

HOUSE BILL 286

IN THE HOUSE

January 20, 1979

Introduced and referred to
Committee on State Adminis-
tration.

1 *House* BILL NO. *286* *Johnston*
 2 INTRODUCED BY *Robert Dierker, Joseph Heppner,*
 3 *Melvin Huederdal, Wallace Sveda, H. Robert Johnston,*
 4 *Meyer, Singleton, Bradshaw, Foster, O'Connell, Tague,*
 5 *Wyrick* FOR AN ACT ENTITLED: "AN ACT TO REVISE THE *Hayne*
 6 COMPOSITION OF AND THE METHOD OF SELECTING AND APPOINTING

7 MEMBERS OF THE BOARD OF REAL ESTATE AND TO END THE TERMS OF
 8 CURRENT BOARD MEMBERS; AMENDING SECTION 2-15-1642, MCA; AND
 9 PROVIDING AN IMMEDIATE EFFECTIVE DATE."

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 2-15-1642, MCA, is amended to read:
 12 "2-15-1642. Board of real estate. (1) There is a board
 13 of real estate.

14 (2) The board consists of five members. The members
 15 are appointed by the governor. The members shall be:

16 (a) residents of this state. ~~At least two~~ Four members
 17 shall be active and licensed real estate brokers or salesmen
 18 and have been actively engaged in the real estate business
 19 as a broker or salesman in this state for not less than 5
 20 continuous years before appointment. ~~Three of these members~~
 21 must be selected from a list of eligible persons submitted
 22 by the realtors' professional organization. One member shall
 23 be a representative of the public who is not a state
 24 government officer or employee and who is not engaged in
 25 business as a real estate broker or salesman.

1 (b) appointed so not more than three members and not
 2 more than two board licensees are from the same
 3 congressional district. If a member takes up residence in a
 4 district different from the one in which he resided at the
 5 time of appointment, he vacates his membership on the board.

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

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

11 (4) The members shall serve for a term of 4 years,
 12 commencing after [the effective] of this act].

13 ~~(5) The members' appointments must be confirmed by the~~
 14 ~~senate, according to the procedure established by 5-5-301~~
 15 ~~through 5-5-303.~~

16 ~~(5)(6)~~ The board is allocated to the department for
 17 administrative purposes only as prescribed in 2-15-121."

18 NEW SECTION. Section 2. Termination of current
 19 members' terms -- governor to appoint new members. (1) The
 20 terms of the members currently serving on the board of real
 21 estate end upon the effective date of this act.

22 (2) The governor shall appoint new members as provided
 23 in section 1.

24 Section 3. Effective date. This act is effective on
 25 passage and approval.