

## 1 SENATE BILL NO. 275

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12 J. READ, K. REGIER, M. REGIER, V. RICCI, T. RICHMOND, W. SALES, D. SALOMON, D. SANDS,  
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16  
17 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT A STATUE OR BUST OF MONTANA'S FIRST  
18 WOMAN GOVERNOR, JUDY MARTZ, BE PLACED IN THE CAPITOL OR ON THE GROUNDS SURROUNDING  
19 THE CAPITOL; REQUIRING PRIVATE FUNDING; AMENDING SECTIONS 2-17-807 AND 2-17-808, MCA; AND  
20 PROVIDING FOR CONTINGENT VOIDNESS."  
21

22 WHEREAS, Judy Martz was born on July 28, 1943, in Big Timber, Montana, to Joe and Dorothy Morstein,  
23 was raised in Big Timber and Butte, Montana, with her brother, Joe, and her sisters Carol, Penny, Jerrie, and  
24 Sherrie, graduated from Butte High School in 1961, and attended Eastern Montana College; and

25 WHEREAS, Judy won the title of Miss Rodeo Montana in 1962 and competed as a member of the 1963  
26 U.S. World Speed Skating Team in Japan and as a member of the 1964 U.S. Olympic Speed Skating Team in  
27 Innsbruck, Austria; and

28 WHEREAS, Judy married Harry Martz in 1965 and they became the parents of their son, Justin, and their  
29 daughter, Stacey Jo, and is the grandmother of Remy Clair and Rogan; and

30 WHEREAS, Judy and her husband were small business owners in Butte, Montana, for 37 years, and

1 Judy actively participated in the civic affairs of the Butte-Silver Bow region and due to her dedication to the  
2 business community, she served as president of the Butte Chamber of Commerce; and

3 WHEREAS, Judy served with great distinction and honor as the first woman Lieutenant Governor of  
4 Montana beginning in 1996; and

5 WHEREAS, Judy served with great distinction and honor as the first woman Governor of Montana  
6 beginning in 2000; and

7 WHEREAS, Judy boldly proclaimed "Behold the turtle, he only moves forward when he sticks his neck  
8 out!"

9

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

11

12 **NEW SECTION. Section 1. Statue or bust of Judy Martz -- display -- private funding.** (1) Subject  
13 to 2-17-807(4) and other provisions of Title 2, chapter 17, part 8, including review by the capitol complex advisory  
14 council, a statue or bust of Judy Martz, Montana's first woman governor, must be displayed inside the capitol or  
15 on the capitol square grounds immediately surrounding the capitol.

16 (2) The cost for the procurement, installation, and maintenance of the statue or bust must be paid from  
17 private funds.

18 (3) The design, installation, maintenance, and funding of the statue or bust is subject to provisions of the  
19 art and memorial plan adopted by the council pursuant to 2-17-804.

20

21 **Section 2.** Section 2-17-807, MCA, is amended to read:

22 **"2-17-807. Approval for displays and naming buildings, spaces, and rooms.** (1) A state building,  
23 space, or room in the capitol complex may not be named after an individual or a bust, plaque, statue, memorial,  
24 monument, or art display may not be displayed on a long-term basis in the capitol complex or on the capitol  
25 complex grounds unless the building, space, or room name or display is approved by the legislature and complies  
26 with this part. The capitol building, including any future additions and expansions, may not be named after any  
27 person, as defined in 2-4-102.

28 (2) (a) Except as provided in subsections (2)(b) through ~~(2)(f)~~ (2)(g), a state building, space, or room in  
29 the capitol complex may not be named after an individual or a bust, plaque, statue, memorial, monument, or art  
30 display commemorating an individual may not be displayed on a long-term basis in the capitol complex unless

1 the individual has been deceased for at least 10 years.

2 (b) The statue of Mike and Maureen Mansfield authorized in 2-17-808(1)(d)(iii) and the plaque  
3 commemorating President George H. W. Bush authorized in 2-17-808(2)(b)(ii) may continue to be displayed in  
4 the capitol complex.

5 (c) Except as provided in subsection (2)(f), a public building within the capitol complex constructed with  
6 private funds after April 17, 2007, or a space or room constructed with private funds after April 17, 2007, in a  
7 public building, other than the capitol building, may bear a name designated by the benefactor of the building,  
8 space, or room if:

9 (i) the building, space, or room is to be owned by or used exclusively or primarily by the Montana  
10 historical society to store or display artifacts or other property owned by the Montana historical society; and

11 (ii) the building, space, or room and the designated name are approved by the council and by the board  
12 of the historical society, provided for in 2-15-1512.

13 (d) The classroom building authorized in May 2007 to be built at the Montana law enforcement academy  
14 may be named after Karl Ohs, and a plaque and the Lou Peters award commemorating Karl Ohs may be  
15 displayed there.

16 (e) The justice building located at 215 North Sanders in Helena must be named after Joseph P. Mazurek,  
17 and a plaque and memorial commemorating him may be displayed on the capitol complex grounds.

18 (f) The Montana heritage center must be named after Betty Babcock, and a plaque commemorating her  
19 must be displayed there.

20 (g) The statue or bust of Judy Martz authorized in 2-17-808(2)(f) may continue to be displayed in the  
21 capitol or on the grounds immediately surrounding the capitol.

22 (3) A bust, plaque, statue, memorial, monument, or art display commemorating an event, including a  
23 military event, may not be displayed on a long-term basis in the capitol complex until 10 years after the end of  
24 the event.

25 (4) All busts, plaques, statues, memorials, monuments, or art displays authorized, but not installed within  
26 5 years of authorization, must be reauthorized.

27 (5) The department of administration may review and approve the temporary display of a bust, plaque,  
28 statue, memorial, monument, or art display for up to 1 year in the capitol complex or on the capitol complex  
29 grounds."  
30

1           **Section 3.** Section 2-17-808, MCA, is amended to read:

2           **"2-17-808. Placement of certain busts, plaques, statues, memorials, monuments, and art displays.**

3           (1) The following busts, plaques, statues, memorials, monuments, and art displays are to be placed for up to 50  
4 years, subject to renewal, in the capitol:

5           (a) the busts of Thomas J. Walsh, Burton K. Wheeler, and Joseph Dixon;

6           (b) the plaques commemorating Theodore Brantley, Fred Whiteside, the first Montana volunteers who  
7 fought in the Spanish-American War, the construction of the capitol from 1899 to 1902, the 1972 Montana  
8 constitutional convention, and the women legislators' centennial;

9           (c) the murals by Edgar S. Paxson, Ralph E. DeCamp, Charles M. Russell, Amedee Joullin, and F.  
10 Pedretti and sons;

11           (d) the statues of:

12           (i) Wilbur Fiske Sanders;

13           (ii) Jeannette Rankin; and

14           (iii) Mike and Maureen Mansfield;

15           (e) the Montana statehood centennial bell;

16           (f) the gallery of outstanding Montanans;

17           (g) the Montana constitutional exhibit;

18           (h) the biographical descriptions of Montana's governors, to be placed near the portraits of the governors;

19           (i) a plaque commemorating former representative Francis Bardanouve and lettering naming the first  
20 floor of the east wing of the capitol in honor of Francis Bardanouve; and

21           (j) a mural honoring the historical contributions of women as community builders.

22           (2) The following busts, plaques, statues, memorials, monuments, and art displays are to be placed for  
23 up to 50 years, subject to renewal, on the grounds of the capitol:

24           (a) the statues of Thomas Francis Meagher and Lady Liberty;

25           (b) the plaques commemorating:

26           (i) Donald Nutter;

27           (ii) President George H. W. Bush; and

28           (iii) American prisoners of war and personnel of the United States armed services missing in action;

29           (c) two benches with plaques recognizing contributors to the 1997-2000 capitol restoration, repair, and  
30 renovation project;

- 1 (d) the Montana centennial square; ~~and~~  
2 (e) the monument of the ten commandments; and  
3 (f) a statue or bust commemorating Judy Martz, Montana's first woman governor.
- 4 (3) The following busts, plaques, statues, memorials, monuments, and art displays are to be placed for  
5 up to 50 years, subject to renewal, on the capitol complex grounds:
- 6 (a) the statue by Robert Scriver entitled "symbol of the pros";  
7 (b) the monuments to the liberty bell, the veterans' and pioneer memorial building--landscape  
8 beautification project, Montana veterans, Pearl Harbor survivors, and the peace pole;  
9 (c) the sculptures of the herd bull and the eagle;  
10 (d) the plaques commemorating the Montana national guard and Lewis and Clark; and  
11 (e) the arrastra.
- 12 (4) The following busts, plaques, statues, memorials, monuments, and art displays are to be placed for  
13 up to 50 years, subject to renewal, in state capitol complex buildings or on the grounds of the state capitol  
14 complex:
- 15 (a) the paintings of Dr. W. F. Cogswell and the paintings entitled "burning bush", "dryland farmer", "farm  
16 girl", "the river rat", "top of the world", "angus #68", "the source", "the Bozeman trail", and "the Mullan road";  
17 (b) the art displays known as "Montana workers--mining, ranching, and building", "copper city rodeo",  
18 "dancing cascade", "save a piece of the sky", and "night light";  
19 (c) the plaque commemorating Walt Sullivan, the plaque of the Sam W. Mitchell building, and the plaque  
20 commemorating the original headquarters of the Montana highway patrol;  
21 (d) the busts of Lee Metcalf and Sam W. Mitchell;  
22 (e) the plaque and Lou Peters award commemorating Karl Ohs;  
23 (f) the plaque and memorial commemorating Joseph P. Mazurek; and  
24 (g) a plaque, statue, or other item of tribute commemorating Montana's first territorial governor, Sidney  
25 Edgerton.
- 26 (5) The senate sculpture depicting the Lewis and Clark expedition is to be placed for up to 50 years,  
27 subject to renewal, on the west wall in the senate chambers.
- 28 (6) The council shall determine the specific placement of the items identified in subsections (1) through  
29 (4). (Subsection (4)(g) void on occurrence of contingency--sec. 3, Ch. 228, L. 2015.)"
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