



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

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

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

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

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

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

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

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

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

**Section 1. Statue or bust of Judy Martz -- display -- private funding.** (1) Subject to 2-17-807(4) and

other provisions of Title 2, chapter 17, part 8, including review by the capitol complex advisory council, a statue or bust of Judy Martz, Montana's first woman governor, must be displayed inside the capitol or on the capitol square grounds immediately surrounding the capitol.

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

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

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

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

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

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

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

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

(ii) the building, space, or room and the designated name are approved by the council and by the board

of the historical society, provided for in 2-15-1512.

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

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

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

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

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

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

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

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

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

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

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

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

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

- (d) the statues of:
    - (i) Wilbur Fiske Sanders;
    - (ii) Jeannette Rankin; and
    - (iii) Mike and Maureen Mansfield;
  - (e) the Montana statehood centennial bell;
  - (f) the gallery of outstanding Montanans;
  - (g) the Montana constitutional exhibit;
  - (h) the biographical descriptions of Montana's governors, to be placed near the portraits of the governors;
  - (i) a plaque commemorating former representative Francis Bardanouve and lettering naming the first floor of the east wing of the capitol in honor of Francis Bardanouve; and
  - (j) a mural honoring the historical contributions of women as community builders.
- (2) The following busts, plaques, statues, memorials, monuments, and art displays are to be placed for up to 50 years, subject to renewal, on the grounds of the capitol:
- (a) the statues of Thomas Francis Meagher and Lady Liberty;
  - (b) the plaques commemorating:
    - (i) Donald Nutter;
    - (ii) President George H. W. Bush; and
    - (iii) American prisoners of war and personnel of the United States armed services missing in action;
  - (c) two benches with plaques recognizing contributors to the 1997-2000 capitol restoration, repair, and renovation project;
  - (d) the Montana centennial square; ~~and~~
  - (e) the monument of the ten commandments; and
  - (f) a statue or bust commemorating Judy Martz, Montana's first woman governor.
- (3) The following busts, plaques, statues, memorials, monuments, and art displays are to be placed for up to 50 years, subject to renewal, on the capitol complex grounds:
- (a) the statue by Robert Scriver entitled "symbol of the pros";
  - (b) the monuments to the liberty bell, the veterans' and pioneer memorial building--landscape beautification project, Montana veterans, Pearl Harbor survivors, and the peace pole;
  - (c) the sculptures of the herd bull and the eagle;

(d) the plaques commemorating the Montana national guard and Lewis and Clark; and

(e) the arrastra.

(4) The following busts, plaques, statues, memorials, monuments, and art displays are to be placed for up to 50 years, subject to renewal, in state capitol complex buildings or on the grounds of the state capitol complex:

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

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

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

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

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

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

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

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

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

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

- END -

I hereby certify that the within bill,  
SB 0275, originated in the Senate.

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President of the Senate

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2019.

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Secretary of the Senate

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Speaker of the House

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2019.

SENATE BILL NO. 275

INTRODUCED BY A. OLSZEWSKI, F. ANDERSON, D. ANKNEY, D. BARTEL, B. BEARD, D. BEDEY, S. BERGLEE, M. BLASDEL, K. BOGNER, C. BOLAND, B. BROWN, D. BROWN, Z. BROWN, M. CAFERRO, J. COHENOUR, M. CUFFE, G. CUSTER, G. DEVRIES, A. DOANE, J. DOOLING, K. DUDIK, D. DUNN, M. DUNWELL, N. DURAM, J. ELLIS, J. ELLSWORTH, J. ESP, J. FIELDER, R. FITZGERALD, S. FITZPATRICK, F. FLEMING, J. FULLER, M. FUNK, W. GALT, R. GARCIA, F. GARNER, T. GAUTHIER, B. GILLESPIE, C. GLIMM, S. GREEF, J. GROSS, S. GUNDERSON, B. HAMLETT, S. HINEBAUCH, M. HOPKINS, B. HOVEN, D. HOWARD, J. KARJALA, D. KARY, J. KASSMIER, J. KEANE, B. KEENAN, K. KELKER, C. KNUDSEN, R. KNUDSEN, J. KRAUTTER, M. LANG, D. LENZ, D. LOGE, R. LYNCH, M. MACDONALD, S. MALEK, T. MANZELLA, E. MCCLAFFERTY, N. MCCONNELL, W. MCKAMEY, M. MCNALLY, B. MERCER, F. MOORE, T. MOORE, D. MORTENSEN, M. NOLAND, J. POMNICHOWSKI, J. READ, K. REGIER, M. REGIER, V. RICCI, T. RICHMOND, W. SALES, D. SALOMON, D. SANDS, J. SESSO, L. SHELDON-GALLOWAY, D. SKEES, J. SMALL, C. SMITH, R. TEMPEL, F. THOMAS, B. TSCHIDA, B. USHER, S. VINTON, P. WEBB, R. WEBB, S. WEBBER, J. WELBORN, T. WELCH, K. WHITE, D. ZOLNIKOV

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