MONTANA HERITAGE COMMISSION

DEACCESSION POLICY

In accordance with its stated mission, the Montana Heritage Preservation and Development Commission (Commission) is dedicated to the collection, preservation, exhibition, and study of the historical, ethnological, and cultural materials relevant to the geographic or thematic sites or areas they manage. The historic object collection of the Commission is intended never to be static. It is understood that one of the most important ways to continue to upgrade the collection is through deaccession.

1. Collection items of secondary significance, unrelated to the geographic or thematic sites or areas managed by the Commission, of duplicate nature, or otherwise meeting the deaccession criteria noted in the Collections Policy & Procedure Manual, may be deaccessioned by the Commission as per this policy.

2. No material may be deaccessioned unless it is represented in the collection by demonstrably superior materials, has been determined to not be genuine, or is not in keeping with the scope and integrity of the Collection. Consideration must also be given to the long-term exhibit needs of the 250 structures in Virginia City and Nevada City, and how the proposed deaccession will potentially affect the completion of those exhibits.

3. Prior to the deaccessioning of a collection item, the Curator of Collections, in consultation with the Executive Director and the Site Manager, shall prepare a recommendation for deaccession. This recommendation shall be presented for review to the Preservation and Interpretation Committee of the Commission (P&I Committee). This recommendation shall include documentation of any legal restrictions, including repatriation, that may exist against deaccession of the items in question, as well as the internal or current appraised value assigned to the item(s).

4. The P&I Committee shall ascertain that Commission policy is being observed in the recommendation to deaccession. No item shall be deaccessioned without fee simple title (except in the case of existing collections where the Bill of Sale of Bovey properties applies), and no item may be deaccessioned that would in any way discredit or adversely affect the reputation of the Commission.

5. If the P&I Committee disapproves the deaccession, the object or objects shall be returned to the permanent collections or undergo other appropriate action. If the P&I Committee approves the deaccession and determines that all legal and policy questions are satisfied, the P&I Committee will then present the recommendation to the combined Montana Historical Society-Montana Heritage Commission Deaccession Committee. The approval of the Deaccession Committee is mandatory for the deaccession to proceed, as required by act of Legislature (Montana Code Annotated 22-3-1003 (7)).

6. Upon approval of the Deaccession Committee, the Commission or the full Executive Committee of the Commission at a regular meeting shall vote on the deaccession presented. Only upon affirmative action by a two-thirds majority of the Commission or the unanimous approval by the members of the Executive Committee may deaccession be enacted.

7. Approval for deaccession by committees and the Commission shall be specific to the objects listed in the recommendation.

8. At the time of approval to deaccession by the Commission, the voting majority may request an updated appraised value. Upon such request, the Executive Director or his/her staff designee shall seek the services of two or more qualified appraisers to determine the market value of the item(s). In the case of sale or exchange, current fair market value must be determined, either by curatorial research or by I.S.A. certified appraiser.

9. Upon final approval for deaccession of items of significant monetary value, the Executive Director in consultation with staff originating the recommendation to deaccession shall seek the sale, exchange, or transfer most advantageous to the needs of the collection, the mission, policies and needs of the Commission, and the long-term preservation of the object as appropriate.

10. It is recognized that sale or exchange must not by-pass normal public involvement in the sale or exchange process.

• In the case of exchange, the relative value of the deaccessioned item shall be appraised against the item to be acquired if so directed by the Commission.

• In the case of sale, bidders must be sought through public advertisement or the objects offered by standard procedure through a public auction house.

• Collection objects shall only be exchanged for other historic objects, which enrich and expand the permanent collection.

11. A list of deaccessioned items and their disposition shall be presented to the Commission quarterly or as requested.

12. As allowed by law, a trust fund will be established which shall be the recipient of unrestricted monetary donations, donations specified for collections care and the proceeds of the sale of deaccessioned items. The principle of this account shall not be expended without the explicit approval of the Commission, and will be used for the improvement or acquisition of collections, both personal and real property.

13. Regardless of the means of acquisition, human remains, funerary objects, sacred objects, and objects of cultural patrimony may be subject to repatriation according to state and federal law (see appendix D: Montana Repatriation, of the Collections Policy & Procedure Manual).

Deaccession of materials requiring repatriation shall follow the procedure outlined above.

Steps taken to ensure the appropriate repatriation of such objects are dependant on the laws, ethics, and other requirements of the culture or nation to which the objects are to be repatriated. In all situations, these objects are to be handled with the utmost respect for the practices of the originating culture or nation.

14. Archaeological artifacts are those objects removed from disturbed ground on state-owned property in and around Virginia City and Nevada City, as defined by the programmatic agreement between the Commission and the State Historic Preservation Office. Sampling criteria for archaeological artifacts are different from that of other types of objects, as described in the Collections Policy & Procedure Manual.

Archaeological artifacts not accessioned to the permanent collection should be

offered with copies of their records, to schools, beginning with the state university system. Such transfer is subject to the approval of the P&I Committee, the Commission, and the Deaccession Committee.

Archaeological artifacts not accessioned or transferred out are to remain on site as research or exhibit materials.

15. The formal Deaccession Policy outlined above does not apply to the following materials found in historic structures:

• Trash that has been inadvertently left by a visitor or staff member, including pop cans, candy wrappers, used food containers, scraps of paper, paper cups, flash bulbs, film canisters, or similar items.

• Wood scraps, small hardware pieces and parts of torn shades, when no relation to the site in which they were found can be determined.

• Real foods or other non-inert or hazardous materials that were placed there by the Boveys and their employees for display purposes.

• Equipment, parts or furnishings of no historic value* but that were acquired by default with the state purchase of Bovey properties. Non-historic equipment and furnishings must be presented to the P&I Committee for final approval, and then to State Surplus Property (Property and Supply Bureau) before further action is taken.

*For the purposes of this policy, “historic value” refers to the intrinsic qualities of an object which contribute to our knowledge of a place or time. This includes the provenance, aesthetics, production techniques, and other factors, as well as the acceptance themes and criteria described in the Acquisition Policy.

Approved by Senator Dale Mahlum, Chairman & Jeffrey Tiberi, Executive Director