

SENATE BILL 403

IN THE SENATE

February 7, 1979	Introduced and referred to Committee on State Administration.
February 16, 1979	Committee recommend bill, as amended.
February 17, 1979	Printed and placed on members' desks.
February 19, 1979	Second reading, do pass.
February 20, 1979	Considered correctly engrossed.
February 21, 1979	Third reading, passed.

IN THE HOUSE

February 22, 1979	Introduced and referred to Committee on State Administration.
March 2, 1979	Committee recommend bill, concurred.
March 5, 1979	Second reading, concurred.
March 7, 1979	Third reading, concurred.

IN THE SENATE

March 8, 1979	Returned from House, concurred.
March 8, 1979	Sent to enrolling
March 13, 1979	Correctly enrolled.
March 13, 1979	Signed by President.

GOVERNOR

March 15, 1979	Delivered to Governor.
March 21, 1979	Veto.

1 *Senate* BILL NO. *403*
2 INTRODUCED BY *Stony*

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE SENATE
5 CONFIRMATION OF APPOINTMENTS TO THE BOARD OF REAL ESTATE;
6 AMENDING SECTION 2-15-1642, MCA."

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

9 Section 1. Section 2-15-1642, MCA, is amended to read:
10 "2-15-1642. Board of real estate. (1) There is a board
11 of real estate.

12 (2) The board consists of five ~~members--The--members~~
13 are appointed by the governor with the consent of the
14 senate. The members shall be:

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

23 (b) appointed so not more than three members and not
24 more than two board licensees are from the same
25 congressional district. If a member takes up residence in a

1 district different from the one in which he resided at the
2 time of appointment, he vacates his membership on the board.
3 (c) appointed, in the event of a vacancy, by
4 appointing a resident from the same district as the member
5 whose office has been vacated.
6 (3) Not more than three members, including the
7 chairman, shall be from the same political party.
8 (4) The members shall serve for a term of 4 years.
9 (5) The board is allocated to the department for
10 administrative purposes only as prescribed in 2-15-121."

-End-

-2- SB 403
INTRODUCED BILL

Approved by Committee
on State Administration

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12 SECTION 2. EFFECTIVE DATE. THIS ACT IS EFFECTIVE ON
13 PASSAGE AND APPROVAL.

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State of Montana
Office of The Governor
Helena 59601

THOMAS L. JUDGE
GOVERNOR

March 20, 1979

The Honorable William Mathers
President of the Senate
Montana State Senate
State Capitol Building
Helena, Montana 59601

The Honorable Harold Gerke
Speaker of the House
Montana State House of Representatives
State Capitol Building
Helena, Montana 59601

Dear President Mathers and Speaker Gerke:

In accordance with the power vested in me as Governor by the constitution and the laws of the State of Montana, I hereby veto Senate Bill 403, "AN ACT TO REQUIRE SENATE CONFIRMATION OF APPOINTMENTS TO THE BOARD OF REAL ESTATE; AMENDING SECTION 2-15-1642, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

Senate Bill 403 requires that the Senate confirm appointments by the Governor to the Board of Real Estate. Under normal circumstances I would quickly sign such legislation.

However, under the so-called sunset law (Sections 2-8-103 and 2-8-112) the Board of Real Estate is set to terminate on July 1st of this year. While it is not clear whether Senate Bill 403 would require that current members be submitted for confirmation to this session of the Senate, it is clear that such an act would be superfluous in light of the time remaining for the board to exist.

I have conveyed my concerns with Senate Bill 403 to its sponsor and he has advised me that his concerns are addressed in pending legislation which would establish a new entity for regulation of the real estate profession.

For these reasons, I veto Senate Bill 403.

Sincerely,

A handwritten signature in cursive script that reads "Thomas L. Judge".

THOMAS L. JUDGE
Governor

cc: The Honorable Frank Murray