

HOUSE BILL NO. 350

INTRODUCED BY MEYER, GOODOVER, McCALLUM, JOHNSON,
WALDRON, FEDA, O'CONNELL, PISTORIA, DUSSAULT,
VINCENT, HANNAH, RYAN, STORY

IN THE HOUSE

January 19, 1981	Introduced and referred to Committee on Business and Industry.
February 4, 1981	Committee recommend bill do pass as amended. Report adopted.
February 5, 1981	Bill printed and placed on members' desks.
February 6, 1981	Second reading, do pass.
February 7, 1981	Correctly engrossed.
February 9, 1981	Third reading, passed. Transmitted to Senate.

IN THE SENATE

February 10, 1981	Introduced and referred to Committee on Business and Industry.
March 9, 1981	Committee recommend bill be concurred in as amended. Report adopted.
March 11, 1981	Second reading, concurred in.
March 13, 1981	Third reading, concurred in as amended. Ayes, 46; Noes, 2.

IN THE HOUSE

March 14, 1981	Returned from Senate with amendments.
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March 18, 1981	Second reading, amendments not concurred in.
	On motion Free Conference committee requested and appointed.
March 24, 1981	Free Conference Committee reported and dissolved.
March 28, 1981	Second reading, Free Conference Committee report adopted.
March 31, 1981	Third reading, Free Conference Committee report adopted. Ayes, 95; Noes, 2.
April 21, 1981	On motion to suspend the rules and reconsider action on Free Conference Committee report to correct clerical error. Motion adopted.
	On motion new Free Conference Committee requested and appointed.
April 22, 1981	New Free Conference Committee reported and dissolved.
	On motion rules suspended and new Free Conference Committee report placed on second reading this day.
	Second reading, new Free Conference Committee report adopted.
	On motion rules suspended and new Free Conference Committee report placed on third reading this day.
	Third reading, new Free Conference Committee report adopted. Ayes, 85; Noes, 10. Transmitted to Senate.

IN THE SENATE

April 23, 1981

New Free Conference Committee
report adopted.

IN THE HOUSE

April 23, 1981

Returned from Senate. Sent
to enrolling.

Reported correctly enrolled.

1 HOUSE BILL NO. 350

2 INTRODUCED BY Meyer Goodwin McAllister Johnson
3 Waldrone ^{Vincent} Kala Connell Pistoria Dussault ^{Hamill}
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ASSURE THAT ONCE AN ^{Ryan}
5 APPLICANT PASSES ONE PORTION OF THE REAL ESTATE EXAM, HE IS ^{Story}
6 NOT REQUIRED TO REPEAT THAT PORTION AND ELIMINATING ANY
7 RESTRICTIONS ON HOW FREQUENTLY AN APPLICANT CAN TAKE THE
8 EXAM; AMENDING SECTION 37-51-303, MCA."

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

11 Section 1. Section 37-51-303, MCA, is amended to read:

12 *37-51-303. Broker or salesman examination. (1) In
13 addition to proof of honesty, trustworthiness, and good
14 reputation, an applicant whose application is then pending
15 shall satisfactorily pass a written examination prepared by
16 or under the supervision of the board. The examination shall
17 be given at least once each 6 months and at places within
18 the state the board prescribes.

19 (2) The examination for a salesman's license shall
20 include business ethics, writing, composition, arithmetic,
21 elementary principles of land economics and appraisal, a
22 general knowledge of the statutes of this state relating to
23 deeds, mortgages, contracts of sale, agency, brokerage, and
24 of this chapter. If the applicant passes one such subject
25 portion of the examination, he may not be required to repeat

1 that portion of the exam.

5 t47--An-applicant-who-has-failed-twice-in-succession-to
6 pass--the--same--class--of--examination--is-ineligible-for-a
7 further-examination-for-6-months."

-End-

Approved by Committee
on Business and Industry

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

14 Section 1. Section 37-51-303, MCA, is amended to read:

15 "37-51-303. Broker or salesman examination. (1) In

16 addition to proof of honesty, trustworthiness, and good

17 reputation, an applicant whose application is then pending

18 shall satisfactorily pass a written examination prepared by

19 or under the supervision of the board. The examination shall

20 be given at least once each 6 months and at places within

21 the state the board prescribes.

1 deeds, mortgages, contracts of sale, agency, brokerage, and
2 of this chapter. If the applicant passes one such subject
3 portion of the examination, he may not be required to repeat
4 that portion of the exam EXAMINATION.

5 (3) The examination for a broker's license shall be of
6 a more exacting nature and scope and more stringent than the
7 examination for a salesman's license.

8 (f4)--An applicant who has failed twice in succession to
9 pass the same class of examination is ineligible for a
10 further examination for 6 months."

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

-End-

SECOND READING

HOUSE BILL NO. 350
INTRODUCED BY MEYER, GOODOVER, MCCALLUM, JOHNSON,
WALDRON, FEDA, O'CONNELL, PISTORIA, DUSSAULT,
VINCENT, HANNAH, RYAN, STORY

6 A BILL FOR AN ACT ENTITLED: "AN ACT TO ASSURE THAT UNCE AN
7 APPLICANT PASSES ONE PORTION OF THE REAL ESTATE EXAM
8 EXAMINATION, HE IS NOT REQUIRED TO REPEAT THAT PORTION AND
9 ELIMINATING ANY RESTRICTIONS ON HOW FREQUENTLY AN APPLICANT
10 CAN TAKE THE EXAM EXAMINATION; AMENDING SECTION 37-51-305,
11 MCA; AND PROVIDING AN EFFECTIVE DATE."

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

14 Section 1. Section 37-51-303, MCA, is amended to read:

15 "37-51-303. Broker or salesman examination. (1) In

16 addition to proof of honesty, trustworthiness, and good

17 reputation, an applicant whose application is then pending

18 shall satisfactorily pass a written examination prepared by

19 or under the supervision of the board. The examination shall

20 be given at least once each 6 months and at places within

21 the state the board prescribes.

22 (2) The examination for a salesman's license shall
23 include business ethics, writing, composition, arithmetic,
24 elementary principles of land economics and appraisal, and
25 general knowledge of the statutes of this state relating to

1 deeds, mortgages, contracts of sale, agency, brokerage, and
2 of this chapter. If the applicant passes one such subject
3 portion of the examination, he may not be required to repeat
4 that portion of the exam EXAMINATION.

8 f47--An-applicant-who-has-failed-twice-in-succession-to
9 pass-the-same-class--of--examination--is--ineligible--for-a
10 further-examination-for-a-months--"

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

-End-

THIRD READING

HOUSE BILL NO. 350

INTRODUCED BY MEYER, GOODOVER, McCALLUM, JOHNSON,
WALDRON, FEDA, O'CONNELL, PISTORIA, DUSSAULT,
VINCENT, HANNAH, RYAN, STORY

6 A BILL FOR AN ACT ENTITLED: "AN ACT TO ASSURE THAT ONCE AN
7 APPLICANT PASSES ONE PORTION OF THE REAL ESTATE EXAM
8 EXAMINATION, HE IS NOT REQUIRED TO REPEAT THAT PORTION AND
9 ELIMINATING ANY RESTRICTIONS ON HOW FREQUENTLY AN APPLICANT
10 CAN TAKE THE EXAM EXAMINATION; AMENDING SECTION 37-51-303,
11 MCA; AND PROVIDING AN EFFECTIVE DATE."

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

14 Section 1. Section 37-51-303, MCA, is amended to read:

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16 addition to proof of honesty, trustworthiness, and good
17 reputation, an applicant whose application is then pending
18 shall satisfactorily pass a written examination prepared by
19 or under the supervision of the board. The examination shall
20 be given at least once each 6 months and at places within
21 the state the board prescribes.

22 (2) The examination for a salesman's license shall
23 include business ethics, writing, composition, arithmetic,
24 elementary principles of land economics and appraisal, and
25 general knowledge of the statutes of this state relating to

1 deeds, mortgages, contracts of sale, agency, brokerage, and
2 of this chapter. If the applicant passes one such subject
3 portion of the examination, he may SHALL not be required to
4 repeat that portion of the exam EXAMINATION IF TAKEN WITHIN
5 12 MONTHS.

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

-End-

6 A BILL FOR AN ACT ENTITLED: "AN ACT TO ASSURE THAT ONCE AN
7 APPLICANT PASSES ONE PORTION OF THE REAL ESTATE EXAM
8 EXAMINATION, HE IS NOT REQUIRED TO REPEAT THAT PORTION AND
9 ELIMINATING ANY RESTRICTIONS ON HOW FREQUENTLY AN APPLICANT
10 CAN TAKE THE EXAM EXAMINATION; AMENDING SECTION 37-51-303,
11 MCA; AND PROVIDING AN EFFECTIVE DATE."

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

14 Section 1. Section 37-51-303, MCA, is amended to read:

15 "37-51-303. Broker or salesman examination. (1) In

16 addition to proof of honesty, trustworthiness, and good

17 reputation, an applicant whose application is then pending

18 shall satisfactorily pass a written examination prepared by

19 or under the supervision of the board. The examination shall

20 be given at least once each 6 months and at places within

21 the state the board prescribes.

22 (2) The examination for a salesman's license shall
23 include:

24 (A) business ethics, writing, composition, arithmetic,
25 elementary principles of land economics and appraisals;

1 (B) a general knowledge of the statutes of this state
2 relating to deeds, mortgages, contracts of sale, agency,
3 brokerage, and of this chapter. If the applicant passes one
4 such subject portion of the examination (A) OR (B), he may
5 SHALL not be required to repeat that portion of the exam
6 EXAMINATION IF TAKEN HE PASSES THE REMAINING PORTION WITHIN
7 12 MONTHS.

11 +4+-An-applicant-who-has-failed-twice-in-succession-to
12 pass-the-same-class--of--examination--is--ineligible--for--a
13 further-examination-for-6-months."

14 SECTION 2. EFFECTIVE DATE. THIS ACT IS EFFECTIVE ON
15 PASSAGE AND APPROVAL.

-End-

March 23.....19 81.....

FREE JOINT CONFERENCE COMMITTEE
ON HOUSE BILL NO. 350
(Report No. 1, March 23, 1981)

MR. PRESIDENT AND SPEAKER OF THE HOUSE:

We, your Free Joint Conference Committee on House Bill No. 350, met March 23, 1981, and considered:

Senate Business and Industry Committee Amendments to the third reading copy, dated March 9, 1981, and recommend as follows:

That the House accede to Committee amendment no. 1;

That the House accede from Committee amendment no. 2;

That House Bill No. 350 be further amended as specified in the CLERICAL INSTRUCTIONS nos. 1 through 5.

That the reference copy of House Bill No. 350 read as specified in the CLERICAL INSTRUCTIONS;

And, that the Conference Report to House Bill No. 350 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 1, line 23.
Following: "include"
Insert: "(a)"

2. Page 1, line 24.
Following: "appraisal,"
Insert: "(b)"

3. Page 2, line 2.
Following: "one"
Strike: "such"

4. Page 2, line 3.
Following: "examination"
Insert: "(a) or (b)"

5. Page 2, line 4.
Following: "IF"
Strike: "TAKEN"
Insert: "he passes the remaining portion"

(Continued)

March 23, 1981

Page 2

FOR THE HOUSE:

D Meyer
Meyer

Fabrega
Fabrega

Michael H. Keedy
Keedy

FOR THE SENATE:

Goodover
Goodover

George McCallum
McCallum

Hafferman
Hafferman

March 9, 1981

SENATE STANDING COMMITTEE REPORT
(Business and Industry)

That House Bill No. 350 be amended as follows:

1. Page 2, line 3.

Following: "he"

Strike: "may"

Insert: "shall"

2. Page 2, line 4.

Following: "EXAMINATION"

Insert: "if taken within 12 months"