

8.112.101 DEFINITIONS

The following definitions shall be used in these rules, unless context clearly indicates otherwise.

(1) "Acquisition" means the purchase by the commission, or any other conveyance, transfer, assignment, gift or devise to the commission of a fee title interest in property. The term acquisition does not include property that is on loan from a person or entity.

(2) "Commission" means the Montana Heritage and Preservation Development Commission as created by 22-3-1002, MCA.

(3) "Fee title interest" means a fee simple or lesser estate or interest.

(4) "Property" means real and personal property, unless otherwise specifically indicated.

(5) "Bovey assets" means the inventory prepared at the time of purchase generally known as the Gordon inventory.

(6) "Personal Property Sales Committee" means the committee charged with reviewing and recommending the sale of personal property to the commission. Membership of the Personal Property Sales Committee shall include an equal number of members of the Montana Historical Society Board of Trustees and commission members.

History: 22-3-1003, MCA; IMP, 22-3-1003, MCA; NEW, 2000 MAR p. 966, Eff. 4/14/00; TRANS, from Dept. of Education, 2008 MAR p. 492, Eff. 3/14/08.

REASON:

(5) "Bovey assets" are not defined in the Rules and need to be so that the procedures needed to dispose of them are followed accurately while keeping those things that are not Bovey assets outside of the process. (See MCA 22-3-1003 (11))

(6) The definition of "Personal Property Sales Committee" was moved from 8-112-209 in the rules to the definition section.

8.112.102 ACQUISITION PROCEDURE

(1) With respect to each acquisition, the commission must consider:

(a) whether the property represents the state's culture and history;

(b) whether the property can become self-supporting;

(c) whether the property can contribute to the economic and social enrichment of the state;

(d) whether the property lends itself to programs to interpret Montana history;

(e) whether the acquisition will create significant social and economic impacts to affected local governments and the state; and

(f) other matters that the commission considers necessary and appropriate.

(2) With respect to the proposed acquisition of real property, public notice and the opportunity for hearing will be given in the geographical area of the proposed acquisition. ~~The notice will be published twice, with at least 6 days separating publication.~~

~~(a) Publication must be in a newspaper meeting the following qualifications, except if no newspaper meets these qualifications, publication must be made in a qualified newspaper in an adjacent county. If there is no qualified newspaper in an adjacent county, publication must be made by posting the notice in three public places in the county where the property to be considered for acquisition is located, as designated by resolution of the commission. The newspaper must be:~~

~~(i) of general paid circulation with a second class mailing permit;
(ii) published at least once a week; and
(iii) published in the county where the property to be considered for acquisition is located.~~

~~(b) The first publication must be no more than 21 days prior to the hearing and the last no less than 3 days prior to the hearing. The published notice must contain:~~

~~(i) the date, time, and place of the hearing;
(ii) a brief statement and description of the property considered for acquisition; and
(iii) the address and telephone number of the person who may be contacted for further information on the hearing or the property.~~

~~(3) After notice has been given, the public hearing will be held in the general geographic area where the property considered for acquisition is located. At the hearing, the public and officials from affected local governments and the state shall be given the opportunity to make written and verbal comments on the proposed acquisition.~~

~~(4) The assessment of properties for acquisition will be based upon consideration of the criteria listed in these rules and, where applicable, consideration of comments from affected local government officials, recommendations from professional historians, and comments from the public at large.~~

~~(5) The commission shall make the final decision as to whether or not to acquire personal property. With respect to the acquisition of real property, the commission shall make the final decision of whether or not to recommend the acquisition to the board of land commissioners.~~

~~History: 22-3-1003, MCA; IMP, 22-3-1003, MCA; NEW, 2000 MAR p. 966, Eff. 4/14/00; TRANS, from Dept. of Education, 2008 MAR p. 492, Eff. 3/14/08.~~

REASON: This proposed change removes overly complicated notice and hearing provisions from the rules. The change will allow the Commission to decide to acquire personal and real property after notice and a public hearing in the geographic area where the property is located. If the Commission decides to acquire real property, there will be another opportunity for hearing and public comment before the Board of Land Commissioners make the final decision on behalf of the State.

8.112.105 UNCONDITIONAL CONVEYANCE

~~(1) It is preferred that all acquisitions are conveyed, sold, granted or devised unconditionally to the commission. The commission may, nonetheless, in its discretion, decide to make an acquisition which has reasonable conditions.~~

~~History: 22-3-1003, MCA; IMP, 22-3-1003, MCA; NEW, 2000 MAR p. 966, Eff. 4/14/00; TRANS, from Dept. of Education, 2008 MAR p. 492, Eff. 3/14/08.~~

REASON: Through experience, the Commission has determined that conveyances to the Commission should be made unconditionally and prefers to remove the exception.

8.112.106 HISTORIC AND CULTURAL CONSIDERATIONS

(1) In assessing whether the property represents the state's culture and history, and whether the property lends itself to programs to interpret Montana history, the commission shall may consider the quality of the significance of the property in Montana history including, but not limited to, the property's authenticity and integrity of location, design, setting, materials, and workmanship; its age; and its aesthetic or historic sense of place or period of time. The commission shall may also consider whether the property:

(a) is associated with events that have made a significant contribution to Montana history and prehistory;

(b) is associated with the lives of a person or persons who were significant in Montana history;

(c) embodies distinctive characteristics of a type, period, or method of construction representing an event, way of life, groups of persons, or trends in Montana history; or

(d) has yielded or is likely to yield information important to Montana history or prehistory.

History: 22-3-1003, MCA; IMP, 22-3-1003, MCA; NEW, 2000 MAR p. 966, Eff. 4/14/00; TRANS, from Dept. of Education, 2008 MAR p. 492, Eff. 3/14/08.

REASON: The Commission considers the proposed change advisable as it will give the Commission discretion regarding the factors it takes into account in evaluating property under its control. Some property should certainly be evaluated based upon the listed criteria and may require additional considerations. Through experience it has been shown that some property does not require this level of scrutiny.

8.112.109 THE PROPERTY AS SELF-SUPPORTING

(1) In assessing whether the property is self-supporting, the commission shall may consider:

(a) the location of the property and its proximity to population centers, to other areas of historical and popular interest, and to standard tourist routes;

(b) the difficulty or ease in access to the property;

(c) the likelihood of individual, corporate or other financial support;

(d) the estimated cost of restoration, rehabilitation or maintenance of the property;

(e) the degree of popular and educational interest in the property; and

(f) the current and projected revenues and expenses associated with the property.

History: 22-3-1003, MCA; IMP, 22-3-1003, MCA; NEW, 2000 MAR p. 966, Eff. 4/14/00; TRANS, from Dept. of Education, 2008 MAR p. 492, Eff. 3/14/08.

REASON: The Commission considers the proposed change advisable as it will give the Commission discretion regarding the factors it takes into account in evaluating property under its control. Some property should certainly be evaluated based upon the

listed criteria and may require additional considerations. Through experience it has been shown that some property does not require this level of scrutiny.

8.112.110 EDUCATIONAL RESOURCE

(1) The commission shall may consider whether the property is an educational resource for the study and interpretation of Montana history.

History: 22-3-1003, MCA; IMP, 22-3-1003, MCA; NEW, 2000 MAR p. 966, Eff. 4/14/00; TRANS, from Dept. of Education, 2008 MAR p. 492, Eff. 3/14/08.

REASON: The Commission considers the proposed change advisable as it will give the Commission discretion regarding the factors it takes into account in evaluating property under its control. Some property should certainly be evaluated based upon the listed criteria and may require additional considerations. Through experience it has been shown that some property does not require this level of scrutiny.

8.112.113 NONHISTORIC PROPERTIES

(1) These rules do not apply to non-historic properties or property interests sold, leased, granted or otherwise transferred or conveyed to the commission. Property excluded from the procedures in these rules includes real or personal property that is used in the administration and management of historic properties including, but not limited to, office space and equipment, recently constructed buildings for the housing and display of artifacts, and other property purchased or constructed by the commission which does not fall within the type of properties described in 22-3-1001, MCA.

History: 22-3-1003, MCA; IMP, 22-3-1003, MCA; NEW, 2000 MAR p. 966, Eff. 4/14/00; TRANS, from Dept. of Education, 2008 MAR p. 492, Eff. 3/14/08.

8.112.201 DEFINITIONS

The following definitions shall be used in these rules, unless context clearly indicates otherwise:

(1) "Commission" means the Montana Heritage Preservation and Development Commission as created by 22-3-1001, et seq., MCA.

(2) "Covenant" means a restriction on the use of real property that runs with the land.

(3) "Executive Committee" means the committee appointed by the commission chair, ~~made up of the current commission chair, a recent past chair (if available), and the secretary-treasurer.~~

(4) "Fee title interest" means a fee simple estate or interest.

(5) "Personal property" means all property that is not real property.

(6) "Property" means real and/or personal property, unless otherwise specifically indicated.

(7) "Real property" or "real estate" means land, anything incidental or appurtenant thereto, and any immovable improvements or fixtures attached or affixed to the land, including but not limited to fences, trees, buildings, and stationary mobile homes.

(8) "Sale" means the transfer of ownership of property acquired or managed by the commission, or any other conveyance, transfer, assignment, or devise from the applicable state agency of a fee title interest in property acquired or managed by the commission. Sale does not include property that is on loan to a person or entity.

History: 22-3-1003, MCA; IMP, 22-3-1003, MCA; NEW, 2008 MAR p. 492, Eff. 3/14/08.

REASON: The Commission has found that an executive committee can be a valuable asset in getting work done in order to make recommendations on a variety of issues to the full Commission. The language in rule is limiting in that the executive committee is realistically a committee of two since the past chair is not necessarily available for participation. Giving the Commission Chair the latitude to appoint an executive committee will help the Commission function more effectively.

8.112.202 SALE CRITERIA

(1) The following criteria shall receive careful consideration by the commission in evaluating property for proposed sale:

- (a) whether the property represents the state's culture and history;
- (b) whether the property can become self-supporting;
- (c) whether the property can contribute to the economic and social enrichment of the state;
- (d) whether the property lends itself to programs to interpret Montana history;
- (e) whether the sale will create significant social and economic impacts to affected local governments and the state;
- (f) whether the sale is supported by the Director of the Montana Historical Society;
- (g) whether the commission should include any preservation covenants in a proposed sale agreement for real property;
- (h) whether the commission should incorporate any design review ordinances established by Virginia City or any other community where the Commission owns property into a proposed sale agreement for real property;
- ~~(i) a summary analysis of the costs and benefits of retaining or selling the property. Cost of retaining the property should include maintenance, upkeep, and other long term or ongoing costs to the commission. Costs of selling the property should include advertising, appraisals, legal fees, and title searches;~~
- (i) whether the property lends itself to curation by another entity;
- ~~(j) compliance with the Montana Antiquities Act (22-3-421, et seq., MCA) and any implementing or related administrative rules, including but not limited to ARM 10.121.901, et seq.; and~~
- (k) other matters that the commission considers necessary or appropriate.

History: 22-3-1003, MCA; IMP, 22-3-1003, MCA; NEW, 2008 MAR p. 492, Eff. 3/14/08.

REASON:

- The Commission should consider design review ordinances in each community that it owns property, not just Virginia City.
- The Commission considers the proposed change advisable as it will give the Commission discretion regarding the factors it takes into account in evaluating property under its control. Some property should certainly be evaluated based upon the listed criteria and may require additional considerations. Through experience it has been shown that some property does not require this level of scrutiny.
- A request was made at the Commission meeting in evaluating the current Rules that the possibility of curation by another entity be considered for inclusion.
- Compliance with the Montana Antiquities Act is required by law and does not need to be included in the Commission rules.

8.112.205 PUBLIC NOTICE PRIOR TO DECISION TO SELL REAL PROPERTY

(1) For those properties approved to proceed to the commission for consideration in accordance with these rules, an opportunity will be provided for the public to comment. A date, time, and location will be established for a public hearing in the geographic area of the proposed sale. ~~A deadline will be established for the receipt of written comments.~~

(2) ~~Notice of the hearing shall be made as follows:~~

~~(a) Publication in at least one newspaper of general circulation in the geographic area of the proposed sale. Notice shall be published twice, with the first publication no more than 21 days prior to the hearing, and the second publication no less than three days prior to the hearing, and at least six days separating each publication.~~

~~(b) Posted on the commission's web site. The published notice shall contain:~~

~~(i) date, time, and place of the hearing;~~

~~(ii) brief statement and description of the property considered for sale;~~

~~(iii) name, address, and telephone number of the person who may be contacted for further information on the hearing or the property; and~~

~~(iv) deadline for written comments and an address where comments may be sent.~~

~~(c) A copy of the report(s) required to be prepared under these rules will be posted on the commission's web site. Paper copies of the report shall be made available for review upon request.~~

~~(d) The public hearing will be chaired by the commission chair or his/her designee and at least one of the members of the Real Property or Personal Property Sales Committee, as applicable, established herein shall also attend. Paper copies of the report shall be made available at the hearing.~~

~~(e) The commission may, at its discretion, conduct additional types of public notice and opportunities for public comment.~~

History: 22-3-1003, MCA; IMP, 22-3-1003, MCA; NEW, 2008 MAR p. 492, Eff. 3/14/08.

REASON: This proposed change removes overly complicated notice and hearing provisions from the rules. The change will allow the Commission to decide to sell real property after notice and a public hearing in the geographic area where the property is

located. If the Commission decides to sell real property, there will be another opportunity for hearing and public comment before the Board of Land Commissioners make the final decision on behalf of the State.

8.112.206 SALE PROCEDURES - REAL PROPERTY

The Commission shall prepare a report that addresses the criteria established in 8-112-202. Following review of the information in the report, the Commission may vote to proceed to a public hearing for additional comment on the proposed sale. Following a public hearing on the proposed sale, the Commission may recommend to the Land Board that a parcel or parcels of real property be sold. ~~(1) Initial recommendations from the Real Property Sales Committee and review by Executive Committee:~~

~~(a) A Real Property Sales Committee shall be established by the commission to review real properties for possible sale, and to make initial recommendations on such sales to the Executive Committee. Members of the Real Property Sales Committee shall be appointed by the Commission Chair. At any time in the review process, the Real Property Sales Committee may request commission staff to assist in preparation of reports, or in other capacities.~~

~~(b) Such recommendations will take into consideration the criteria outlined in ARM 8.112.202.~~

~~(c) The Real Property Sales Committee may make real property sale recommendations to the Executive Committee at any meeting properly noticed and with the discussion of sales included on the agenda. All recommendations will include a review of the extent to which the proposed sale meets the criteria in ARM 8.112.202. The Real Property Sales Committee shall prepare its recommendation to the Executive Committee in writing.~~

~~(d) On each real property sale under consideration, the Executive Committee shall decide whether to:~~

- ~~(i) proceed to the next level of review as detailed in (2);~~
- ~~(ii) request additional information regarding the criteria in ARM 8.112.202;~~
- ~~(iii) forward a recommendation directly to the commission for its consideration; or~~
- ~~(iv) deny the recommendation.~~

~~(e) The Real Property Sales Committee shall report to the commission as needed on all real properties managed by the commission, identifying which, if any, properties are currently being reviewed by the Real Property Sales Committee or are scheduled to be reviewed.~~

~~(2) Detailed review of real properties approved by the Executive Committee to be further considered for sale:~~

~~(a) For real properties approved by the Executive Committee to proceed to the next level of review, the Real Property Sales Committee shall prepare a written report for each property that addresses the following:~~

~~(i) The report shall address the quality of the significance of the property in Montana history, including, but not limited to, the following:~~

~~(A) association with events that have made a significant contribution to Montana history and prehistory;~~

~~(B) association with the lives of a person or persons who were significant in Montana history;~~

~~(C) embodiment of distinctive characteristics of a type, period, or method of construction representing an event, way of life, groups of persons, or trends in Montana history;~~

~~(D) whether the property has yielded or is likely to yield information important to Montana history or prehistory;~~

~~(E) the property's authenticity and integrity of location, design, setting, materials, workmanship, age, and its aesthetic or historic sense of place or period of time; and~~

~~(F) whether the sale would have indirect adverse effects to the property proposed for sale, or to any remaining property acquired or managed by the commission.~~

~~(ii) The report shall assess whether the property can become self-supporting, including consideration of:~~

~~(A) the location of the property and its proximity to population centers, to other areas of historical and popular interest, and to standard tourist routes;~~

~~(B) the difficulty or ease in access to the property;~~

~~(C) the likelihood of individual, corporate, or other financial support;~~

~~(D) the estimated cost of restoration, rehabilitation, or maintenance of the property;~~

~~(E) the degree of popular and educational interest in the property; and~~

~~(F) the current and projected revenues and expenses associated with the property.~~

~~(iii) The report shall assess the economic and social benefits the property provides to the public in its current use, compared with potential economic and social benefits to the public possible with private ownership. The assessment shall compare public availability of educational/interpretive aspects of the property, and economic advantages/disadvantages of public versus private ownership.~~

~~(iv) The report shall identify whether the property is an educational resource for the study and interpretation of Montana history, assessed in the context of other existing or planned interpretive programs wherever possible, and including a discussion of any existing or unique interpretive factors associated with the property.~~

~~(v) The report shall identify local governments and state agencies with operations or facilities in the area of the proposed sale. The report shall identify how these government entities would be affected by the sale, how they were notified of the potential sale, and shall include a copy of any comments or responses received from these entities.~~

~~(vi) The report shall consider the need for any preservation covenants in a proposed sale agreement to preserve the historic qualities of the property after transfer to private ownership, who would enforce the covenants, and how any maintenance or other costs required thereunder would be paid.~~

~~(vii) The report should discuss whether and why any design review ordinances established by Virginia City should be incorporated into a proposed sale agreement for the property.~~

~~(viii) The report shall include a written letter of support by the Director of the Montana Historical Society, or an explanation of why such support has not been obtained.~~

~~(ix) The report shall include a record of compliance with the Montana Antiquities Act (22-3-421, et seq., MCA), including a letter signed by the State Historic Preservation Officer indicating whether he/she supports or does not support the proposed sale and a summary of the rationale for that decision.~~

~~(b) The Real Property Sales Committee shall present the report and their recommendations to the Executive Committee in writing at any meeting properly noticed and with the discussion of sales included on the agenda.~~

~~(c) The Executive Committee shall decide whether to:~~

~~(i) proceed to the public notice and hearing process specified in these rules; (ii) request additional information regarding the criteria in ARM 8.112.202; or (iii) deny the recommendation.~~

~~(3) Commission decision to proceed or not to proceed with a proposed sale:~~

~~(a) The commission shall make a decision to proceed or not proceed with a proposed sale at a properly noticed meeting, after an opportunity for public comment has been provided, based upon consideration of the criteria in ARM 8.112.202 as set forth in the report(s) required herein, any comments from affected local government officials, recommendations from professional historians, and comments from the public at large.~~

~~(b) For approved proposals for the sale of real property, the commission shall recommend the approved proposal, together with any covenants or conditions attached thereto, to the Board of Land Commissioners, per 22-3-1003 and 77-2-301, et seq., MCA.~~

~~History: 22-3-1003, MCA; IMP, 22-3-1003; NEW, 2008 MAR p. 492, Eff. 3/14/08.~~

REASON: Before recommending the sale of real property, the Commission is required to evaluate certain criteria enumerated in statute. The Commission is then required to provide notice and conduct a public hearing after which time it can make a recommendation to the Board of Land Commissioners to sell the property. The Board of Land Commissioners also follows a public process in making its decision. The complexity found in existing rules is difficult to understand and challenging to accomplish.

8.112.209 SALE PROCEDURES - PERSONAL PROPERTY

~~(1) Recommendations to sell personal property:~~

~~(a) The Personal Property Sales Committee shall review and recommend the sale of personal property. Members of the Personal Property Sales Committee shall include an equal number of members of the Montana Historical Society Board of Trustees and commission members, as specified in 22-3-1003, MCA. Such review must consider the criteria in ARM 8.112.202.~~

~~(b) The Personal Property Sales Committee shall identify whether the property being considered for sale is from the former Bovey assets acquired by the 55th Legislature (the Bovey assets). All funds from the sale of personal property from the Bovey assets must be placed in a trust fund, and interest from the trust fund must be used to manage, protect, and directly care for the remaining personal property acquired and managed by the commission, as required by 22-3-1003, MCA.~~

~~(c) Prior to forwarding a recommendation to the Executive Committee to sell personal property item(s), the Personal Property Sales Committee shall consider the criteria in ARM 8.112.202, and provide an estimated dollar value of the item(s) and/or an estimated cost of a third party appraisal. The subcommittee shall prepare its recommendation to the Executive Committee in writing.~~

~~(d) At any time in the review process, the Personal Property Sales Committee may direct commission staff to assist in preparation of reports or in other capacities.~~

~~(e) Only those personal property item(s) for which a recommendation to sell is supported by a majority of the Personal Property Sales Committee members shall be forwarded to the Executive Committee or commission for consideration.~~

~~(f) On each personal property sale under consideration, the Executive Committee shall by vote decide to:~~

~~(i) proceed to the next level of detailed review as detailed in (2);~~

~~(ii) request additional information regarding the criteria found in ARM 8.112.202;~~

~~(iii) forward a recommendation directly to the commission for its consideration; or~~

~~(iv) deny the recommendation.~~

~~(2) Detailed review of personal property approved by Executive Committee to be further considered for sale:~~

~~(a) For personal property item(s) approved by the Executive Committee to proceed to the next level of review, the Personal Property Sales Committee shall prepare a written report for each item that considers the criteria in ARM 8.112.202 in accordance with the criteria set forth in (2) of ARM 8.112.206. The report shall also include an estimated dollar value of the item(s) and/or an estimated cost of a third party appraisal.~~

~~(b) The Personal Property Sales Committee shall submit the report and its recommendations to the Executive Committee in writing at a meeting properly noticed and with the discussion of sales included on the agenda.~~

~~(c) The commission shall decide to:~~

~~(i) proceed to the public notice and hearing process specified in these rules; (ii) request additional information regarding the criteria stated in ARM 8.112.202; or~~

~~(iii) deny the recommendation.~~

~~(3) The commission shall make a decision to proceed or not proceed with a proposed sale at a properly noticed meeting, after an opportunity for public comment has been provided, based upon consideration of the criteria found in ARM 8.112.202 as set forth in the report(s) required herein, any comments from affected local government officials, recommendations from professional historians, and comments from the public at large.~~

History: 22-3-1003, MCA; IMP, 22-3-103, MCA; NEW, 2008 MAR p. 492, Eff. 3/14/08.

REASON:

- The definition of the Real Property Sales Committee is moved to the definition section of the ARM.
- The complexity found in existing rules for the sale of personal property is difficult to understand and challenging to accomplish. The Personal Property Sales Committee as outlined in statute should be able to make a recommendation directly to the Commission without multiple additional steps and review in between. The Commission can then make a decision to proceed with the sale in a publically noticed meeting of the Commission with the opportunity to comment.

8.112.210 SALE OF PERSONAL PROPERTY AFTER COMMISSION APPROVAL

(1) The commission is not required to sell any personal property proposed for sale through the procedures described in these rules through the Property and Supply Bureau's Surplus Program, nor is it subject to the bureau's rules for disposal (22-3-1003(8), MCA).

(2) The commission may have the personal property item(s) appraised to determine the dollar value of such items in order to assist the commission in setting the sales price of any personal property item. The commission, in its discretion, may obtain more than one appraisal and may obtain a review appraisal.

(3) The commission shall direct staff to provide for a competitive process for the sale of personal property, including but not limited to auctions, sealed bids, open bids, via web sites established for such a purpose, or any other fair and equitable manner that the commission approves for an item as part of the commission's decision to sell that item.

(4) The commission shall provide public notice of the sale. The notice shall include any requirements of the sale. The commission will endeavor to encourage competition by advertising the sale in advance and in as many locations as practical.

(5) Personal property item(s) will be sold to the highest qualified bidder, but shall not be sold for less than the appraised value. Persons or entities with an established, recognized, and verifiable interest in personal property item(s), such as kin of the original owner or communities with historic connections to the property, may, at the discretion of the commission, be invited to match the highest responsible bid and be awarded the item.

History: 22-3-1003, MCA; IMP, 22-3-1003, MCA; NEW, 2008 MAR p. 492, Eff. 3/14/08.

8.112.213 EXCLUSION OF NONHISTORIC PROPERTY

(1) These rules do not apply to the sale of nonhistoric property acquired or managed by the commission. Property excluded from these rules, and subject to all normal state procurement and surplus requirements, includes real or personal property acquired or managed by the commission that clearly and unequivocally does not fall within the type of property described in 22-3-421, et seq. and 22-3-1001, MCA. Such property may include property used in the administration and management of other properties acquired or managed by the commission, including, but not limited to, modern vehicles used to carry out daily work activities; restaurant equipment; washers, dryers, computers, and other appliances; and, nonhistoric office space and equipment. If any such property sold is a Bovey asset, all funds from the sale of that property shall be placed in the Bovey asset trust fund as required by 22-3-1003, MCA.

History: 22-3-1003, MCA; IMP, 22-3-1003, MCA; NEW, 2008 MAR p. 492, Eff. 3/14/08.