



School Funding Interim Commission

64th Montana Legislature

PO BOX 201706
HELENA, MONTANA 59620-1706
(406) 444-3064

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TO: School Funding Interim Commission
FROM: Pad McCracken, Research Analyst
RE: Wyoming Facilities Model and the 2005 QSIC Final Report on School Facilities; MUS Long-Range Building Program; ARM requirements
DATE: March 7, 2016

This memo is in response to information requests from the commission related to school facility funding. Rather than reinventing several wheels by creating new documents in response to these questions, this memo will provide very brief responses to these questions as well as attached documents and links to provide more in-depth information.

1. The Wyoming Facilities Model and the 2005 QSIC Final Report on School Facilities

Prototypes					
Type	State Control	Percent State Share	Implementation Time	Program Cost	Administration Cost
Wyoming/Arizona	High- state controlled thru established school facilities boards, guidelines tied to state standards	High- WY- 100% AZ- 100%	High- completion of FCI, program standards, establish program, Est. 2-4 years	High- FY2004 WY- \$156 m per student \$1,880 AZ- \$489 million, per student \$493.00	High- 10-20 FTE, FY2004 WY- \$ 1 million AZ- \$1.7 million High
Washington State	Medium- state controlled, based on standards, high input from locals	Medium- State 50% of project cost, locals must provide bonding for balance, local funds used first	High- completion of FCI, program standards, establish program, Est. 2-4 years	High- FY 2004, \$170 million, per student \$171.00	High- 11 FTE FY2004, \$1.1 million Medium/High
Treasure State Endowment Program added to current Montana system	Medium- state administered but locals submit projects, must meet criteria	Medium- grant process, state max per project is \$500,000	Medium- 6 months to 1year, utilize current TSEP as a model	Medium - FY06-07, \$16 million, maximum of \$500,000 per project	Medium- 5- 7 FTE, FY2006 \$850,000 Medium
Montana current system	Low- state administered based on local decisions	Low- FY2004 approximately 25% of bond payments	Low- currently in place	Low, minimal	N/A Low

The above chart is from page 12 of the [2005 QSIC Final Report on School Facilities](#) which included a section that describes the prototypical models used by states for K-12 facilities. The "high" and "low" labels refer to both the level of state control and state cost. As you can see, the

Wyoming model could be described as "centralized" and the attached report "Strengthening Wyoming Schools and Our Communities" was produced by the Wyoming School Facilities Department. The report summarizes the manner in which a number of state-level entities administer Wyoming's program and ultimately make facilities decisions and provide funding for school facility projects for Wyoming's 48 school districts. While the state has made school facility investments to the tune of \$2.6 billion since 1998, decisions regarding school facility construction ultimately lie with a state commission, the state legislature, and the governor.

As a side note, the conclusion of the 2005 QSIC Final Report on School Facilities did not include specific recommendations, but it did present several options, two of which have been incorporated in Montana's system:

1. A [Facility Condition Inventory](#) was completed in 2008; and
2. A grant program modeled on the Treasure State Endowment Program (TSEP) was established in 2009--the [Quality School Facility Grant Program](#). While the program still exists in statute, grants were not funded for the 2017 biennium. The chart above describes a prototype for this in the second row from the bottom and labels it a "medium" level program in terms of state cost and control.

2. The Montana University System Long-Range Building Program

The majority of state-owned facility square footage is within the Montana University System (MUS) and the MUS participates in the state Long-Range Building Program (LRBP). Similar to other executive branch agencies, the MUS develops its own list of prioritized projects on a biennial timeline and submits this list to the Architecture & Engineering Division (A&E) of the Department of Administration. Agency lists are compiled and further information gathered by A&E as needed; this information is then submitted to the governor, who prepares a capital construction budget proposal for consideration by the legislature in House Bill No. 5. The attached document describes the LRBP process used by the Board of Regents in developing its Consolidated Project Priority List for submission to A&E. The process begins at the campus level.

It is important to note that while the MUS participates in the state LRBP, the MUS is unique from other executive branch agencies in the amount of donations it receives for the funding of facilities and also in the degree of autonomy the Board of Regents possesses under the Montana Constitution.

Both the Wyoming model and Montana's Long-Range Building Program are based on much higher degrees of state involvement, control, and funding than Montana's current decentralized system for K-12 facilities.

3. Facility requirements in Montana Accreditation Standards

See attached from ARM 10.55.908.

Attached:

[Strengthening Wyoming Schools and Our Communities](#), [MUS LRBP](#), and [ARM 10.55.908](#)



Strengthening Wyoming Schools and Our Communities

WYOMING SCHOOL FACILITIES PROGRAM
1998–2016



W Y O M I N G
S F D
SCHOOL FACILITIES DEPARTMENT

FALL 2015

Why are school facilities so important?

HIGH-QUALITY BUILDINGS AND GROUNDS SUPPORT HIGH-QUALITY LEARNING.
 Research has repeatedly shown that good facilities support and strengthen learning, while poor facilities have a negative effect on student and teacher performance, health, and safety.

SCHOOLS ARE A COMMUNITY ASSET.

Schools belong to our communities. They are not simply where we educate our children, but also where community groups and members can meet, vote, shelter in case of emergency, and host programs and events that support our communities.

Why are state and local communities working together?

TAKING CARE OF SCHOOLS IS COMPLEX AND CRITICAL.

The state is legally required to provide adequate school facilities for our children. However, the complex nature of facilities management—covering everything from planning, design, and construction through upkeep and repairs—means that the best results come from collaboration and cooperation between state and local leaders.

WHAT ARE ADEQUATE SCHOOL FACILITIES?

In Wyoming adequate school facilities are defined as buildings and grounds that:

1. Need only routine maintenance to be in good condition.
2. Have enough school building capacity to serve their enrollment.
3. Are suitable for meeting the Wyoming Department of Education content and performance standards.

CONDITION

What is the current state of the school building and grounds, including building systems, components, finishes, furniture, fixtures, and equipment; as well as site amenities, like sidewalks, fences, lighting, paving, play yards and athletic fields?



CAPACITY

Is the school able to serve students in classes at the state-mandated student-teacher ratio and still have the space for other programs and services?



REMEDY FOR SUITABILITY

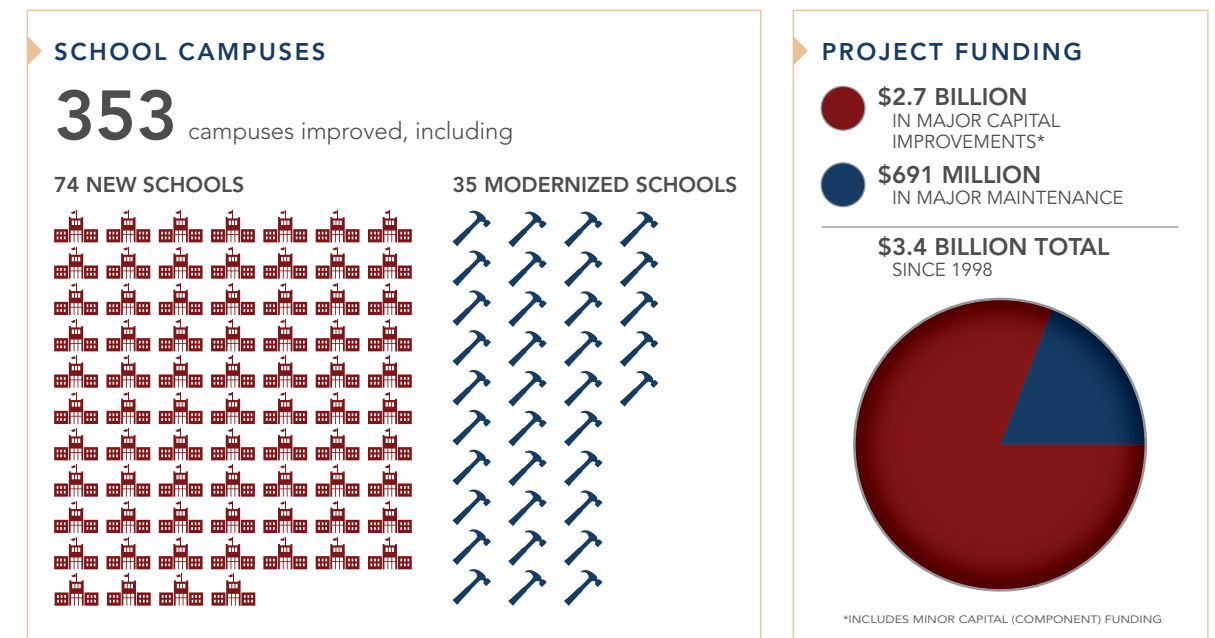
Is the school designed and equipped so teachers and staff can deliver the curriculum, programs, and services that students need to succeed in school?



How much progress has Wyoming made so far?

With 48 school districts serving more than 93,000 students, Wyoming continues to invest in upgrading and improving school districts' facilities. Since 1998, state and local efforts have focused on eliminating a large backlog of deferred maintenance and in bringing facilities up to 21st century standards for teaching, learning, technology, health and safety.

The Wyoming Legislature has appropriated more than \$2.6 billion of state funds for major capital projects, including for building new schools and fully modernizing others. Local districts contributed another \$85 million for enhancements to major capital projects. For fiscal years 1998 through 2016, the Legislature also appropriated nearly \$700 million in state funding for major maintenance improvements. All together nearly \$3.4 billion of state and local funds have been appropriated for K-12 public school facilities improvements..



Working Toward Equal Educational Opportunities in Wyoming

Ensuring that there is a statewide system supporting equal educational opportunities has taken time and the joint efforts of citizens, school districts, and the State. Below is a timeline with the major legal and policy events that are the foundation for our current K-12 facilities program.



Photo Courtesy of the Wyoming State Archives

1889 WYOMING CONSTITUTION

The people of Wyoming approved the Constitution of the State of Wyoming, which outlines the rights of the people and the responsibilities of the State.

WHAT THIS MEANS FOR YOUR COMMUNITY

Your children have the fundamental right to a free public education in Wyoming that is provided by the State.

1980 WASHAKIE CO. V. HERSCHLER

State system of financing public education must not be a function of wealth other than wealth of state as a whole and statewide availability from total state resources for building construction or contributions to school buildings on a parity for all school districts is required.

WHAT THIS MEANS FOR YOUR COMMUNITY

The children in Wyoming have a right to equal educational opportunities wherever they reside.



1995

CAMPBELL CO. V. STATE I

The Wyoming Supreme Court ruled that the State's school finance system was failing to provide equal and adequate educational opportunities.

1980

1997

SPECIAL LEGISLATIVE SESSION

The Legislature responded to the Campbell I decision by redesigning the state's system for financing public schools and school facilities. schools' needs.

1998

COMBINED SPECIAL AND BUDGET LEGISLATIVE SESSION

The Legislature continues school finance reforms and directs a portion of Coal Lease Bonus revenues to pay for major capital projects and major maintenance of school facilities for K-12 public school districts.

WHAT THIS MEANS FOR YOUR COMMUNITY

The Legislature dedicated a significant funding source to pay for school facilities improvements to address the condition, capacity, and suitability needs of districts.



2001

CAMPBELL CO. V. STATE II/III

The Court directed the State to fund "safe and efficient" school facilities and reiterated prior rulings requiring equal funding regardless of location from statewide revenue rather than from local school district revenues.

2002

SPECIAL LEGISLATIVE SESSION

The Legislature enacted legislation establishing the School Facilities Commission to set policies for K-12 facilities and to equitably allocate State funding for major capital projects and major maintenance.

2008

CAMPBELL IV

The Court ruled that the revised school finance and capital construction systems were constitutional and released the state from court jurisdiction.

2011

SENATE ENROLLED ACT 7

The Legislature replaces the School Facilities Office with the School Facilities Department to accelerate the progress of local school districts improving their facilities.

WHAT THIS MEANS FOR YOUR COMMUNITY

The State has made great strides toward equal educational opportunities and quality school buildings for Wyoming.

Local School Districts operate and maintain facilities, manage projects from start to finish, and collaborate with the SFD and their communities to create Facility Plans.

Wyoming Department of Education is the state agency responsible for setting state-level education standards and adequately funding facilities operations and maintenance as part of the overall education block grant to school districts.

School Facilities Department (SFD) supports school districts by managing a facilities information system, helping them create Facility Plans, reviewing and approving major and minor capital projects, and distributing state funds for approved facilities projects.

School Facilities Commission (SFC) establishes the policies and processes for measuring facilities conditions and ensuring that school facilities are adequate, as well as for how school districts plan their facilities.

Select Committee on School Facilities is the legislative committee that oversees the SFC and SFD, approves the spending of state funds on school- facilities projects, and makes recommendations to the Legislature on funding school facilities in Wyoming.

Wyoming Legislature appropriates the state funds required to support education programs and facilities in Wyoming and ensures that the state is meeting its constitutional responsibilities with regard to education.

Governor of Wyoming proposes the School Facilities Department budget and—along with the Wyoming Legislature—must approve the budget bill before funds are appropriated and can be spent.



Facilities Assessment

The SFD is charged with maintaining data on school facilities and regularly assessing the facilities. The SFC uses these assessments to prioritize school projects so that schools with the greatest need are improved first.

Facilities Planning

The school districts work with their communities and trustees to identify facilities’ needs, prioritize them, and propose remedies to address condition and capacity issues. The plans are multi-year and remedies may include non-facility options such as changing grade configurations to create more capacity. SFD coordinates plans for major maintenance, but major capital and component projects in the plans also go to the School Facilities Commission and the Select Committee on School Facilities for approval.

Major Maintenance Funding

Major maintenance funding is for the repair or replacement of complete or major portions of a building in order to use the building at its original capacity and intended use. Funding for major maintenance, which goes directly to school districts, is determined by a formula based on square footage, current building replacement value, and a projected 50-year lifespan for school facilities.

EXAMPLES:



Minor Capital (Component) Funding

Currently, districts receive major maintenance funds to cover some of their responsibilities for renewal of components such as roofs, heating, ventilation, and air-conditioning systems, windows, and electrical and plumbing systems. The minor capital program provides additional funds for larger, more expensive major maintenance projects. Funding for minor capital projects comes out of the state’s budget for major capital projects.

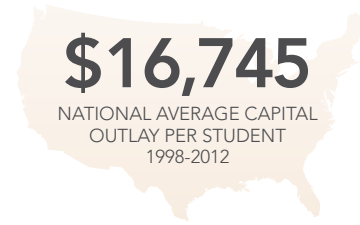
Major Capital Funding

Major capital funding is for school replacement, renovation, or new construction. These projects improve the condition, function, capacity, and sometimes even the location of a school. Funding is competitive and prioritized to schools that demonstrate the most need according to their facility assessments and their capacity ratings.

EXAMPLES:



MAJOR CAPITAL INVESTMENTS



VS

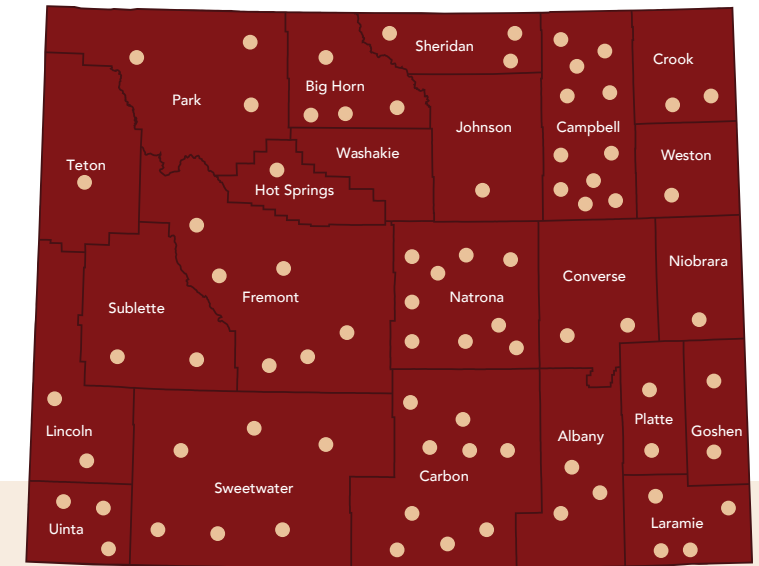


\$2,643,316,578

WYOMING TOTAL MAJOR CAPITAL
FUNDS BUDGETED STATEWIDE
1998-2016*

93,303 WYOMING K-12
ENROLLMENT 2014-15

Wyoming School Facilities Construction Projects - March 2015



Major Capital Funds by School District 1998 - 2016

School District (City)	Enrollment 2014-15	State Appropriations for Major Capital Funding 1998-2016	Local Enhancements 1998-2014	Total Capital Funds by District 1998-2016	Capital Funds per Student 1998-2016
Albany #1 (Laramie)	3834	\$85,938,226	\$27,565,018	\$113,503,244	\$29,604
Big Horn #1 (Cowley)	988	\$35,700,680	\$-	\$35,700,680	\$36,134
Big Horn #2 (Lovell)	695	\$15,995,007	\$971,914	\$16,966,921	\$24,413
Big Horn #3 (Greybull)	539	\$18,024,352	\$349,515	\$18,373,867	\$34,089
Big Horn #4 (Basin)	304	\$33,041,538	\$-	\$33,041,538	\$108,689
Campbell #1 (Gillette)	9134	\$175,659,482	\$-	\$175,659,482	\$19,231
Carbon #1 (Rawlins)	1832	\$86,244,943	\$25,100,000	\$111,344,943	\$60,778
Carbon #2 (Saratoga)	624	\$22,424,289	\$923,903	\$23,348,192	\$37,417
Converse #1 (Douglas)	1795	\$16,231,588	\$-	\$16,231,588	\$9,043
Converse #2 (Glenrock)	665	\$15,945,844	\$-	\$15,945,844	\$23,979
Crook #1 (Sundance)	1135	\$52,571,709	\$-	\$52,571,709	\$46,319
Fremont #1 (Lander)	1700	\$75,426,857	\$592,499	\$76,019,356	\$44,717
Fremont #2 (Dubois)	150	\$18,054,375	\$-	\$18,054,375	\$120,362
Fremont #6 (Pavillion)	359	\$12,904,301	\$-	\$12,904,301	\$35,945
Fremont #14 (Ethete)	610	\$20,413,736	\$327,807	\$20,741,543	\$34,003
Fremont #21 (Ft. Washakie)	460	\$62,354,014	\$-	\$62,354,014	\$135,552
Fremont #24 (Shoshoni)	383	\$50,905,202	\$-	\$50,905,202	\$132,912
Fremont #25 (Riverton)	2563	\$53,258,751	\$4,420,092	\$57,678,843	\$22,504
Fremont #38 (Arapahoe)	446	\$20,539,613	\$-	\$20,539,613	\$46,053
Goshen #1 (Torrington)	1713	\$48,411,874	\$-	\$48,411,874	\$28,261
Hot Springs #1 (Thermopolis)	617	\$22,738,616	\$126,145	\$22,864,761	\$37,058
Johnson #1 (Buffalo)	1284	\$77,346,195	\$-	\$77,346,195	\$60,238
Laramie #1 (Cheyenne)	13761	\$293,058,622	\$1,297,752	\$294,356,374	\$21,391
Laramie #2 (Pine Bluffs)	987	\$31,705,573	\$2,123,470	\$33,829,043	\$34,275
Lincoln #1 (Kemmerer)	634	\$30,910,579	\$-	\$30,910,579	\$48,755

School District (City)	Enrollment 2014-15	State Appropriations for Major Capital Funding 1998-2016	Local Enhancements 1998-2014	Total Capital Funds by District 1998-2016	Capital Funds per Student 1998-2016
Lincoln #2 (Afton)	2681	\$51,413,570	\$4,164,746	\$55,578,316	\$20,730
Natrona #1 (Casper)	13059	\$486,153,003	\$3,796,982	\$489,949,985	\$37,518
Niobrara #1 (Lusk)	978	\$837,276	\$-	\$837,276	\$856
Park #1 (Powell)	1761	\$77,769,431	\$-	\$77,769,431	\$44,162
Park #6 (Cody)	2105	\$39,478,877	\$1,903,713	\$41,382,590	\$19,659
Park #16 (Meeteetse)	109	\$10,254,009	\$-	\$10,254,009	\$94,073
Platte #1 (Wheatland)	1003	\$981,361	\$4,905,479	\$5,886,840	\$5,869
Platte #2 (Guernsey)	228	\$3,181,545	\$25,531	\$3,207,076	\$14,066
Sheridan #1 (Ranchester)	980	\$75,253,143	\$379,453	\$75,632,596	\$77,176
Sheridan #2 (Sheridan)	3390	\$83,762,876	\$908,946	\$84,671,822	\$24,977
Sheridan #3 (Clearmont)	84	\$4,492,429	\$41,394	\$4,533,823	\$53,974
Sublette #1 (Pinedale)	1035	\$21,266,569	\$-	\$21,266,569	\$20,547
Sublette #9 (Big Piney)	627	\$25,954,609	\$-	\$25,954,609	\$41,395
Sweetwater #1 (Rock Springs)	5719	\$112,566,493	\$-	\$112,566,493	\$19,683
Sweetwater #2 (Green River)	2726	\$30,550,704	\$-	\$30,550,704	\$11,207
Teton #1 (Jackson)	2691	\$35,611,091	\$-	\$35,611,091	\$13,233
Uinta #1 (Evanston)	2911	\$42,442,913	\$-	\$42,442,913	\$14,580
Uinta #4 (Mt. View)	791	\$31,473,673	\$2,547,883	\$34,021,556	\$43,011
Uinta #6 (Lyman)	721	\$15,312,918	\$554,649	\$15,867,567	\$22,008
Washakie #1 (Worland)	1353	\$31,361,324	\$668,666	\$32,029,990	\$23,673
Washakie #2 (Ten Sleep)	91	\$398,221	\$-	\$398,221	\$4,376
Weston #1 (Newcastle)	784	\$30,309,276	\$1,342,635	\$31,651,911	\$40,372
Weston #7 (Upton)	264	\$10,365,575	\$820,159	\$11,185,734	\$42,370
Statewide projects	0	\$46,319,726		\$46,319,726	
Wyoming Total/Average	93,303	\$2,643,316,578	\$85,858,351	\$2,729,174,929	\$29,251

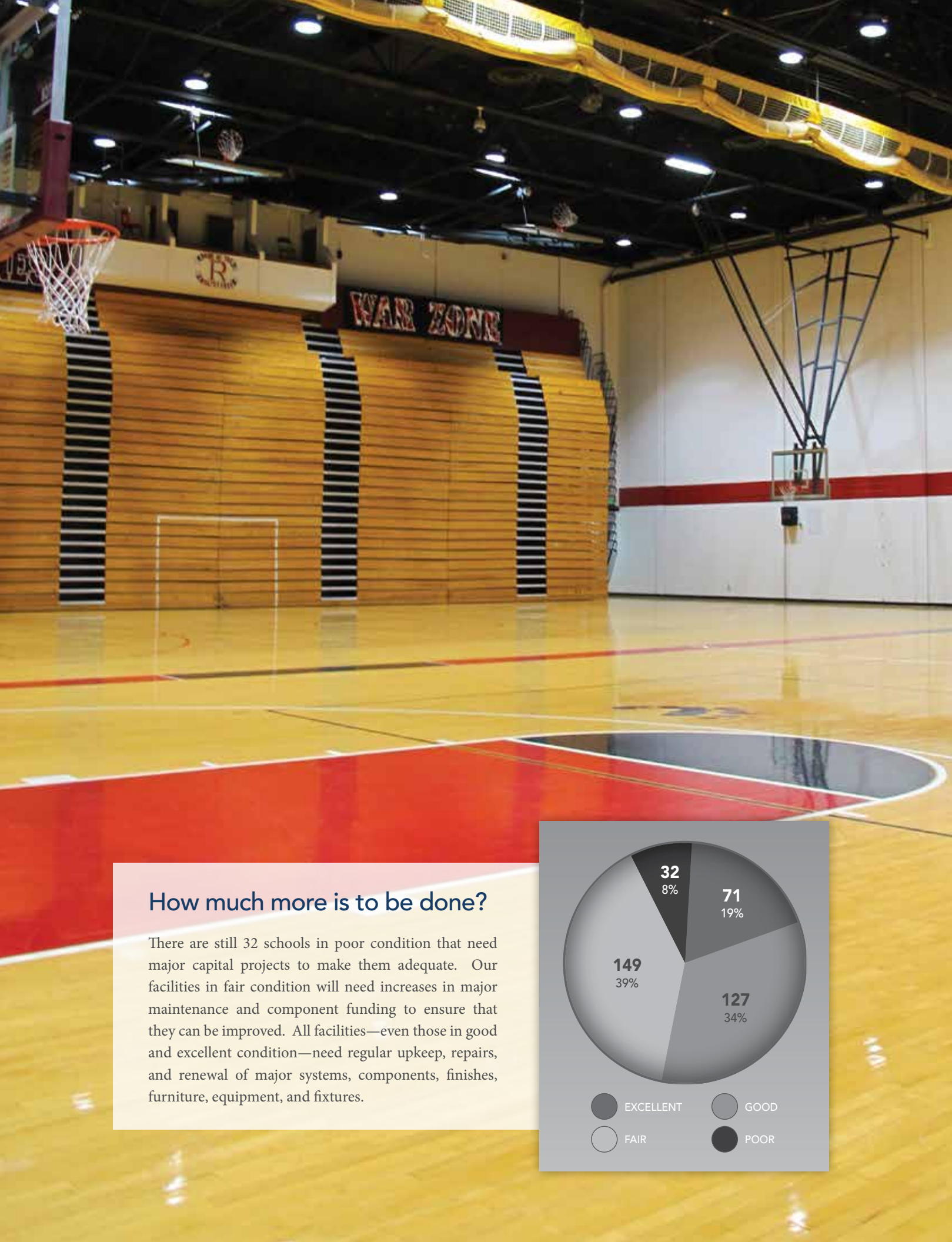
The Future of Wyoming's School Facilities

WHAT'S NEXT FOR WYOMING SCHOOLS?

SFD is looking to the future. The Department is planning to change its focus from the major capital projects that tackled decades of delayed maintenance and out-of-date facilities to a facilities program that supports the preservation of our capital investments. The Department anticipates an expansion of our Major Maintenance and Component remedies as we complete historic investments in K-12 public school facilities new construction and modernization. The enhanced Major Maintenance and Component programs will provide predictable funding and be backed by a state and local partnership for the facilities funding that is required to deliver adequate and equitable school facilities for the children of Wyoming.

EDUCATE YOURSELF AND YOUR COMMUNITY!

Learn more about the school facilities in your districts by visiting the School Facilities Department at sfd.wyo.gov.



How much more is to be done?

There are still 32 schools in poor condition that need major capital projects to make them adequate. Our facilities in fair condition will need increases in major maintenance and component funding to ensure that they can be improved. All facilities—even those in good and excellent condition—need regular upkeep, repairs, and renewal of major systems, components, finishes, furniture, equipment, and fixtures.

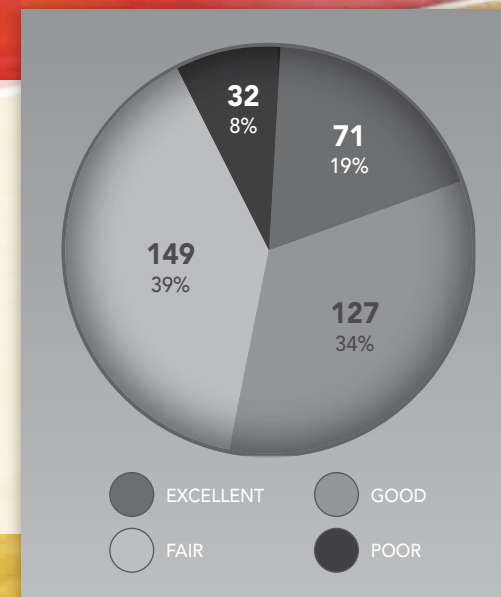


PHOTO CREDITS: All photos courtesy of the Wyoming School Facilities Department and the 21st Century School Fund except for photo (right), page 3 courtesy of Dale Buckingham Architects, LLC.



Wyoming School Facilities Commission
Bryan Monteith, Chairman

Wyoming School Facilities Department
William T. Panos, Director

Hathaway Building 5th Floor, Suite D
2300 Capitol Avenue
Cheyenne, Wyoming 82002
(307) 777-8670

sfd.wyo.gov





Montana University System

Long Range Building Program (LRBP)

LRBP Projects

LRBP Ranking Criteria:

1. Health and Life/Safety
2. Major Maintenance of Building/Utility Systems
3. Code Compliance
4. Operational Efficiency/Savings
5. Adaptive Renovation
6. New Construction

2017 Biennium Projects

Direct Funded Projects:

- Deferred Maintenance, \$4.5 M
- Agricultural Experiment Station, MSU Bozeman – Phase 1, \$2,480,000
- Automotive Technology Center, MSU Northern, \$1.0M
- Land Acquisition – Great Falls College MSU, \$750,000

Authority Only Projects:

- Engineering Building, MSU, \$60M
- Automotive Technology Center, MSU Northern, \$1.0M
- Bitterroot College Facility, \$4.2M

Background

The Long Range Building Program (LRBP) is always a work in progress for the Montana University System (MUS). The UM and MSU campuses utilize excellent software to track all aspects of the physical plants of the affiliated campuses and research agencies, especially in regard to energy utilization, age and condition, and needs for capital construction, in light of overall campus master plans. The staff of the Board of Regents schedules visits to most university system sites in the year between legislative sessions to review and rank the highest-priority needs. They partner with personnel from the Department of Administration, Architecture and Engineering Division (A&E) in this process. Others who often participate include regents, budget office and legislative staff, and regional legislators.

LRBP Process

Step 1 - Preliminary projects lists are developed by each campus. The visiting team listens to campus facilities directors, faculty, and students as they tour the facilities, with focus on the areas of greatest need (see ranking criteria on side bar).

Step 2 – Based on project scope and cost estimates, a draft Consolidated Project Priority List (CPPL) is presented to the presidents of the UM and MSU campuses. In November, a full fourteen months prior to the start of the legislative session, a preliminary priority list is also shared with campus Chancellors and Deans for review/discussion. The campuses generally finalize the CPPL in January, one year in advance of the legislative session.

Step 3 – The Board of Regents staff, led by the Deputy Commissioner for Finance and Administration, then develops a Montana University System Consolidated Project Priority List for submittal to the March Board of Regents meeting. This priority list is developed as systematically and objectively as possible with the advice and counsel of campus leaders, the Architecture & Engineering Division (A&E), and the LRBP site visitors.

Step 4 – After review and debate, the Board of Regents adopts an MUS Consolidated Project Priority List to submit to A&E of the Department of Administration for inclusion in the State LRBP that is introduced to the Legislature (to whatever extent is possible). This step normally takes place during the May Board of Regents meeting. The MUS CPPL is required to be submitted to A&E by June 30, six months prior to the start of the legislative session. A&E normally publishes the Governor's LRBP Plan in mid-November.

Legislative Involvement: The Board of Regents welcomes involvement by regional legislators early in the process as the priority list for the entire system is still in the formation stage. It is cost-effective for the executive and legislative branches of government to join with the Board of Regents in adhering to project priorities established through this rigorous 18-month process. No approach is perfect, but this LRBP process achieves a reasonable balance to meet needs across various campuses and research agencies over a number of biennia.



Linda McCulloch
MONTANA SECRETARY OF STATE

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Rule: 10.55.908

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Rule Title: SCHOOL FACILITIES

Department: [EDUCATION](#)
Chapter: [STANDARDS OF ACCREDITATION](#)
Subchapter: [Academic Requirements](#)



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Latest version of the adopted rule presented in Administrative Rules of Montana (ARM):

[Printer Friendly Version](#)

10.55.908 SCHOOL FACILITIES

(1) School facilities shall be constructed, maintained, and supervised in accordance with all applicable local, state, and federal codes, regulations, and laws.

(2) School facilities shall be of sufficient size and arrangement to meet all programs' educational goals.

(3) The local board of trustees shall provide for educational facilities which are functional and safe for the conduct of the educational and extracurricular activities of students, and which will meet federal accessibility standards.

(4) The school shall provide the necessary equipment for first aid.

(5) When the local board of trustees considers major remodeling or building a facility, it shall seek facility expertise in all affected program areas as well as comments from faculty, students, and community.

(6) The local board of trustees shall have a written policy that defines the use of school facilities and resources.

History: [20-2-114](#), MCA; [IMP](#), [20-2-121](#), MCA; [NEW](#), 1989 MAR p. 342, Eff. 7/1/89; [AMD](#) & [TRANS](#) from [10.55.2001](#), 2000 MAR p. 3340, Eff. 12/8/00; [AMD](#), 2012 MAR p. 2042, Eff. 7/1/13.

MAR Notices	Effective From	Effective To	History Notes
10-55-262	7/1/2013	Current	History: 20-2-114 , MCA; IMP , 20-2-121 , MCA; NEW , 1989 MAR p. 342, Eff. 7/1/89; AMD & TRANS from 10.55.2001 , 2000 MAR p. 3340, Eff. 12/8/00; AMD , 2012 MAR p. 2042, Eff. 7/1/13.
	12/8/2000	7/1/2013	History: Sec. 20-2-114 , MCA; IMP , Sec. 20-2-121 , MCA; NEW , 1989 MAR p. 342, Eff. 7/1/89; AMD & TRANS from 10.55.2001 , 2000 MAR p. 3340, Eff. 12/8/00.

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For questions about the organization of the ARM or this web site, contact sosarm@mt.gov.