain loan amount. I feel my real estate agent should be able to list the estimated closing costs for either his buyer or seller. The realtor should also be able to complete a net statement for a seller. I have also had realtors who did not know how to qualify a borrower.

Without this basic knowledge, the customer can be misled. Both the buyer and seller rely substantially on the agent's or broker's knowledge in the handling of real estate transactions. The real estate professional should have the knowledge to perform the best possible job for his client.

Sincerely,

  
Richard D. Holmes  
Real Estate Loan Officer

dh/bh



# First Bank Great Falls

The First National Bank of Great Falls  
300 Central Avenue  
Great Falls, Montana 59403  
406-761-7200

Real Estate Department

January 25, 1985

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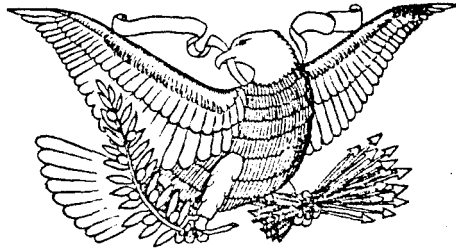
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As lenders, we feel that education is a priority for all professions. The more that one is informed and updated on issues, the better we can serve our community. If the realtors are required to attain these specific goals, they will gain a degree of professionalism in their career, which benefits the consumer who will receive the best possible service for his dollar.

We hope that our views on this bill will be given your sincere consideration.

Sincerely,

Janis Lords  
Real Estate Loan Officer



## INDEPENDENT TITLE SERVICES

325 - 1ST AVENUE NORTH - GREAT FALLS, MT 59401

TELEPHONE (406) 761-8796

D.B. LEVINE

PRESIDENT

LEGAL COUNSEL

January 25, 1985

Montana Association of Realtors  
Helena,  
Montana

Gentlemen:

As the owner of Independent Title Services, I want you to know that I support your efforts to obtain legislation improving the education requirements for your member realtors.

The purchase of real estate is a major investment in all cases and is usually the most important financial decision made by anyone during their lifetime. The purchase contract used is a legally binding document which the parties will be obligated to perform. The only advice most people have in these transactions is from their realtor. If the realtor is unable to give sound advice, based on a sound education in real estate, the parties looking to the realtor for advice are going to be in a very bad position. This is more than doubly true in those cases, being over 60% of all house sales, where seller financing is involved and the only professional advising the parties, is the realtor.

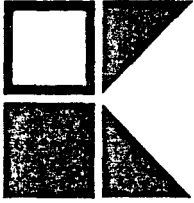
It seems to me that a high school diploma and 60 hours of specific real estate instruction is the minimum amount of education which would prepare a new and inexperienced person for the duties required in representing buyers and sellers as a realtor.

Very truly yours,

*Daniel B. Levine*

Daniel B. Levine *DL*

Knutson Mortgage &  
Financial Corporation



727-7506  
1321 8th Avenue North  
Great Falls, Montana 59401

January 25, 1985

Montana Association of Realtors  
Helena, Montana

RE: SENATE BILL #146

Dear Sirs:

Knutson Mortgage and Financial Corporation would like to add our support in your effort to have Pre-licensing Education required before a potential realtor is allowed to be licensed and sell real estate.

Webster's Dictionary defines a professional as one who is "a qualified expert in his/her field".

New agents now do not need to know how to write a Purchase and Sales Agreement, a listing, or a Good Faith Estimate of Closing. Because of this many transactions are not completed and numerous legal actions have been encountered as a result of their lack of knowledge in this area.

A Professional Realtor, like any other trained professional, should not be allowed to transact business without passing Pre-licensing Education. We support your endeavor and hope for quick approval of Senate Bill #146.

Sincerely,  
KNUTSON MORTGAGE AND FINANCIAL CORPORATION

A handwritten signature in cursive script, reading 'Vicky C. Miller'. The signature is written in dark ink and is positioned above the printed name.

Vicky C. Miller  
Asst. Vice Pres/Branch Mgr.



## Mountain Title Services Inc.

January 25, 1985

TO WHOM IT MAY CONCERN:

I close real estate transactions. Except for the occassional "for sale by owner", every sale has at least one realtor involved and usually two.

I believe that most people working consider their job a profession and themselves a professional. Some realtors are professionals, some are not. A realtors' job is of special importance since they are guiding and helping people to make the single largest investment of their lives. Don't we want these realtors to have special guidelines and requirements to help "Mr. Average Montana Homebuyer". Do we want just anyone who can pass a test advising our children in the purchase of their first home. ABSOLUTELY NOT!! It is imperative that we all support House Bill #146.

We all know that in any profession some knowledge is learned from experience, some picked up "on the street", but most knowledge is learned from EDUCATION. Unfortunately, as in most cases, the ones that need the education the most are the ones that fail to recognize their need. Please make this education mandatory. The homebuyers and homesellers of Montana will thank you.

There are very few professions that don't have guidelines and requirements, and the real estate profession should be no exception. The goal for all realtors should be to gain as much knowledge as possible to better service their clients. Mandatory education is a good start to help the non professional realtors become profession realtors.

House Bill #146 has my support! Please give it yours!

Very truly yours,

(Ms.) Sue Todd  
Vice President



PROPERTY  
MANAGEMENT  
INC.

November 16, 1984

Montana Association of Realtors  
Executive Office  
910 Helena Avenue  
Helena, MT 59601

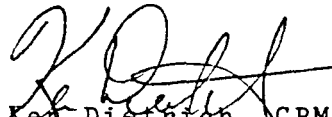
Gentlemen:

I have reviewed your proposed legislation for all new real estate licenses.

I would like to go on record as supporting the legislation for all applicants applying for a salesman's license after January 1, 1986 to complete 60 classroom hours of study in an approved curriculum. This requirement will be in addition to all of the present requirements. The current requirement of 2 years of high school education will be changed to a high school graduate or equivalency, and for all applicants applying for a broker's license after January 1, 1986 to complete 60 classroom hours of study in an approved curriculum. This requirement will be in addition to all of the present requirements.

Sincerely,

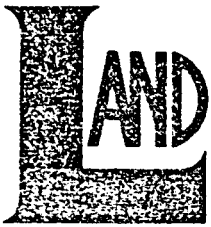
PROPERTY MANAGEMENT, INC.

  
Ken Dietrich, CPM  
President

KD:pk

cc: Peg Potter

MONTANA



TITLE  
ASSOCIATION

204 NORTH 29TH ST. • BILLINGS, MONTANA 59101

MEMBER OF AMERICAN LAND TITLE ASSOCIATION

OFFICERS

WILLIAM F. GOWEN

President

Helena

CECIL X. EXELBY

Vice-President

Kalispell

ROBERT J. FIELD

Sec'y-Treas

Billings

28 JANUARY, 1985

THE HONERABLE DAVID FULLER  
MONTANA STATE SENATE  
CAPITOL STATION  
HELENA, MONTANA 59620

SENATOR FULLER, *Done,*

OUR ASSOCIATION HAS REVIEWED SENATE BILL NO. 146 AND IT HAS OUR FULL SUPPORT. WE FEEL THAT IT IS NECESSARY THAT REALTORS RECEIVE SOME TRAINING SO THAT WHEN THEY ARE CONFRONTED WITH A SITUATION REGARDING REAL ESTATE THEY HAVE THE BASIC KNOWLEDGE TO HANDLE IT.

WE HAVE HAD MANY EXPERIENCES WITH PEOPLE THAT HAVE TAKEN THE 'CRASH' COURSES AND DO NOT RETAIN THE INFORMATION. IT WOULD BE BENEFICIAL TO THE REAL ESTATE PROFESSION AND THE THOSE OF US IN THE TITLE PROFESSION IF THE APPLICANTS FOR BROKER'S AND SALEMAN'S LICENSES HAD COMPLETED 60 HOURS OF CLASSROOM WORK PRIOR TO BEING GRANTED A LICENSE.

THE MONTANA LAND TITLE ASSOCIATION IS IN SUPPORT OF SENATE BILL 146.

MOST SINCERELY,

WILLIAM F. GOWEN  
PRESIDENT



A SURVEY REPORT  
ON THE

MONTANA REAL ESTATE LICENSEE

Conducted and Compiled by the  
MONTANA ASSOCIATION OF REALTORS 1984

INTRODUCTION

THIS REPORT REFLECTS THE RESULTS OF A 1984 EDUCATIONAL SURVEY CONDUCTED BY THE M.A.R. IT PROVIDES A PROFILE OF THE MONTANA REAL ESTATE LICENSEE AND CORRELATES THEIR ATTITUDES REGARDING EDUCATION.

IN ACCUMULATING THE DATA IN THIS REPORT, A 30 QUESTION SURVEY WAS MAILED TO ALL LICENSEES IN MONTANA. THERE WAS A 25.2% RESPONSE . STATISTICALLY, THE ASSOCIATION BELIEVES THAT THIS REPRESENTS AN EXCELLENT SAMPLE.

THE SURVEY RESULTS ARE GIVEN ON THE FOLLOWING PAGES, WITH GRAPHS SHOWN FOR MANY OF THE TABULATIONS. PLEASE NOTE THAT THE RESULTS ARE NOT NECESSARILY GIVEN IN THE SAME ORDER AS THE QUESTIONS APPEARED ON THE SURVEY, AND NOT ALL QUESTIONS HAVE BEEN TABULATED.

Exhibit 3  
SB 146  
3/12/85  
Submitted by:  
Reg Potter

# A Comparison of Education Requirements in Washington with Requirements in Other States

Washington State has only two education requirements for real estate licensees. The first, RCW 18.85.095, requires that a salesperson complete 30 clock hours of approved real estate education before his/her second license renewal. The second, RCW 18.85.090, requires that broker exam applicants show proof of successfully completing 90 additional clock hours of approved real estate education.

The Real Estate Division accepts clock hours from accredited schools (community colleges, vocational technical schools, colleges and universities) throughout the United States if:

1. The course is a real estate course similar to an approved course within the state of Washington.
2. The course is a minimum of 30 clock hours (2 semester credits or 3 quarter credits).
3. The student receives a final passing grade.

Proprietary schools and courses must be approved by the director of the Department of Licensing with the advice of the six Real Estate Commissioners. These courses are submitted for approval (and subsequently for biennial approval) during regularly scheduled, quarterly Real Estate Commission meetings which are open to the public. The 1985

Commission meeting schedule appears elsewhere in the newsletter.

Many states have pre-license education requirements for salespersons. The term "pre-license" is often mistaken or misused for the term "exam preparation". Washington State (and other states) have pre-license requirements for broker exam candidates, but there is no pre-license requirement for salespersons.

The charts on the following pages show a comparison of the education requirements in each of the states. The information was compiled from the National Association of Real Estate License Law Officials (NARELLO) 1984-1985 Report.

## COMPARISON OF EDUCATION REQUIREMENTS

STATE	SALES PRE-LICENSE	CONTINUING EDUCATION	BROKER/ SALES EXPERIENCE	PRE-LICENSE	CONTINUING EDUCATION
ALABAMA	45 hours	0	2 years if less than 2 years	45 hours 15 semester hours	0
ALASKA	0	0	2 years	0	0
ARIZONA	45 hours	12 hours/1 year	3 years	180 hours	12 hours/1 year
ARKANSAS	30 hours/1 year	0	2 years & 30 hours 90 hours 6 college credits + 2 years	90 cl. hours or 2 years & 30 hours 6 college credits & 194 hrs.	0
CALIFORNIA	0	45 hours/4 years	2 years or college graduate	270 hours	45 hours/4 years
COLORADO	48 hours	0	2 years or equiv.	96 hours	0
CONNECTICUT	30 hours	12 hours/2 years or exam	2 years	90 hours	12 hours/2 years or exam
DELEWARE	126 hours	15 hours/2 years	5 years	201 hours	15 hours/2 years
FLORIDA	63 hours	14 hours/2 years	1 year	72 horus	14 hours/2 years
GEORGIA	24 hours or 5 quarter hours college RE	80 hours 1st 2 years 6 hours/2 years	3 years	164 hours or 15 quarter hours-college RE	6 hours/2 years
HAWAII	40 hrs. or equiv.	0	2 years	46 hrs. or equiv.	0
IDAHO	45 hours	0	135 hours*	2 yrs. or equiv.	0
ILLINOIS	30 hours	0	1 year	90 hours or 4 year degree/ minor in RE	
INDIANA	40 hours	0	1 year	64 hours	0
IOWA	30 hours	12 hours/1 year	1 year	30 hours	12 hours/1 year
KANSAS	30 hours	8 hours/2 years	2 years	0	8 hours/2 years
KENTUCKY	96 hours or 6 credit hours	0	2 years or 1 year/degree in RE	336 hours or 21 credit hours (12 in RE)	0
LOUISIANA	90 hours or 15 sem. credits	15 hours/2 years	2 years	150 hours or 15 sem. hours	15 hours/2 years
MAINE	0	12 hours/2 years	1 year or education	90 hours or 1 yr. exper.	12 hours/2 years
MARYLAND	45 hours	12 hours/2 years	3 years	135 hours	12 hours/2 years

# COMPARISON OF EDUCATION REQUIREMENTS (Continued from Page 6)

STATE	SALES PRE-LICENSE	CONTINUING EDUCATION	BROKER/SALES EXPERIENCE	PRE-LICENSE	CONTINUING EDUCATION
MASSACHUSETTES	24 hours	0	1 year	30 hours	0
MICHIGAN	40 hours**	0	3 years	90 hours	6 hours
MINNESOTA	6 hours + 30 within 1st year	45 hours/3 years	2 years	Current sales license	45 hours/3 years
MISSISSIPPI	6 sem. hours	0	1 year or	9 sem. hours 12 sem. hours	0
MISSOURI	54 hours	12 hours	0	40 hours	12 hours
MONTANA	0	0	2 years	0	0
NEBRASKA	60 hours	0	2 years or	120 hours 180 hours	0
NEVADA	90 hours	20 hrs 1st 2 yrs then 10 hours/2 years	2 years	45 sem. units	20 hrs 1st 2 yrs then 10 hrs/2 yrs if inactive
NEW HAMPSHIRE	0	3 years/2 years beginning 1985	1 year full time or 2000 hours part time	0	3 hours/2 years beginning 1985
NEW JERSEY	45 hours	0	2 years	135 hours	0
NEW MEXICO	60 hours	0	0 or 2 years experience	180 hours 90 hours	0
NEW YORK	45 hours	45 hours	Yes	90 hours	45 hours
NORTH CAROLINA	30 hours	0	2 years	120 hours	0
NORTH DAKOTA	30 hours/1st year	24 hours/3 years	2 years or equiv.	90 hours	24 hours/3 years
OHIO	60 hours and 60 hours/2 years	30 hours/3 years after 2nd year	2 years	180 hours	30 hours/3 years
OKLAHOMA	45 hours	21 hours/3 years	1 year	90 hours	21 hours/3 years
OREGON	90 hours	24 hours/2 years after 3rd renewal 12 hours/2 years	3 years/last 5	150 hours	24 hours/2 years after 3rd year 12 hours/2 years
PENNSYLVANIA	60 hours	0	3 years + 200 pts	240 hours	0
RHODE ISLAND	0	0	1 year	90 hours	0
SOUTH CAROLINA	30 hours + 30 hours/1st year	0	3 years	90 hours	0
SOUTH DAKOTA	30 hours	24 hours/2 years	2 years	90 hours	24 hours/2 years
TENNESSEE	30 hours	30 hours within 2 years (1 time)	2 years	90 hours	60 hours within 3 years
TEXAS	180 hours	90 hours within 3 years	2 years	900 hours beginning 1985	0
UTAH	90 hours	12 hours if inactive 1 year	3 years	120 hours	12 hours if inactive 1 year
VERMONT	0	0	1 year	0	0
VIRGINIA	45 hours	0	3 years	180 hours or 12 sem. hours	0
WASHINGTON	0	30 hours by 2nd renewal	2 years or equiv.	90 hours	0
WEST VIRGINIA	90 hours	0	2 years	180 hours	0
WISCONSIN	30 hours	10 hours/2 years	0	60 hours or 20 sem. hours	10 hours/2 years
WYOMING	30 hours	60 hours/3 years	2 years or RE degree	60 hours	60 hours/3 years

35 hours includes Real Estate Law, Brokerage Administration and 2 electives.

\* Applicant must take 40 hours if he/she fails the first exam.

The Lomas &amp; Nettleton Company

19 North 10th Avenue  
Post Office Box 639  
Bozeman, Montana 59715  
Phone: (406) 587-9261

March 7, 1985

House of Representatives  
Business and Labor Committee  
Helena, MT 59601

Gentlemen and/or Ladies:

Today, more than ever before, educational requirements for all real estate salespeople and brokers is necessary. The reason is that financing the real estate transaction has become increasingly complex. For the protection of the Montana homebuyer, it is essential that the real estate licensee be knowledgeable and up-to-date on financing options, costs, pitfalls, and legal matters concerning the purchase of a home.

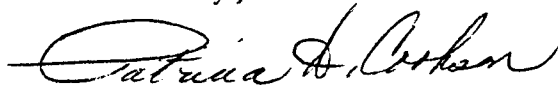
From what I see in my every day contact with real estate salespeople, many of the problems, misunderstandings, and confusions that do occur could have been prevented if the real estate licensee had had some basic and practical education before being set out to sell homes. In my estimation, in more than 75% of the sales in which real estate salespeople are involved, we find basic errors, misunderstandings, misquotes, and resulting delays and/or problems that could have been avoided by basic knowledge.

The misquotations range from minor inaccuracies in stating amount of payment or closing costs to gross inaccuracies where the amount of payment is understated to the point that the buyer can't qualify or won't accept the real payment figure or closing costs have not been discussed and the additional costs of closing mean the borrower doesn't have the necessary funds available to close.

Many buy-sell agreements are not completed accurately. Some containing provisions which are in violation of borrowing requirements. More often than not, the time allowed for approval or closing is not reasonable when new financing is called for.

I hope you will carefully consider both beginning and continuing education for all real estate licensees in Montana. Both basic and in-depth knowledge is essential when dealing with something as important as the real estate transaction.

Sincerely,

A handwritten signature in cursive script, reading "Patricia A. Cookson". The signature is fluid and elegant, with a large initial "P" and a distinct "A".

Patricia A. Cookson  
Branch Manager

# Deposit Receipt and Assignment of Sale

Exhibit 6  
SB 146  
3/12/85

Agreement made this 31 day of Dec., 1984, on property known as No. Submitted by: Kar es

at 187 State of Mont., by and between

SELLER: (Complete names, seller and spouse)

BUYER: (Complete names, buyer and spouse)

Seller agrees, in consideration of the sum of \$ 80,000

to be fully paid as hereinafter mentioned, to sell to

the following described property, located in the County of Leigues

State of Mont.

REAL ESTATE:

40'x50' plus 4 - 10,000 gal storage tank, above ground  
total acreage 3.2 acres. Property known as

PERSONAL PROPERTY: All equipment now on premises, including but not limited to: tire changer, compressor, grease pump, Automatic greaser, tire changing tools, Bull pump, both diesel and gas pumps in front, Cash register, counter, ice cream freezer, file cabinet, desk, refrigerator, and light fixtures, and Island lights, propane heater in house. All heating equipment.  
and the buyer agrees to purchase said property at said consideration and to pay the same as follows:

Amount paid on execution of this agreement: (State whether cash, personal check, money order, bank draft, note, etc.) \$ 1,000 per cent  
not to be deposited until buyer 0.15.  
Additional amount to be paid on or before the 31 day of Dec., 1984: \$ 14,000.

Existing deed of trust, mortgage, or encumbrance, buyer assumes and agrees to pay: (Amount, payment terms, interest rate) \$ 15 per cent  
10% interest, balloon in 10 yrs.

And the buyer agrees to pay the balance as follows: Beginning Feb. 1985 on before 10th of  
balance of 65,000. Monthly payments in the amount  
of 688.50 for 15 years at 10% Annual Interest. In 10  
years balance will become payable in full.  
Seller to pay all 1984 taxes. Seller to fix all broken  
glass in Bldg.

If deferred payments not already secured by existing deed of trust or mortgage are to be evidenced by note or notes signed by buyer, secured by deed of trust, mortgage or land contract on said real estate with interest from date of closing of sale at the rate of 10% per cent per annum  
and the seller, on receiving such payment at the time and in the manner above mentioned, shall at his own proper cost and expense execute and deliver to buyer or to buyer's heirs or assigns a proper deed with usual covenants accompanied by an abstract or title insurance policy evidencing marketable title to said premises, free from all encumbrances except those mentioned herein, easements of records, and the following:  
(Insert here any other restrictions, easements or covenants running with the land.)

Contract for deed ☒ shall be delivered on the 31 day of Dec., 1984. Taxes, fire and/or casualty insurance, and rents shall be pro-rated as of date of closing. Seller may remain in possession, rent free, until

the risk of loss or damage by fire or act of God prior to consummation of this contract is hereby assumed by seller.

possession of premises shall be given on or before the 31 day of Dec., 1984 on closing

It is agreed that if either seller or buyer fails or neglects to perform his part of this agreement he shall forthwith pay as liquidated damages to the other party a sum equal to ten per cent of the agreed price of sale.

It is agreed that the buyer has thoroughly examined the property to be conveyed and relies solely on his own judgment in making this agreement, and that there are no agreements, understandings or representations made either by seller, broker or broker's representatives that are not herein. Buyer acknowledges receipt of an exact copy of this agreement.

It is agreed and understood that the stipulations aforesaid are to apply to and bind the heirs, executors, administrators and assigns of the parties.

DATE

BUYER

DATE

SELLER

Walter J. K. To Joseph - Book No. 202, to Mon. Dec. 24  
and Grant & Son. Dec. 23 1984

## ANHYDROUS AMMONIA FACILITIES SAFETY ACT

Anhydrous Ammonia is the single most important source of nitrogen as fertilizer in the United States. In Montana anhydrous ammonia has been used commercially for about 10 years. It is now the second largest source of nitrogen for farmers in Montana and is expected to surpass the current number one ammonium nitrates in the next few years. Anhydrous Ammonia has gained in popularity because it is a cost effective source of nitrogen that is easy to use.

Anhydrous ammonia is a gas under atmospheric temperature and pressure, but is easily compressed to a liquid form in which it is handled. As a gas it is colorless, lighter than air and has a pungent, irritating odor that makes it readily distinguishable. It requires special handling because if any part of the body comes in contact with the liquid form it will cause damage to the skin tissues by freezing as well as caustic action and dehydration.

The fertilizer industry is presenting bill SB 345 to provide the Department of Agriculture with rule making authority to regulate facilities of anhydrous ammonia in an effort to provide for the safety of workers, farmers and the general public. The bill allows for the Department to provide for the safety by governing such things as location, repair, and operation of future anhydrous ammonia facilities. Included in the statement of intent is the recommendation that the Department adopt the rules of the American National Standard Institute (ANSI). These rules are very detailed and technical as to provide the in depth information for the Department to allow them to provide safety for all.

The bill allows for pre-existing facilities that do not pose a safety hazard to continue operation.

The funding for the regulation of the facilities shall be provided by an assessment from the fertilizer industry. This money shall be placed in a state special revenue fund for administration and enforcement.

Currently there are 31 states that have all enacted some regulation of the anhydrous ammonia industry. These include all the major farm states such as Iowa, Minnesota, Washington, Oregon, and South Dakota as well as our neighbors North Dakota and Idaho. A number of those states rely on ANSI standards or standards that are substantially similar.

In summary, the Industry recognizes the potential hazards of anhydrous ammonia and urges you to support SB 345.

**MEMO-letter<sup>®</sup>**



**Sandy McPherson, Inc.**

Realtors

Box 244 • Helena, Montana 59601 • Phone 442-6333



Business and Labor Committee  
Room 312-2  
State Capitol  
Helena, MT 59620

Date March 7, 1985

Subject SENATE BILL #146

We sincerely urge each and every one of you committee members to support Senate Bill #146 regarding the preclicensing of sales associates and broker testing and the very minimum 15 hours of continuing education for all licensees.

We feel that this bill would be of great value to the general public of the State of Montana and future citizens of the State of Montana. We feel that there are very few licensees who cannot benefit from a little bit more education every other year and the more knowledgeable a real estate licensee is, we all benefit from the knowledge - and education can become the best way to educate a person (licensee).

Education is a way of life for many states and those other states have much more education required than this bill is asking for - but it is a start for Montana.

Again, we urge you to please support this bill. Thank you.

Sincerely,

Sandy McPherson  
Broker/Owner

*Pattee McPherson*  
Pattee McPherson  
Associate Broker





800 9TH STREET SOUTH  
GREAT FALLS, MT 59405  
BUS (406) 761-5000

COGSWELL  
REAL ESTATE

March 8, 1985

Dear Representative:

We urge your support of SB 146, The Real Estate Pre-Licensing Act.

It will increase the professionalism of those in our business which can only be good for the consumer.

We hope you can support this bill.

Sincerely,

*Marva Y. Hoard*

Marva Y. Hoard  
#6 Prospect Drive

*John England*

John England  
713 Skyline Drive

*Robert Conrad*

Robert Conrad  
1909 Dahlia Ct.

*Bob Bivens*

Bob Bivens  
2718 Fern Drive

*Paul Cogswell*

Paul Cogswell  
1108 Adobe Drive

*Bev O'Connell*

Bev O'Connell  
1913 Cherry Drive

*Gail Meyer*

Gail Meyer  
5306 4th Ave. So.

*Joyce Walker*

Joyce Walker  
720 53rd St. So.

*Pauline Sanderson*

Pauline Sanderson  
907 Durango

*Mary Lou Nelson*

Mary Lou Nelson  
RR 2229

*Rip Sewall*

Rip Sewall  
P. O. Box 6305

*Mike Deimler*

Mike Deimler  
840 40th St. No.

*Art Meador*

Art Meador  
505 50th St. So.

*Patsy Hall*

Patsy Hall  
P. O. Box 689

Cc: Lloyd J. "Mac" McCormick  
Gerald D. "Jerry" Nisbet  
Robert "Bob" J. Pavlovich,  
Chairman of Business Labor Commission





800 9TH STREET SOUTH  
GREAT FALLS, MT 59405  
BUS. (406) 761-5000

COGSWELL  
REAL ESTATE

March 8, 1985

Dear Representative:

We urge your support of SB 146, The Real Estate Pre-Licensing Act.

It will increase the professionalism of those in our business which can only be good for the consumer.

We hope you can support this bill.

Sincerely,

*Marva Y. Hoard*

Marva Y. Hoard  
#6 Prospect Drive

*John England*

John England  
713 Skyline Drive

*Robert Conrad*

Robert Conrad  
1909 Dahlia Ct.

*Bob Bivens*

Bob Bivens  
2718 Fern Drive

*Paul Cogswell*

Paul Cogswell  
1108 Adobe Drive

*Bev O'Connell*

Bev O'Connell  
1913 Cherry Drive

*Gail Meyer*

Gail Meyer  
5306 4th Ave. So.

*Joyce Walker*

Joyce Walker  
720 53rd St. So.

*Pauline Sanderson*

Pauline Sanderson  
907 Durango

*Mary Lou Nelson*

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Gerald D. "Jerry" Nisbet --  
Robert "Bob" J. Pavlovich,  
Chairman of Business Labor Commission

# Legislative Alert



Montana Association  
of REALTORS®  
910 Helena Ave.  
Helena, 59601

Telephone Numbers for Legislative Information  
1-800-332-3408 Toll Free Bill Status Information  
444-4853 locally in Helena, bill status  
444-4800 to reach a legislator  
1-800-421-1864 or 443-4032 Montana Association of REALTORS®

\*S — Support  
\*O — Oppose  
\*W — Watch

## CALL TO ACTION

MARCH 6, 1985

There seems to be some misunderstanding as to what is in Senate Bill 146 in reference to continuing education.

What the bill says is "The board may prescribe by rule continuing education requirements for all licensees, not to exceed 15 hours in any 2-year period."

This was put into the preclearing legislation that the Association had introduced by the Senate. The Association did not ask for this amendment. Before the Association took a stand on this amendment a full legislative committee meeting was held in Helena on February 7, 1985 which was attended by 17 members. When the vote was taken whether to support this amendment or not, ALL but 1 member voted to support.

From all indication that I have received, the majority of the membership supports continuing education.

As is the case on any issue, you have a minority of the membership that is opposed to continuing education, and I whole heartedly support their right to feel this way.

Now comes the question. Is the majority going to sit by and let the minority kill Senate Bill 146 or are you going to write to your representative and tell him/her that you support Senate Bill 146 and ask for his/her support? If you don't take 15 minutes out of your busy schedule and do this, I can assure you that the bill is dead. The minority is doing a great job in letting their representatives know their feelings. Are you going to let the minority control the issue or are you, the majority, going to control the issue?

Write immediately, the hearing on Senate Bill 146 is Tuesday, March 12, 1985. It is being heard in the Business and Labor Committee of the House.

Write your Representative at: Representative \_\_\_\_\_  
Capitol Station  
Helena, MT 59620

As a legislative contact person for your area, it is your job and responsibility to get this message to the rest of your board membership and get them to write.

Sincerely,

Merilyn Foss, President  
MONTANA ASSOCIATION OF REALTORS

Terrence D. Carmody  
Executive Vice President

Dan Schulte  
Dan Schulte, Chairman  
Legislative Committee

Why — more government?

P.S. Minority has already got many letters to their representatives in opposition to Senate Bill 146.

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MONTANA ASSOCIATION OF REALTORS

Terrence D. Carmody  
Executive Vice President

Dan Schulte, Chairman  
Legislative Committee

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*Handwritten notes:*  
VOTE  
No  
SB 146  
I'm getting my own # DUOATION.  
You don't need to tell me how r who  
SA. KISSER

# Legislative Alert



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of REALTORS®  
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## CALL TO ACTION

MARCH 6, 1985

*Please vote against Senate Bill 146*

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Helena, MT 59620

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Sincerely,

*Merilyn Foss*

Merilyn Foss, President  
MONTANA ASSOCIATION OF REALTORS

*Terrence D. Carmody*  
Terrence D. Carmody  
Executive Vice President

*Dan Schulte*  
Dan Schulte, Chairman  
Legislative Committee

*Please vote against Senate Bill 146!*

*Bonnie Carter*

P.S. Minority has already got many letters to their representatives in opposition to Senate Bill 146.

# Legislative Alert



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( Write your Representative at: Representative Bob Proch  
Capitol Station  
Helena, MT 59620

As a legislative contact person for your area, it is your job and responsibility to get this message to the rest of your board membership and get them to write.

Sincerely,

Merilynn Foss, President  
MONTANA ASSOCIATION OF REALTORS

(   
Terrence D. Carmody  
Executive Vice President

Dan Schulte, Chairman  
Legislative Committee

*Please vote against  
Senate Bill 146*

*Hanni Vaters*

P.S. Minority has already got many letters to their representatives in opposition to Senate Bill 146.

# Legislative Alert

*Vote NO on 146*



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of REALTORS®  
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Write your Representative at: Representative \_\_\_\_\_  
Capitol Station  
Helena, MT 59620

As a legislative contact person for your area, it is your job and responsibility to get this message to the rest of your board membership and get them to write.

Sincerely,

Marilynn Foss, President  
MONTANA ASSOCIATION OF REALTORS

Terrence D. Carmody  
Executive Vice President

Dan Schulte, Chairman  
Legislative Committee

*Please vote against Bill 146*  
*Barbara Trotter*  
*3-10-85*

P.S. Minority has already got many letters to their representatives in opposition to Senate Bill 146.

# Legislative Alert



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of REALTORS®  
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MARCH 6, 1985

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Write your Representative at: Representative Paradise  
Capitol Station  
Helena, MT 59620

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Sincerely,

Merilynn Foss, President  
MONTANA ASSOCIATION OF REALTORS

Terrence D. Carmody  
Executive Vice President

Dan Schulte, Chairman  
Legislative Committee

*Please vote against  
Senate Bill 146  
maryanne mabood  
3-9-85*

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\*W — Watch

## CALL TO ACTION

MARCH 6, 1985

*Vote against Senate  
Bill 146*

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Sincerely,

*Merilynn Foss*

Merilynn Foss, President  
MONTANA ASSOCIATION OF REALTORS

*Terrence D. Carmody*  
Terrence D. Carmody  
Executive Vice President

*Dan Schulte*  
Dan Schulte, Chairman  
Legislative Committee

*Please vote against Senate  
Bill 146. Jo Schulte*  
*3/8/85*

P.S. Minority has already got many letters to their representatives in opposition to Senate Bill 146.

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Sincerely,

Merilynn Foss, President  
MONTANA ASSOCIATION OF REALTORS

Terrence D. Carmody  
Executive Vice President

Dan Schulte, Chairman  
Legislative Committee

*Please note no  
an Senate Bill 146*

*Christine Higgins  
3-10-85*

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## CALL TO ACTION

MARCH 6, 1985

*Obelisk*  
*I am opposed to this bill.*

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Write your Representative at: Representative *Parlovich*  
Capitol Station  
Helena, MT 59620

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Sincerely,

*Merilynn Foss*

Merilynn Foss, President  
MONTANA ASSOCIATION OF REALTORS

*Terrence D. Carmody*  
Terrence D. Carmody  
Executive Vice President

*Dan Schulte*  
Dan Schulte, Chairman  
Legislative Committee

*John Buckell*

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## CALL TO ACTION

MARCH 6, 1985

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Write your Representative at: Representative *Parlovich*  
Capitol Station  
Helena, MT 59620

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Sincerely,

*Merilyn Foss*

Merilyn Foss, President  
MONTANA ASSOCIATION OF REALTORS

( *Terrence D. Carmody*  
Terrence D. Carmody  
Executive Vice President

*Dan Schulte*  
Dan Schulte, Chairman  
Legislative Committee

*I object to this bill!*  
*Judea Smith*

P.S. Minority has already got many letters to their representatives in opposition to Senate Bill 146.

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## CALL TO ACTION

MARCH 6, 1985

*As per my phone call  
I am objecting to the  
bill. Ray Beeky*

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Write your Representative at: Representative Paulovich  
Capitol Station  
Helena, MT 59620

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Sincerely,

Merilynn Foss, President  
MONTANA ASSOCIATION OF REALTORS

Terrence D. Carmody  
Executive Vice President

Dan Schulte, Chairman  
Legislative Committee

*annual company fest  
for license - (Does not  
say could cost over \$100  
cost of instruction  
who will do instruction  
want a choice of classes  
to take*

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## CALL TO ACTION

MARCH 6, 1985

*Vote Against*

There seems to be some misunderstanding as to what is in Senate Bill 146 in reference to continuing education.

What the bill says is "The board may prescribe by rule continuing education requirements for all licensees, not to exceed 15 hours in any 2-year period."

This was put into the prelicensing legislation that the Association had introduced by the Senate. The Association did not ask for this amendment. Before the Association took a stand on this amendment a full legislative committee meeting was held in Helena on February 7, 1985 which was attended by 17 members. When the vote was taken whether to support this amendment or not, ALL but 1 member voted to support.

From all indication that I have received, the majority of the membership supports continuing education.

As is the case on any issue, you have a minority of the membership that is opposed to continuing education, and I whole heartedly support their right to feel this way.

Now comes the question. Is the majority going to sit by and let the minority kill Senate Bill 146 or are you going to write to your representative and tell him/her that you support Senate Bill 146 and ask for his/her support? If you don't take 15 minutes out of your busy schedule and do this, I can assure you that the bill is dead. The minority is doing a great job in letting their representatives know their feelings. Are you going to let the minority control the issue or are you, the majority, going to control the issue?

Write immediately, the hearing on Senate Bill 146 is Tuesday, March 12, 1985. It is being heard in the Business and Labor Committee of the House.

Write your Representative at: Representative \_\_\_\_\_  
Capitol Station  
Helena, MT 59620

As a legislative contact person for your area, it is your job and responsibility to get this message to the rest of your board membership and get them to write.

Sincerely,

*Merilyn Foss*

Merilyn Foss, President  
MONTANA ASSOCIATION OF REALTORS

*Terrence D. Carmody*  
Terrence D. Carmody  
Executive Vice President

*Dan Schulte*  
Dan Schulte, Chairman  
Legislative Committee

*Vote Against*  
*Shirley Dillman*  
*President Butte Board*  
*4/8/85*

P.S. Minority has already got many letters to their representatives in opposition to Senate Bill 146.

# Legislative Alert



Montana Association  
of REALTORS®  
910 Helena Ave.  
Helena, 59601

Telephone Numbers for Legislative Information  
1-800-332-3408 Toll Free Bill Status Information  
444-4853 locally in Helena, bill status  
444-4800 to reach a legislator  
1-800-421-1864 or 443-4032 Montana Association of REALTORS®

\*S — Support  
\*O — Oppose  
\*W — Watch

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*Terrence D. Carmody*  
Terrence D. Carmody  
Executive Vice President

*Dan Schulte*  
Dan Schulte, Chairman  
Legislative Committee

*Please vote  
against amendment  
Steve Hunsicker  
3/8/85*

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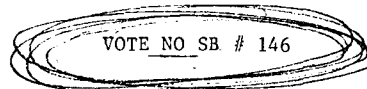
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MONTANA ASSOCIATION OF REALTORS

Terrence D. Carmody  
Executive Vice President

Dan Schulte, Chairman  
Legislative Committee



I intend to specialize and want to choose my own education, which will benefit me, not what a government agency forces upon me.

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MONTANA ASSOCIATION OF REALTORS

Terrence D. Carmody  
Executive Vice President

Dan Schulte  
Dan Schulte, Chairman  
Legislative Committee

*I have a degree - I'll  
get my own education -*

*Leonard Hunter*

P.S. Minority has already got many letters to their representatives in opposition to Senate Bill 146.

## VISITOR'S REGISTER

HOUSE Business and Labor

COMMITTEE

BILL Senate Bill 141

DATE March 12, 1985

SPONSOR Senator Keating

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

## VISITOR'S REGISTER

HOUSE Business and Labor

COMMITTEE

BILL Senate Bill 146DATE March 12, 1985SPONSOR Senator Fuller

NAME	RESIDENCE	REPRESENTING	SUP- PORT	OP- POSE
DAN SCHULTE	HELENA	MT ASSOC REALTORS	✓	
CAROL KRAUSE	HELENA	MT. UNIV. SYSTEM	✓	
KEN STONE	GREAT FALLS	GT. FALLS B'D of REALTORS MT ASSOC OF REALTORS	✓	
Marilynn Foss	Missoula	Missoula County Board of Realtors MT Assn of Realtors	✓	
Paul Little	Bozeman	BOZEMAN BOARD OF REALTOR. & MT. ASSOC. OF REALTORS	✓	
Reg Felt	Bozeman	Bozeman Board of Realtors State Real Estate Chairman	✓	
<del>Helena Board</del>	<del>Bozeman</del>	<del>EMER. BOARD OF REALTOR</del>	<del>✓</del>	
Mimi Parker	Billings	Billings Board MT ASSN REALTORS	✓	
Joe Johnson	Bozeman	Bozeman Board of Realtors	✓	
Ron Mitchell	Helena	Board of Realty Regulation	✓	
<del>Steve Cutler</del>	<del>Helena</del>	<del>Dept of Commerce</del>	<del>✓</del>	
Ken R Jones	Bozeman mt	Bozeman Board of Realtors	✓	
Bill Walker	Helena Mont.	Helena Bd of Realtors (mt)	✓	
Karl Foss	Jarvis town, MT	Jarvis town Board of Realtors	✓	
Larry Combs	Helena	REALTORS	✓	
Dave Fuller	Dist. 22	DIST. 22	✓	
Walter D. Dwyer	Bozeman	Bd of Radiology	✓	
Carl Karsness	Billings	Billings Real Estate		✓
Dave N. Kissack	Butte	Kissack Realty		✓

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# VISITOR'S REGISTER

HOUSE      Business and Labor      COMMITTEE

BILL Senate Bill 165 DATE March 12, 1985

SPONSOR Senator Goodover

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

## VISITOR'S REGISTER

## Business and Labor

HOUSE

COMMITTEE

BILL                      Senate Bill 173

DATE March 12, 1985

SPONSOR      Senator Haffey

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

# VISITOR'S REGISTER

HOUSE Business and Labor

COMMITTEE

BILL Senate Bill 345

DATE March 12, 1985

SPONSOR Senator Neuman

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.