

EXHIBIT 3
DATE 03/22/07
SB 497

HONORABLE CHAIRMAN HIMMELBERGER, HONORABLE MEMBERS OF THE COMMITTEE, FOR THE RECORD MY NAME IS BETTY BABCOCK, FORMER LEGISLATOR, CON CON DELEGATE AND PRESIDENT OF THE MONTANA CAPITOL RESTORATION FOUNDATION.

I AM HERE IN SUPPORT OF THE BILL, BUT I WANT TO POINT OUT ONE PROBLEM THAT NEEDS TO BE CONNECTED.

I HAVE NOT BEEN A MEMBER OF THE CAPITOL COMPLEX ADVISORY COUNCIL BUT HAVE BEEN ASKED TO ATTEND THEIR MEETINGS MANY TIMES, AND HAVE OFTEN GIVEN TESTIMONY ON SOME OF THE PLACEMENTS THEY HAD TO MAKE.

I HAVE OBSERVED THEIR DELIBERATIONS AND KNOW THAT THEY TAKE THEIR RESPONSIBILITIES ABOUT THE CAPITOL. THE OTHER CAPITOL COMPLEX BUILDINGS IN THE ADJACENT TEN MILE AREA, VERY SERIOUSLY. THEY DO A GREAT DEAL OF RESEARCH BEFORE MAKING FINAL DECISIONS. IT HAS BEEN A PLEASURE FOR ME AND THE FOUNDATION TO WORK WITH THEM WHEN EVER IT WAS POSSIBLE, TOO. I BELIEVE IT IS EXTREMELY IMPORTANT THAT WE GUARD THE HISTORIC INTEGRITY OF OUR BEAUTIFUL CAPITOL AND THE OTHER BUILDINGS AS WELL.

I KNOW HOW VALUABLE YOUR TIME IS SO I WILL ONLY MAKE A BRIEF COMMENT OR TWO...MOST OF YOU MAY KNOW THAT I HAVE A PASSION FOR THE CARE AND WELL BEING OF OUR CAPITOL LIKE MOST HISTORIC BUILDINGS. THEY ALL NEED A LOT OF TLC (TENDER LOVING CARE). IF SENATE BILL 497 PASSES AND THE LOCATION OF A MURAL MUST BE DETERMINED BY THE COMMISSION IN CONSULTATION WITH THE CAPITOL COMPLEX ADVISORY COUNCIL, THAT TO ME IS REDUNDANT AND WOULD BE A SCENARIO FOR CONFUSION. I COUNTED THE NUMBER OF PEOPLE THAT WOULD DECIDE THE PLACEMENT OF THIS MURAL--AT LEAST 17! TOO MANY COOKS IN THE KITCHEN!

EVERYTHING STARTS WITH AN IDEA. TO HONOR WOMEN OF COURSE IS VERY VALID. I FEEL CERTAIN THAT THE MURAL BY SENATOR MOSS WOULD DO THE IDEA JUSTICE. AS TO IT'S PLACEMENT, I AM INCLINED TO THINK THAT IS PREMATURE. I CAN ENVISION IT SOMEWHERE IN THE NEW HISTORY CENTER.

PLEASE AMEND THIS LEGISLATION TO MAKE IT CLEAR THAT THE CAPITOL COMPLEX ADVISORY COUNCIL CONTINUES ITS RESPONSIBILITY TO DETERMINE PLACEMENT OF ART.

WITH YOUR PERMISSION, I WOULD ASK IF YOU WOULD PLEASE ENTER IN THE RECORD A LETTER.

Betty L. Babcock

From: <jetchart@aol.com>
To: <sherylolson@mt.gov>; <lomar@mt.net>
Sent: Wednesday, March 21, 2007 10:13 AM
Subject: Senate Bill 497

Hi, Betty and Sheryl:

Following would be my final words for the House Committee on Thursday, March 22:

Good morning:

My name is Sarah Etchart. I reside in Helena in House District 82, which is represented by your colleague and fellow committee member, Hal Jacobson.

I address you today as a past member of the Capital Complex Advisory Council. I was appointed to the Council at its inception in 1997 by Governor Marc Racicot, and I was subsequently reappointed by Governor Judy Martz. I served for seven years.

A quick history...the Council was created at the request of the Department of Administration in order to develop a master plan for the placement of art and historic memorabilia in the Capital building and in the entire capital complex. The Department of Administration had become inundated with requests from persons wanting to put items in the capital and there was no criteria in place to determine the historical significance of these items nor where space was available to display this artwork.

During the multi million dollar renovation of the capital, all artwork was removed from the capital and nothing was replaced until the Capital Complex Advisory Council had the opportunity to review it. After 7 years of work, The recommendations of the Council were submitted to the 2005 Legislature and were voted into law.

The Council is still a functioning entity. It is comprised of nine members, 2 members from the Senate (one from each party,) 2 members from the House (one from each party,) a representative from the Montana Arts Council, a representative from the Department of Fish, Wildlife and Parks, a representative from the Department of Administration, a representative from the Montana Historical Society and a member at large.

My opposition to Senator Moss' Bill #497 has **NOTHING** to do with the subject matter of the proposed mural. My opposition is one of procedure.

According to Senate Bill 497, new Section, item 4, I quote, "The location of the mural must be determined by the commission (to be created in Senator Moss' bill) in consultation with the Capital Complex Advisory Council."

I propose that this item #4 be struck from the bill as the placement of artwork, etc. is already by law (Section 2-17-804 (1) (a) MCA) to be determined **SOLEY** by the Capital Complex Advisory Council. To allow other groups and/or individuals to have the final say in the placement of artwork, etc, removes a major responsibility from the Council and the purpose of the Council is therefore compromised.

The Capital Complex Advisory Council was created by the Legislature to make recommendations to maintain the esthetic and historical nature of the Capital. Let the Council be the Council it was intended to be.

I hope this meets with your approval!!!