

The official state symbols and other designations for Montana are found in **Title 1, chapter 1, part 5** of the Montana Code Annotated.

1-1-501. Great seal. The great seal of the state is as follows: a central group representing a plow and a miner's pick and shovel; upon the right, a representation of the Great Falls of the Missouri River; upon the left, mountain scenery; and underneath, the words "Oro y Plata". The seal must be 2 1/2 inches in diameter and surrounded by these words, "The Great Seal of the State of Montana".

1-1-502. State flag. There is hereby established a state flag of Montana. The state flag of Montana shall be a flag having a blue field with a representation of the great seal of the state in the center and with golden fringe along the upper and lower borders of the flag; the same being the flag borne by the 1st Montana Infantry, U.S.V., in the Spanish-American War, with the exception of the device, "1st Montana Infantry, U.S.V."; and above the great seal of the state shall be the word "MONTANA" in helvetica bold letters of gold color equal in height to one-tenth of the total vertical measurement of the blue field.

1-1-503. State floral emblem. The flower known as *Lewisia rediviva* (bitterroot) shall be the floral emblem of the state of Montana.

1-1-504. State bird. The bird known as the western meadowlark, *Sturnella neglecta* (Audubon), as preferred by a referendum vote of Montana school children, shall be designated and declared to be the official bird of the state of Montana.

1-1-505. State gem stones. The sapphire and the Montana agate are the official Montana state gem stones.

1-1-506. State grass. The grass known as bluebunch wheatgrass, *Agropyron spicatum* (pursh), shall be designated and declared to be the official grass of the state of Montana.

1-1-507. State fish. The blackspotted cutthroat trout, *Salmo clarki*, is the official Montana state fish.

1-1-508. State animal. The grizzly bear, *Ursus arctos horribilis*, as preferred by a vote of Montana schoolchildren, is the official Montana state animal.

1-1-509. State fossil. The duck-billed dinosaur *Maiasaura peeblesorum* is the official Montana state fossil.

1-1-510. English as official and primary language of state and local governments. (1) English is the official and primary language of:

(a) the state and local governments;

(b) government officers and employees acting in the course and scope of their employment; and

(c) government documents and records.

(2) A state statute, local government ordinance, or state or local government policy may not require a specific foreign language to be used by government officers and employees acting in the course and scope of their employment or for government documents and records or require a specific foreign language to be taught in a school as a student's primary language.

(3) This section is not intended to violate the federal or state constitutional right to freedom of speech of government officers and employees acting in the course and scope of their employment. This section does not prohibit a government officer or employee acting in the course and scope of employment from using a language other than English, including use in a government document or record, if the employee chooses, or prohibit the teaching of other languages in a school for general educational purposes or as secondary languages.

(4) This section is not intended to limit the use of any other language by a tribal government. A school district and a tribe, by mutual agreement, may provide for the instruction of students that recognizes the cultural identity of Native American children and promotes the use of a common language for communication.

1-1-511. State ballad. The song "Montana Melody", written by Carleen Harvey and LeGrande Harvey, is the official state ballad of the state of Montana.

1-1-512. State Vietnam veterans' memorial. (1) The memorial located in Rose Park, Missoula, Montana, dedicated to the individuals who served the United States in the Republic of Vietnam, is the official state Vietnam veterans' memorial.

(2) The department of commerce and the department of transportation are directed to reference the location of the official state Vietnam veterans' memorial in Rose Park, Missoula, Montana, on official state maps.

1-1-513. State arboretum. The campus of the university of Montana-Missoula, is the state arboretum.

1-1-514. State butterfly. The mourning cloak, *Nymphalis antiopa*, is the official Montana state butterfly.

1-1-515. Montana medal of valor established. (1) The governor is authorized to present, in the name of the people of Montana, a medal to be known as the Montana medal of valor, bearing a suitable inscription and ribbon, to any citizen of the state who displays extraordinary courage in a situation threatening the lives of one or more people.

(2) The governor may award the Montana medal of valor to anyone whose behavior, in the governor's judgment, merits the recognition. The award must be made in a public ceremony at the recipient's city or town of residence or at a city or town designated by the recipient, except under the circumstances indicated in subsection (3).

(3) If the recipient of the medal of valor dies before the medal is awarded, the governor shall present the medal to the recipient's spouse, eldest surviving child, eldest surviving sibling, or either parent or to a person

designated by one of these. If the medal is presented to a person who is not a resident of Montana, the award ceremony must be held at the state capitol in Helena.

1-1-516. State Korean war veterans' memorial — Butte. (1) The Korean war veterans' memorial located in Stodden Park, Butte, Montana, dedicated to the individuals who served the United States in the Republic of Korea, is an official state Korean war veterans' memorial.

(2) The department of commerce and the department of transportation are directed to reference the location of the state Korean war veterans' memorial on official state maps.

1-1-517. State Korean war veterans' memorial — Missoula. (1) The Missoula memorial rose garden, located in Missoula, Montana, is officially designated as a state Korean war veterans' memorial.

(2) The department of commerce and the department of transportation shall identify the Missoula memorial rose garden on official state maps as a state Korean war veterans' memorial.

1-1-518. State veterans' memorial rose garden. (1) The Missoula memorial rose garden, located in Missoula, Montana, is officially designated as a state veterans' memorial rose garden.

(2) In addition to the reference required under 1-1-512, the department of commerce and the department of transportation shall identify the Missoula memorial rose garden on official state maps as a state veterans' memorial rose garden.

1-1-519. Montana state firefighters' memorial. (1) The site chosen by the city of Laurel, Montana, as "firefighters' memorial park" is officially designated as the location of the Montana state firefighters' memorial.

(2) The department of commerce and the department of transportation shall identify the memorial in Laurel on official state maps and, where appropriate, on state highway signs as the official state firefighters' memorial.

1-1-520. Renumbered 1-1-540. Code Commissioner, 2013.

1-1-521. State Iraq and Afghanistan veterans' memorial. (1) The grateful nation Montana memorial at the university of Montana, located in Missoula, Montana, dedicated to the men and women who served the United States in Iraq and Afghanistan, is an official state Iraq and Afghanistan veterans' memorial.

(2) The department of commerce and the department of transportation are directed to reference the location of the grateful nation Montana memorial at the university of Montana on official state maps as a state veterans' memorial for Iraq and Afghanistan.

1-1-522. Repealed. Sec. 10, Ch. 106, L. 2017.

1-1-523. Montana veterans' memorial. (1) The Montana veterans memorial in Great Falls, Montana, is officially designated as a Montana veterans' memorial.

(2) The department of commerce and the department of transportation shall identify the Montana veterans memorial in Great Falls, Montana, on official state maps as a Montana veterans' memorial.

(3) The Montana veterans memorial in Great Falls, Montana, recognizes and honors all veterans, men, women, and canine service members, living or deceased, from all branches of the U.S. armed forces who served in peacetime or in war.

1-1-524. Northeast Montana veterans memorial park. The department of commerce and the department of transportation shall identify the northeast Montana veterans memorial park in Fort Peck, Montana, on official state maps.

1-1-525. Montana cowboy hall of fame. (1) There is a Montana cowboy hall of fame. Once the recipient of the grant for site development and project planning authorized pursuant to section 4(7), Chapter 3, Special Laws of May 2007, determines the location of the Montana cowboy hall of fame, the grant recipient shall notify the department of commerce and the department of transportation.

(2) Once notified that the location of the Montana cowboy hall of fame is determined, the department of commerce and the department of transportation shall identify the site as the location of the Montana cowboy hall of fame on official state maps. When existing road signs need replacement, the department of transportation shall provide appropriate markers to recognize the site.

1-1-526. Official home of Evelyn Cameron gallery — Terry. (1) The town of Terry is designated the "official home of the Evelyn Cameron gallery".

(2) The department of commerce and the department of transportation shall identify the town of Terry as the official home of the Evelyn Cameron gallery on official state maps.

(3) The department of transportation shall erect and maintain signs designating the town of Terry as the official home of the Evelyn Cameron gallery along highways in the vicinity of Terry and shall accomplish the signing changes in accordance with the department's normal sign maintenance and replacement schedule.

1-1-527. Shelby veterans' memorial flag monument. (1) The Shelby veterans' memorial flag monument in Shelby, Montana, is officially designated as a Montana veterans' memorial.

(2) The department of commerce and the department of transportation shall identify the Shelby veterans' memorial flag monument in Shelby, Montana, on official state maps as a Montana veterans' memorial.

(3) The Shelby veterans' memorial flag monument in Shelby, Montana, recognizes and honors all veterans, men, women, and canine service members, living or deceased, from all branches of the U.S. armed forces who served in peacetime or in war.

1-1-528 and 1-1-529 reserved.

1-1-530. State lullaby. The song "Montana Lullaby", written by Ken Overcast and Wylie Gustafson, is the official lullaby of Montana.

1-1-531. State soil. The soil series known as Scobey, of the taxonomic class fine, smectitic, frigid Aridic Argiustolls, is the official Montana state soil.

1-1-532 through 1-1-539 reserved.

1-1-540. Display of historical writings or documents in or on public buildings or on state land — definitions. (1) Subject to the provisions of subsection (3), a state agency or unit of local government may display the national motto, "in God we trust", as adopted by congress in 1998 (36 U.S.C. 302), in or on public buildings or state-owned land occupied by a state agency or unit of local government. For purposes of this section, the use of the word "God" is not intended to further the establishment of any specific religion or set of religious beliefs or to dissuade the free exercise of any religion or set of religious beliefs.

(2) In addition to the national motto, the legislature encourages the display of other historical documents in or on public buildings and state-owned land, including but not limited to:

- (a) the Declaration of Independence;
- (b) the United States constitution;
- (c) the pledge of allegiance;
- (d) the national anthem;
- (e) the Mayflower Compact;
- (f) the writings, speeches, documents, and proclamations of the founders and the presidents of the United States;
- (g) writings from United States supreme court decisions;
- (h) organic documents from the precolonial, colonial, revolutionary, federalist, and postfederalist eras;
- (i) acts of the United States congress, including the published text of the Congressional Record;
- (j) United States treaties; and
- (k) any other writings, documents, or proclamations that are permanently displayed in a historic context in the United States capitol.

(3) The content of any writing, document, or record described in subsection (2) may not be censored solely because the writing, document, or record contains religious references, nor may any writings, documents, or material be selected for display in order to advance a particular religious, partisan, or sectarian purpose.

(4) As used in this section, the following definitions apply:

(a) "Local government" has the meaning provided in 1-2-116.

(b) "State agency" has the meaning provided in 1-2-116.

1-1-541. Display of POW/MIA flag. (1) The POW/MIA flag must be displayed on or in front of the locations specified in subsection (2) on any day when the flag of the United States of America is displayed. The display of the POW/MIA flag is to symbolize Montana's concern and commitment to achieving the fullest possible accounting of United States military personnel who, having been prisoners of war or missing in action, still remain unaccounted for or who in the future may become prisoners of war, missing in action, or otherwise unaccounted for as a result of hostile action.

(2) The POW/MIA flag must be displayed pursuant to subsection (1) at the following locations:

(a) the state capitol;

(b) any building that serves as the location of a state district court;

(c) any building that serves as the location of a city or town hall for an incorporated city or town; and

(d) any building that serves as the main administrative building of a county.

(3) The POW/MIA flag may be no larger than the national flag and must be displayed as follows:

(a) if the national and the POW/MIA flags are flown on the same flagpole, the POW/MIA flag must be directly below the national flag;

(b) if the national and state flags are flown on the same flagpole, the POW/MIA flag must be directly below the national flag;

(c) if the national and state flags are flown on two different flagpoles, the POW/MIA flag must be on the pole with and directly below the national flag;

(d) if the national and POW/MIA flags are flown on separate flagpoles, the POW/MIA flag must occupy the pole to the left of the national flag;

(e) if the national, state, and POW/MIA flags are to be flown on three separate flagpoles, the national flag must occupy the right pole, the POW/MIA flag must occupy the middle pole, and the state flag must occupy the far left pole.

(4) As used in this section, "POW/MIA flag" means the flag designated in 36 U.S.C. 902 as the symbol of concern about United States military personnel taken as prisoners of war or listed as missing in action.