

1 *Sen. Bill No. 237*
 2 INTRODUCED BY *Leslie Hamilton Turnage*
 3 *Deane Mundy, Goodwin Tax Firm*

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE MAKEUP OF
 5 THE BOARD OF REAL ESTATE; AMENDING SECTION 82A-1602.23,
 6 R.C.M. 1947."

7
 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Section 82A-1602.23, R.C.M. 1947, is
 10 amended to read as follows:

11 "82A-1602.23. Board of real estate -- appointment --
 12 qualifications -- term. (1) There is a board of real
 13 estate.

14 (2) The board consists of five ~~(5)~~ members. The
 15 members are ~~the director of agriculture, who is the chairman~~
 16 ~~of the board, and four (4) members~~ appointed by the
 17 governor. The ~~four (4) appointed~~ members shall:

18 (a) Be residents of this state. At least two ~~(2)~~
 19 members shall be active and licensed real estate brokers and
 20 have been actively engaged in the real estate business as a
 21 broker in this state for not less than ~~five (5)~~ continuous
 22 years before appointment. One member shall be a
 23 representative of the public who is not a state government
 24 officer or employee and who is not engaged in business as a
 25 real estate broker or salesman.

1 (b) Be appointed so not more than two ~~(2)~~ three are
 2 from the same congressional district, ~~with no more than one~~
 3 ~~(1) eligible real estate broker from the same congressional~~
 4 district. If a member takes up residence in a district
 5 different from the one in which he resided at the time of
 6 appointment, he vacates his membership on the board.

7 (c) Be appointed, in the event of a vacancy, by
 8 appointing a resident from the same district as the member
 9 whose office has been vacated.

10 (3) Not more than three (3) members, including the
 11 chairman, shall be from the same political party.

12 (4) The ~~four (4) appointed~~ members shall serve for a
 13 term of four (4) years."

14 Section 2. There is a new R.C.M. section that reads as
 15 follows:

16 Board chairman. The members of the board shall elect a
 17 chairman from among their number.

18 Section 3. There is a new R.C.M. section that reads as
 19 follows:

20 Transition. The governor shall immediately after July
 21 1, 1977, fill the vacancy created by the absence of the
 22 director of agriculture. Except for the director of
 23 agriculture, this act does not prevent those persons serving
 24 as members of the board of real estate on July 1, 1977, from
 25 completing their terms in office. The governor shall fill

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1 all vacancies occurring, by expiration of term or otherwise,
2 after July 1, 1977, in accordance with 82A-1602.25, as
3 amended by this act.

-End-

Approved by Committee
on Business and Industry

1 SENATE BILL NO. 237

2 INTRODUCED BY ROSKIE, HAZELBAKER, TURNAGE, DEVINE,
3 MANLEY, GODDOVER, TOWE, FLYNN

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18 governor. The ~~four (4) appointed~~ members shall:

19 (a) Be residents of this state. At least two (2)
20 members shall be active and licensed real estate brokers ~~OR~~
21 ~~SALESMEN~~ and have been actively engaged in the real estate
22 business as a broker ~~OR SALESMAN~~ in this state for not less
23 than five (5) continuous years before appointment. ~~One~~
24 ~~member shall be a representative of the public who is not a~~
25 ~~state government officer or employee and who is not engaged~~

1 ~~in business as a real estate broker or salesman.~~

2 (b) Be appointed so not more than ~~two (2)~~ three
3 MEMBERS, AND NOT MORE THAN TWO BOARD LICENSEES are from the
4 same congressional district, ~~with no more than one (1)~~
5 ~~eligible real estate broker from the same congressional~~
6 ~~district.~~ If a member takes up residence in a district
7 different from the one in which he resided at the time of
8 appointment, he vacates his membership on the board.

9 (c) Be appointed, in the event of a vacancy, by
10 appointing a resident from the same district as the member
11 whose office has been vacated.

12 (3) Not more than three (3) members, including the
13 chairman, shall be from the same political party.

14 (4) The ~~four (4) appointed~~ members shall serve for a
15 term of ~~four (4)~~ 5 years."

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24 director of agriculture. Except for the director of
25 agriculture, this act does not prevent those persons serving

SECOND READING

1 as members of the board of real estate on July 1, 1977, from
2 completing their terms in office. The governor shall fill
3 all vacancies occurring, by expiration of term or otherwise,
4 after July 1, 1977, in accordance with 82A-1602.23, as
5 amended by this act.

-End-

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MANLEY, GOODOVER, TOWE, FLYNN

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(c) Be appointed, in the event of a vacancy, by
appointing a resident from the same district as the member
whose office has been vacated.

(3) Not more than three ~~(3)~~ members, including the
chairman, shall be from the same political party.

(4) The ~~four (4) appointed~~ members shall serve for a
term of ~~four (4)~~ 1/2 years."

Section 2. There is a new R.C.M. section that reads as
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15 term of four--{4} 5 years."16 Section 2. There is a new R.C.M. section that reads as
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