

HOUSE BILL NO. 585

INTRODUCED BY M. WEATHERWAX, S. STEWART PEREGOY, S. WEBBER, D. FERN, S. MORIGEAU, J. SMALL, T. RUNNING WOLF, M. MARLER, K. KORTUM, G. FRAZER, M. THANE, P. TUSS

A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A MEMORIAL FOR MONTANA'S ORGAN DONORS ON THE CAPITOL COMPLEX; REQUIRING PRIVATE FUNDING; AMENDING SECTIONS 2-17-807 AND 2-17-808, MCA; AND PROVIDING FOR CONTINGENT VOIDNESS."

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

NEW SECTION. Section 1. Memorial for Montana's organ donors -- 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 memorial honoring organ donors of Montana must be displayed on the capitol complex grounds.

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

(3) The design, installation, maintenance, and funding of the outdoor memorial 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)(g), a state building, space, or room in

1 the capitol complex may not be named after an individual or a bust, plaque, statue, memorial, monument, or art
2 display commemorating an individual may not be displayed on a long-term basis in the capitol complex unless
3 the individual has been deceased for at least 10 years.

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

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

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

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

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

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

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

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

24 (h) The memorial honoring organ donors of Montana authorized in 2-17-808(2) may continue to be
25 displayed on the grounds surrounding the capitol.

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

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

3 (5) The department of administration may review and approve the temporary display of a bust,
4 plaque, statue, memorial, monument, or art display for up to 1 year in the capitol complex or on the capitol
5 complex grounds. (Subsection (2)(g) void on occurrence of contingency--sec. 4, Ch. 164, L. 2019.)"

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

8 **"2-17-808. Placement of certain busts, plaques, statues, memorials, monuments, and art**

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

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

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

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

17 (d) the statues of:

18 (i) Wilbur Fiske Sanders;

19 (ii) Jeannette Rankin; and

20 (iii) Mike and Maureen Mansfield;

21 (e) the Montana statehood centennial bell;

22 (f) the gallery of outstanding Montanans;

23 (g) the Montana constitutional exhibit;

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

26 (i) a plaque commemorating former representative Francis Bardanouve and lettering naming the
27 first floor of the east wing of the capitol in honor of Francis Bardanouve; and

28 (j) a mural honoring the historical contributions of women as community builders.

- 1 (2) The following busts, plaques, statues, memorials, monuments, and art displays are to be
2 placed for up to 50 years, subject to renewal, on the grounds of the capitol:
- 3 (a) the statues of Thomas Francis Meagher and Lady Liberty;
4 (b) the plaques commemorating:
5 (i) Donald Nutter;
6 (ii) President George H. W. Bush; and
7 (iii) American prisoners of war and personnel of the United States armed services missing in
8 action;
- 9 (c) two benches with plaques recognizing contributors to the 1997-2000 capitol restoration, repair,
10 and renovation project;
11 (d) the Montana centennial square;
12 (e) the monument of the ten commandments; ~~and~~
13 (f) a statue or bust commemorating Judy Martz, Montana's first woman governor; and
14 (g) a memorial honoring organ donors of Montana, encouraging individuals to register as donors,
15 and providing a contemplative space to serve as a symbol of hope for those who are waiting for an organ
16 transplant.
- 17 (3) The following busts, plaques, statues, memorials, monuments, and art displays are to be
18 placed for up to 50 years, subject to renewal, on the capitol complex grounds:
- 19 (a) the statue by Robert Scriver entitled "symbol of the pros";
20 (b) the monuments to the liberty bell, the veterans' and pioneer memorial building--landscape
21 beautification project, Montana veterans, Pearl Harbor survivors, and the peace pole;
22 (c) the sculptures of the herd bull and the eagle;
23 (d) the plaques commemorating the Montana national guard and Lewis and Clark; and
24 (e) the arrastra.
- 25 (4) The following busts, plaques, statues, memorials, monuments, and art displays are to be
26 placed for up to 50 years, subject to renewal, in state buildings on the capitol complex:
- 27 (a) the paintings of Dr. W. F. Cogswell and the paintings entitled "burning bush", "dryland farmer",
28 "farm girl", "the river rat", "top of the world", "angus #68", "the source", "the Bozeman trail", and "the Mullan

1 road";

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

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

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

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

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

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

11 (6) The council shall determine the specific placement of the items identified in subsections (1)
12 through (4). (Subsection (2)(f) void on occurrence of contingency--sec. 4, Ch. 164, L. 2019.)"

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14 NEW SECTION. Section 4. Codification instruction. [Section 1] is intended to be codified as an
15 integral part of Title 2, chapter 17, part 8, and the provisions of Title 2, chapter 17, part 8, apply to [section 1].

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17 NEW SECTION. Section 5. Contingent voidness. If the memorial provided for in [section 1] is not
18 installed by October 1, 2028, then [this act] is void.

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