

## 1 SENATE BILL NO. 275

2 INTRODUCED BY A. OLSZEWSKI

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4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT A STATUE OR BUST OF MONTANA'S FIRST  
5 WOMAN GOVERNOR, JUDY MARTZ, BE PLACED IN THE CAPITOL OR ON THE GROUNDS SURROUNDING  
6 THE CAPITOL; REQUIRING PRIVATE FUNDING; AMENDING SECTIONS 2-17-807 AND 2-17-808, MCA; AND  
7 PROVIDING FOR CONTINGENT VOIDNESS."

8

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

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

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

17 WHEREAS, Judy and her husband were small business owners in Butte, Montana, for 37 years, and  
18 Judy actively participated in the civic affairs of the Butte-Silver Bow region and due to her dedication to the  
19 business community, she served as president of the Butte Chamber of Commerce; and

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

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

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

26

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

28

29 NEW SECTION. **Section 1. Statue or bust of Judy Martz -- display -- private funding.** (1) Subject  
30 to 2-17-807(4) and other provisions of Title 2, chapter 17, part 8, including review by the capitol complex advisory

1 council, a statue or bust of Judy Martz, Montana's first woman governor, must be displayed inside the capitol or  
2 on the capitol square grounds immediately surrounding the capitol.

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

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

7

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)(f)~~ (2)(g), a state building, space, or room in  
16 the capitol complex may not be named after an individual or a bust, plaque, statue, memorial, monument, or art  
17 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) Except as provided in subsection (2)(f), a public building within the capitol complex constructed with  
23 private funds after April 17, 2007, or a space or room constructed with private funds after April 17, 2007, in a  
24 public building, other than the capitol building, may bear a name designated by the benefactor of the building,  
25 space, or room if:

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

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

30 (d) The classroom building authorized in May 2007 to be built at the Montana law enforcement academy

1 may be named after Karl Ohs, and a plaque and the Lou Peters award commemorating Karl Ohs may be  
2 displayed there.

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

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

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

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

12 (4) All busts, plaques, statues, memorials, monuments, or art displays authorized, but not installed within  
13 5 years of authorization, must be reauthorized.

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

17

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

19 **"2-17-808. Placement of certain busts, plaques, statues, memorials, monuments, and art displays.**

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

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

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

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

28 (d) the statues of:

29 (i) Wilbur Fiske Sanders;

30 (ii) Jeannette Rankin; and

- 1 (iii) Mike and Maureen Mansfield;
- 2 (e) the Montana statehood centennial bell;
- 3 (f) the gallery of outstanding Montanans;
- 4 (g) the Montana constitutional exhibit;
- 5 (h) the biographical descriptions of Montana's governors, to be placed near the portraits of the governors;
- 6 (i) a plaque commemorating former representative Francis Bardanouve and lettering naming the first
- 7 floor of the east wing of the capitol in honor of Francis Bardanouve; and
- 8 (j) a mural honoring the historical contributions of women as community builders.
- 9 (2) The following busts, plaques, statues, memorials, monuments, and art displays are to be placed for
- 10 up to 50 years, subject to renewal, on the grounds of the capitol:
- 11 (a) the statues of Thomas Francis Meagher and Lady Liberty;
- 12 (b) the plaques commemorating:
- 13 (i) Donald Nutter;
- 14 (ii) President George H. W. Bush; and
- 15 (iii) American prisoners of war and personnel of the United States armed services missing in action;
- 16 (c) two benches with plaques recognizing contributors to the 1997-2000 capitol restoration, repair, and
- 17 renovation project;
- 18 (d) the Montana centennial square; ~~and~~
- 19 (e) the monument of the ten commandments; and
- 20 (f) a statue or bust commemorating Judy Martz, Montana's first woman governor.
- 21 (3) The following busts, plaques, statues, memorials, monuments, and art displays are to be placed for
- 22 up to 50 years, subject to renewal, on the capitol complex grounds:
- 23 (a) the statue by Robert Scriver entitled "symbol of the pros";
- 24 (b) the monuments to the liberty bell, the veterans' and pioneer memorial building--landscape
- 25 beautification project, Montana veterans, Pearl Harbor survivors, and the peace pole;
- 26 (c) the sculptures of the herd bull and the eagle;
- 27 (d) the plaques commemorating the Montana national guard and Lewis and Clark; and
- 28 (e) the arrastra.
- 29 (4) The following busts, plaques, statues, memorials, monuments, and art displays are to be placed for
- 30 up to 50 years, subject to renewal, in state capitol complex buildings or on the grounds of the state capitol

1 complex:

2 (a) the paintings of Dr. W. F. Cogswell and the paintings entitled "burning bush", "dryland farmer", "farm  
3 girl", "the river rat", "top of the world", "angus #68", "the source", "the Bozeman trail", and "the Mullan road";

4 (b) the art displays known as "Montana workers--mining, ranching, and building", "copper city rodeo",  
5 "dancing cascade", "save a piece of the sky", and "night light";

6 (c) the plaque commemorating Walt Sullivan, the plaque of the Sam W. Mitchell building, and the plaque  
7 commemorating the original headquarters of the Montana highway patrol;

8 (d) the busts of Lee Metcalf and Sam W. Mitchell;

9 (e) the plaque and Lou Peters award commemorating Karl Ohs;

10 (f) the plaque and memorial commemorating Joseph P. Mazurek; and

11 (g) a plaque, statue, or other item of tribute commemorating Montana's first territorial governor, Sidney  
12 Edgerton.

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

15 (6) The council shall determine the specific placement of the items identified in subsections (1) through  
16 (4). (Subsection (4)(g) void on occurrence of contingency--sec. 3, Ch. 228, L. 2015.)"

17  
18 **NEW SECTION. Section 4. Contingent voidness.** If the statue or bust provided for in [section 1] is not  
19 installed by October 1, 2024, then [this act] is void.

20 - END -