

2001 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HB 1355

#### 2001 HOUSE STANDING COMMITTEE MINUTES

### BILL/RESOLUTION NO. HB 1355 A

House Government and Veterans Affairs Committee

☐ Conference Committee

Hearing Date 2/08/01

Tape Number	Side A	Side B	Meter #
2	X		758-2369
ommittee Clerk Signatui	e Popin a	1. Small	

Minutes:

REP, M, KLEIN called the hearing to order, with all committee members present.

In favor:

REP, ARLO E, SCHMIDT, DISTRICT 12

REP. SCHMIDT introduces the bill to the committee.

REP, BELLEW asks if the flags would be flown at the same level as the United States flag.

REP. SCHMIDT was not sure.

In favor:

SEN, MICHAEL A, EVERY, DISTRICT 12

SEN, EVERY speaks on behalf of the bill also, and urges the committee a do pass.

In favor:

REP. RODNEY J. FROELICH, DISTRICT 35

REP. FROELICH is also one of the sponsors on the bill. REP. FORELICH comments to the committee that there are over 60,000 Native Americans enrolled in this state. REP. FROELICH asks the committee to amend the bill to have the flags flown outside, not to be inside as was originally thought. The flags are asked to be flown out front along with the United States flag.

REP. M. KLEIN asks if they are asking for four poles. REP. FROELICH replies that it may possibly be five poles. REP. BELLEW asks if the flags will be flown at the same level as the United States flag? REP. FROELICH replies that maybe a lower degree than the US flag. In favor:

### SEN. JOEL C. HEITKAMP, DISTRICT 27

SEN. HEITKAMP apologizes to the committee that he does not have the amendments already made up and ready to hand out to the committee. SEN. HEITKAMP comments to the committee that the flags are wished to be flown outside. He will bring the amendments down as soon as he gets them. This is a wonderful sign to give to the people. The Capitol grounds commission will decide where to put the flag poles.

REP. KLEMIN asks if this would be left up to the grounds commission? <u>SEN. HEITKAMP</u> replies that yes, it almost has to, that's their job.

In favor:

### SEN, DENNIS BERCIER, DISTRICT 9

SEN. BERCIER states that there is equity in the Indian Nations. SEN. BERCIER comments to the committee that he is a Vietnam veteran. Right now there are four federally recognized tribes.

SEN. BERCIER states to the committee that it will cost on an average about \$10,000.00 a pole.

SEN. BERCIER asks the committee to please pass this legislation.

Page 3 House Government and Veterans Affairs Committee Bill/Resolution Number HB 1355 A Hearing Date 2/08/01

REP, KLEMIN asks if the grounds commission has the say on the flags? <u>SEN. BERCIER</u> replies that he will try to provide that additional information.

In favor:

TOM DISSELHORST, ATTORNEY FOR THE THREE AFFILIATED TRIBES

<u>DISSELHORST</u> agrees with everything that <u>SEN. BERCIER</u> had to say. He also urges the committee for a do pass.

Neutral:

CURT ZIMMERMAN, DIRECTOR OF FACILITY MANAGEMENT DIRECTOR

Please see attached testimony.

Action was not taken at this time.

ZIMMERMAN has seen the fiscal note. There generally is no uniform size to the flags.

ZIMMERMAN comments that \$10,000.00 is probably correct for each pole. There are 9 people on the commission.

Being there was no further testimony in favor or in opposition, the hearing was then closed.

### 2001 HOUSE STANDING COMMITTEE MINUTES

#### BILL/RESOLUTION NO. HB 1355 B

House Government and Veterans Affairs Committee

☐ Conference Committee

Hearing Date 2/15/01

Tape Number	Side A	Side B	Meter#
1		Χ	3117-5406
Committee Clerk Signature	: Pokin	S. Smal	
			All marks are a construction of the constructi

Minutes:

COMMITTEE WORK:

REP. M. KLEIN called the committee to order. HB 1355 was heard on Feb. 8, 2001.

**ACTION:** 

All members were present. General discussion. <u>REP. GRANDE</u> motions to accept the amendments at hand, seconded by <u>REP. KASPER</u>. A voice vote was taken with the majority passing them. <u>REP. CLEARY</u>, <u>REP. HUNSKOR</u> and <u>REP. KROEBER</u> voted against the amendments. <u>REP. GRANDE</u> then motions for a DO NOT PASS AS AMENDED, seconded by <u>REP. CLARK</u>. The roll call vote was taken with 9 YES, 6 NO and 0 ABSENT AND NOT VOTING. The motion carries. The CARRIER of the bill is <u>REP. CLARK</u>.

HB 1355: DO NOT PASS AS AMENDED 9-6

CARRIER: REP. CLARK

### FISCAL NOTE

### Requested by Legislative Council 2/20/2001

Bill/Resolution No.:

Amendment to:

HB 1355

1A. State fiscal effect: Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.

	1999-200	1 Biennium	2001-200	3 Biennium	2003-2005 Blennium		
اردور المساد <u>مستناط پر ومانسان کی در در استناسان اشاره او پایان و از ما استنا</u>	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds	
Revenues			A STATE OF THE STA	ar grant og specialister skrive et å til ellerkrindsträdet og 1,413 v. s.ede Affertyrere 19			
Expenditures	-	Antonya <u>karakida di mangakan mengana</u> menganan di k	\$66,000	a distribution of the say the other way in the second of the control of the same of the sa	\$6,000	to describe the second second second second second	
Appropriations		en marke distribution de la company de la co		The same property of the same state of	Bertalan et automorphism Alph Allan (1997) allan	and the second s	

1B. County, city, and school district fiscal effect: Identity the fiscal effect on the appropriate political subdivision.

Γ.	1999-2001 Biennium		2001-2003 Biennium			2003-2005 Biennium			
	Countles	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
	Application of the second				parties of the control to a partie of the second				

2. Narrative: Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.

This fiscal note is based on the assumption that six flags would be approved by the Capitol Grounds Planning Commission at a cost of \$10,000 per pole for installation; and a replacement cost of \$500 per year for each flag. (Flags need to be replaced every three to four months)

- 3. State fiscal effect detail: For information shown under state fiscal effect in 1A, please:
  - A. Revenues: Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.
  - B. Expenditures: Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.
  - C. Appropriations: Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.

Name:	Curl Zimmerman	Agency:	OMB - Facility Management
Phone Number:		Date Prepared:	02/20/2001

### **FISCAL NOTE**

## Requested by Legislative Council 01/22/2001

Bill/Resolution No.:

HB 1355

Amendment to:

1A. State fiscal effect: Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.

] <del></del>	1999-200	1 Blennium	2001-200	3 Biennium	2003-2009	5 Biennium
	General Fund					
Revenues						
Expenditures		معتدو حمد ريضه فيه منافعه خديمه بمديد بالمحالة فيستخد				and a provide the second account to the second to the seco
Appropriations						

1B. County, city, and school district fiscal effect: Identify the fiscal effect on the appropriate political subdivision.

1999-2001 Biennium		2001-2003 Blennlum			2003-2005 Blennium			
Counties	Cities	School Districts	Counties	Cities	School Districts	Countles	Citles	School Districts
			E 1 and the could be a second be a second desired by the successions.	and made the second section of the second section is seen.			**************************************	

2. Narrative: Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.

No fiscal impact. This assumes the Tribes would donate the flags. The flags would be displayed indoors at the capitol, thus aleviating the need to replace the flags continuously.

- 3. State fiscal effect detail: For information shown under state fiscal effect in 1A, please:
  - A. Revenues: Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.
  - B. Expenditures: Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.
  - C. Appropriations: Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.

Name:	Curt Zimmerman	Agenoy:	OMB Facility Management
Phone Number:	328-4002		02/06/2001



HOUSE AMENDMENTS TO HB 1355 Page 1, line 2, remove "tribal" HOUSE GVA 2/15/01

Page 1, line 8, replace "The" with "Upon the written request of any individual to, and upon receiving the approval of, the capitol grounds planning commission, the"

Page 1, line 9, replace "must" with "or a flag representing the origin of any ethnic group in the state may" and after the underscored period insert "The state shall assume the cost of displaying any flag at the state capitol."

Renumber accordingly

Motion Made By  Grande  Representatives Yes No Representatives Yes No CHAIRMAN KLEIN VICE CHAIR GRANDE REP BELLEW REP BELLEW REP BRUSEGAARD REP CLARK REP CLARK REP CLARK REP HAAS REP KASPER REP KASPER REP KLEMIN REP MEIER REP WIKENHEISER REP CLEARY REP HUNSKOR REP HUNSKOR REP METCALF  Total (Yes)  Mo 3  Absent  Floor Assignment				Date:	Jub. 15.4. a	001	hilmania way-anini digangida		
House GOVERNMENT AND VETERANS AFFAIRS  Committee  Subcommittee on or Conference Committee  Legislative Council Amendment Number  Action Taken  Motion Made By  Representatives  No Representatives  PREP ROEBER  VICE CHAIR GRANDE  REP BELLEW  REP BELLEW  REP BRUSEGAARD  REP CLARK  REP DEVLIN  REP HAAS  REP KASPER  REP KASPER  REP KASPER  REP WIKENHEISER  REP CLEARY  REP HUNSKOR  REP METCALF  Total (Yes)  No 3  Absent  Committee		j	Roll Ca	II Vote #:	Martin de Carlos anno est porte de Carlos de C	MATERIAL STATE STA	Marie (Marie Marie Antonio) (Marie Marie Mar		
Subcommittee on or Conference Committee  Legislative Council Amendment Number  Action Taken  Motion Made By  Representatives  CHAIRMAN KLEIN  VICE CHAIR GRANDE  REP BRUSEGAARD  REP BRUSEGAARD  REP HAAS  REP HAAS  REP KASPER  REP KLEMIN  REP MEJER  REP WIKENHEISER  REP CLEARY  REP HUNSKOR  REP METCALF  Total (Yes)  Motion Made By  Seconded  By  Harpan  Amendments  Seconded  By  Harpan  Representatives  Yes  No  Representatives  Yes  No  Rep KROEBER  V  REP KROEBER  V  REP BRUSEGAARD  REP CLARK  REP DEVLIN  REP HAAS  REP HAAS  REP KLEMIN  REP MEJER  REP WIKENHEISER  REP CLEARY  REP HUNSKOR  REP METCALF  Total (Yes)  Absent	2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES BILL/RESOLUTION NO. 48/355								
or Conference Committee  Legislative Council Amendment Number  Action Taken	House GOVERNMENT AND V	ETERA	NS AF	FAIRS		Com	mittee		
Action Taken  Motion Made By  Representatives  Yes  No  No  Absent  No  Absent  Floor Assignment	or	<b></b>				. And the second second second	an derver er dag i		
Motion Made By  Grande  Representatives Yes No Representatives Yes No CHAIRMAN KLEIN VICE CHAIR GRANDE REP BELLEW REP BELLEW REP BRUSEGAARD REP CLARK REP CLARK REP CLARK REP HAAS REP KASPER REP KASPER REP KLEMIN REP MEIER REP WIKENHEISER REP CLEARY REP HUNSKOR REP HUNSKOR REP METCALF  Total (Yes)  Mo 3  Absent  Floor Assignment	Legislative Council Amendment Nun	ıber _			and had been been been been been been been bee	anners de Marie en la sente	ud. Dadi sum Andreasur 4		
Representatives Yes No Representatives Yes No CHAIRMAN KLEIN	Action Taken <u>Acce</u>	ot L	he.	Ameri	Lineres				
CHAIRMAN KLEIN REP KROEBER  VICE CHAIR GRANDE  REP BELLEW  REP BRUSEGAARD  REP CLARK  REP DEVLIN  REP HAAS  REP KASPER  REP KLEMIN  REP MEIER  REP WIKENHEISER  REP UIKENHEISER  REP HUNSKOR  REP METCALF  No 3  Absent	Motion Made By Grande	ng a sangara na katawa na kataw		**	Hasper		lyddi myddinae i y gynd		
VICE CHAIR GRANDE REP BELLEW REP BRUSEGAARD REP CLARK REP DEVLIN REP HAAS REP KASPER REP KLEMIN REP MEIER REP WIKENHEISER REP CLEARY REP HUNSKOR REP METCALF  Total (Yes)  Absent  Floor Assignment	Representatives	Yes	No	Rep	resentatives	Yes	No		
REP BELLEW REP BRUSEGAARD REP CLARK REP DEVLIN REP HAAS REP KASPER REP KLEMIN REP MEIER REP WIKENHEISER REP CLEARY REP HUNSKOR REP METCALF  Total (Yes) // No 3  Absent // September 19 10 10 10 10 10 10 10 10 10 10 10 10 10		V		REP KRO	DEBER		V		
REP BRUSEGAARD REP CLARK REP DEVLIN REP HAAS REP KASPER REP KLEMIN REP MEIER REP WIKENHEISER REP UNSKOR REP HUNSKOR REP METCALF  Total (Yes)  Absent  Floor Assignment	المراجع	V							
REP CLARK REP DEVLIN REP HAAS REP KASPER REP KLEMIN REP MEIER REP WIKENHEISER REP UNSKOR REP HUNSKOR REP METCALF  Total (Yes)  Absent  Floor Assignment		K		·					
REP DEVLIN REP HAAS REP KASPER REP KLEMIN REP MEIER REP WIKENHEISER REP CLEARY REP HUNSKOR REP METCALF  Total (Yes) // No 3  Absent //									
REP HAAS REP KASPER REP KLEMIN REP MEIER REP WIKENHEISER REP CLEARY REP HUNSKOR REP METCALF  Total (Yes) // No 3  Absent // Signment		V							
REP KASPER REP KLEMIN REP MEIER REP WIKENHEISER REP CLEARY REP HUNSKOR REP METCALF  Total (Yes) // No 3  Absent // Statement		\\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\		<del></del>					
REP KASPER REP KLEMIN REP MEIER REP WIKENHEISER REP CLEARY REP HUNSKOR REP METCALF  Total (Yes) // No 3  Absent // Statement			-	VOLU					
REP MEIER REP WIKENHEISER REP CLEARY REP HUNSKOR REP METCALF  Total (Yes) // No 3  Absent // Statement			IND	) \\					
REP WIKENHEISER REP CLEARY REP HUNSKOR REP METCALF  Total (Yes) // No 3  Absent  Floor Assignment			Vi						
REP CLEARY REP HUNSKOR REP METCALF  Total (Yes) // No 3  Absent // Selection // Sel									
REP HUNSKOR REP METCALF  Total (Yes) // No 3  Absent  Floor Assignment			-						
Total (Yes) // No 3  Absent // Floor Assignment		<del></del>	1						
Total (Yes) // No 3  Absent // Floor Assignment		1/							
	Total (Yes) //		No	3					
If the vote is an an amendment, briefly indicate intent:	Floor Assignment					Proceeding to the second design of the second			

			Date:	Feb. 1540, 8	3001	الميديدية قد فالها محدسه : ٢
	I	Roll Ca		2	e Managame en el historia da la habi y	go grados sodos contra
2001 HOUSE STAND BII	ING C LL/RES	OMMI OLUT	TTEE RO	LL CALL VOTES #8 /355		
House GOVERNMENT AND V	ETERA	NS AF	FAIRS		Com	mittee
Subcommittee on						
or	Commission of the Commission o					
Conference Committee						
Legislative Council Amendment Nun	nber					
A						
Action Taken No No	ut ro	ioo L	NS SHIY			<del>,</del>
Motion Made By Gazade		Se	conded	Clark		
gande		By	,	Clark		
Representatives	Yes	No	Ren	resentatives	Yes	No
CHAIRMAN KLEIN	V		REP KRC		<del></del>	L
VICE CHAIR GRANDE	V					
REP BELLEW	V					
REP BRUSEGAARD	<i>''</i>					
REP CLARK						
REP DEVLIN		V				
REP HAAS						
REP KASPER	V/					
REP KLEMIN	V					
REP MEIER	V/					
REP WIKENHEISER	V					
REP CLEARY						
REP HUNSKOR		V				
REP METCALF		V				
Total (Yes)		No		0		
Absent	<del>}</del>					
	Sep.					
If the vote is on an amendment, briefly	y indicat	e inteni	<b>:</b>			

# REPORT OF STANDING COMMITTEE (410) February 16, 2001 1:10 p.m.

Module No: HR-29-3680

Carrier: Clark

Insert LC: 10575.0102 Title: .0200

### REPORT OF STANDING COMMITTEE

HB 1355: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO NOT PASS (9 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1355 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "tribal"

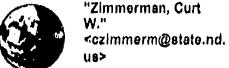
- Page 1, line 8, replace "The" with "Upon the written request of any individual to, and upon receiving the approval of, the capitol grounds planning commission, the"
- Page 1, line 9, replace "must" with "or a flag representing the origin of any ethnic group in the state may" and after the underscored period insert "The state shall assume the cost of displaying any flag at the state capitol."

Renumber accordingly

2001 TESTIMONY

нв 1355





To: "Kloin, Matthew M." <mklein@state.nd.us> co: "Sharp, Pamola K." <psharp@state.nd.us>

Subject: House Bill 1355

02/14/01 11:35 AM

### Representative Klein:

I have been asked to review and comment on an amenument to House Bill 1355. The amendment that has been offer may have a fiscal impact:

1. For flag poles installed on the Capitol Grounds I would expect the cost range from \$7,500 per pole to \$12,500 d the type of pole, the location of the installation and the underground wiring costs for each pole.

- 2. The cost for flags will be difficult to determine because the uniqueness of some ethnic flags may make them a the present time we spend approximately \$48 per North Dakota flag. I have not been able to get a definitive—price o Indian Commission, and it would be even more difficult to estimate other ethnic flags if we—don't know who would their flags on the Capitol Grounds. The flags do need to be replaced about—four times per year so if an ethnic flag anticipate an annual expense of \$400 per year per flag pole.—Again, I have no definitive way at this point in time to derequests the planning commission would approve—and the cost for each ethnic flag.
- 3. We estimate that the cost to burn a 300 watt flag pole light 12 hours a day year round would cost about \$59 pe Using the above information I would expect an annual cost to the state to be about \$450 per year per flag pole plus the I would be happy to meet with you if I can be of any further assistance.

Curt Zimmerman Director, Facility Management Division Telephone - 328-4002