

SENATE BILL NO. 258

INTRODUCED BY A. WITTICH

BY REQUEST OF THE ATTORNEY GENERAL

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A BILL FOR AN ACT ENTITLED: "AN ACT NAMING THE JUSTICE BUILDING AFTER JOSEPH P. MAZUREK; REVISING THE CAPITOL COMPLEX MASTER PLAN SO THAT THE STATE BUILDING NAMING PROVISIONS AND OTHER RESTRICTIONS DO NOT APPLY TO THE JUSTICE BUILDING; ALLOWING A PLAQUE AND MEMORIAL COMMEMORATING JOSEPH P. MAZUREK TO BE PLACED ON THE CAPITOL COMPLEX GROUNDS IF PRIVATE FUNDS ARE USED TO CONSTRUCT AND MAINTAIN THE PLAQUE AND MEMORIAL; AMENDING SECTIONS 2-17-807 AND 2-17-808, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

WHEREAS, Joseph P. Mazurek served as an officer in the United States Army, in the Montana State Senate from 1981 to 1993 where he served as Chair of the Senate Judiciary Committee and as Senate President, and as Montana Attorney General from 1993 to 2001; and

WHEREAS, as Attorney General, Joseph P. Mazurek was instrumental in leading efforts to settle federal and tribal water rights compacts, investigate and prosecute workers' compensation and Medicaid fraud, and resolve cleanup of 100 years of contamination in the Clark Fork River; and

WHEREAS, Joseph P. Mazurek established the Attorney General's Task Force on Youth Violence and worked tirelessly to end youth violence in Montana; and

WHEREAS, Joseph P. Mazurek helped bring about a peaceful end to the 81-day Freeman standoff, led the state's cooperative effort with the United States to bring the Unabomber to justice, and supported legislation to strengthen and protect crime victims' rights as Attorney General; and

WHEREAS, Joseph P. Mazurek was widely regarded as one of Montana's preeminent statesmen during his time in the Montana Legislature and as Montana Attorney General, recognized for his commitment to bringing opposing parties together and for his unflinching enthusiasm for public service.

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

1 **NEW SECTION. Section 1. Joseph P. Mazurek building, memorial, and plaque -- funding.** (1) The
2 justice and state library building located at 215 North Sanders in Helena is named the Joseph P. Mazurek
3 building.

4 (2) A plaque and memorial commemorating Joseph P. Mazurek may be placed on the capitol complex
5 grounds subject to review by the council according to the criteria in 2-17-804(2).

6 (3) Private funds must be used to construct the plaque and memorial and to maintain them for 50 years.

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

9 **"2-17-807. Approval for displays and naming buildings, spaces, and rooms.** (1) A state building,
10 space, or room in the capitol complex may not be named after an individual or a bust, plaque, statue, memorial,
11 monument, or art display may not be displayed on a long-term basis in the capitol complex or on the capitol
12 complex grounds unless the building, space, or room name or display is approved by the legislature and complies
13 with this part. The capitol building, including any future additions and expansions, may not be named after any
14 person, as defined in 2-4-102.

15 (2) (a) Except as provided in subsections (2)(b) through ~~(2)(d)~~ (2)(e), a state building, space, or room
16 in the capitol complex may not be named after an individual or a bust, plaque, statue, memorial, monument, or
17 art display commemorating an individual may not be displayed on a long-term basis in the capitol complex unless
18 the individual has been deceased for at least 10 years.

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

22 (c) A public building within the capitol complex constructed with private funds after April 17, 2007, or a
23 space or room constructed with private funds after April 17, 2007, in a public building, other than the capitol
24 building, may bear a name designated by the benefactor of the building, space, or room if:

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

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

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

1 displayed there.

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

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

7 (4) All busts, plaques, statues, memorials, monuments, or art displays authorized, but not installed within
8 5 years of authorization, must be reauthorized.

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

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

14 **"2-17-808. Placement of certain busts, plaques, statues, memorials, monuments, and art displays.**

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

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

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

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

23 (d) the statues of:

24 (i) Wilbur Fiske Sanders;

25 (ii) Jeannette Rankin; and

26 (iii) Mike and Maureen Mansfield;

27 (e) the Montana statehood centennial bell;

28 (f) the gallery of outstanding Montanans;

29 (g) the Montana constitutional exhibit;

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

- 1 (i) a plaque commemorating former representative Francis Bardanouve and lettering naming the first
2 floor of the east wing of the capitol in honor of Francis Bardanouve; and
- 3 (j) a mural honoring the historical contributions of women as community builders.
- 4 (2) 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 grounds of the capitol:
- 6 (a) the statues of Thomas Francis Meagher and Lady Liberty;
- 7 (b) the plaques commemorating:
- 8 (i) Donald Nutter;
- 9 (ii) President George H. W. Bush; and
- 10 (iii) American prisoners of war and personnel of the United States armed services missing in action;
- 11 (c) two benches with plaques recognizing contributors to the 1997-2000 capitol restoration, repair, and
12 renovation project;
- 13 (d) the Montana centennial square; and
- 14 (e) the monument of the ten commandments.
- 15 (3) The following busts, plaques, statues, memorials, monuments, and art displays are to be placed for
16 up to 50 years, subject to renewal, on the capitol complex grounds:
- 17 (a) the statue by Robert Scriver entitled "symbol of the pros";
- 18 (b) the monuments to the liberty bell, the veterans' and pioneer memorial building--landscape
19 beautification project, Montana veterans, Pearl Harbor survivors, and the peace pole;
- 20 (c) the sculptures of the herd bull and the eagle;
- 21 (d) the plaques commemorating the Montana national guard and Lewis and Clark; and
- 22 (e) the arrastra.
- 23 (4) The following busts, plaques, statues, memorials, monuments, and art displays are to be placed for
24 up to 50 years, subject to renewal, in state buildings on the capitol complex:
- 25 (a) the paintings of Dr. W. F. Cogswell and the paintings entitled "burning bush", "dryland farmer", "farm
26 girl", "the river rat", "top of the world", "angus #68", "the source", "the Bozeman trail", and "the Mullan road";
- 27 (b) the art displays known as "Montana workers--mining, ranching, and building", "copper city rodeo",
28 "dancing cascade", "save a piece of the sky", and "night light";
- 29 (c) the plaque commemorating Walt Sullivan, the plaque of the Sam W. Mitchell building, and the plaque
30 commemorating the original headquarters of the Montana highway patrol;

- 1 (d) the busts of Lee Metcalf and Sam W. Mitchell; and
- 2 (e) the plaque and Lou Peters award commemorating Karl Ohs;
- 3 (f) the plaque and memorial commemorating Joseph P. Mazurek.

4 (5) The senate sculpture depicting the Lewis and Clark expedition is to be placed for up to 50 years,
5 subject to renewal, on the west wall in the senate chambers.

6 (6) The council shall determine the specific placement of the items identified in subsections (1) through
7 (4). (Subsection (1)(j) void on occurrence of contingency--sec. 3, Ch. 279, L. 2011.)"

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9 NEW SECTION. **Section 4. Effective date.** [This act] is effective on passage and approval.

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