

**2021 HOUSE GOVERNMENT AND VETERANS AFFAIRS**

**HB 1053**

# 2021 HOUSE STANDING COMMITTEE MINUTES

## Government and Veterans Affairs Committee Pioneer Room, State Capitol

HB 1053  
1/14/2021

Relating to the donation of historical artifacts from a county historical society

**Chairman Kasper** opened the hearing on HB 1053 at 9:14 a.m.

<b>Representatives</b>	<b>Roll Call</b>
Representative Jim Kasper	P
Representative Ben Koppelman	P
Representative Pamela Anderson	P
Representative Jeff A. Hoverson	P
Representative Karen Karls	P
Representative Scott Louser	P
Representative Jeffery J. Magrum	P
Representative Mitch Ostlie	P
Representative Karen M. Rohr	P
Representative Austen Schauer	P
Representative Mary Schneider	P
Representative Vicky Steiner	P
Representative Greg Stemen	P
Representative Steve Vetter	P

### Discussion Topics:

- Change “shall” to “may”
- Rationale for the change of wording

**Bill Peterson, State Historical Society**, testified in favor, testimony #723.

**Chairman Kasper** closed the hearing at 9:21 a.m.

**Rep. Schauer** moved for a **Do Pass**.

**Rep. Magrum** seconded the motion.

<b>Representatives</b>	<b>Vote</b>
Representative Jim Kasper	Y
Representative Ben Koppelman	Y
Representative Pamela Anderson	Y
Representative Jeff A. Hoverson	Y
Representative Karen Karls	Y
Representative Scott Louser	Y
Representative Jeffery J. Magrum	Y
Representative Mitch Ostlie	Y
Representative Karen M. Rohr	Y
Representative Austen Schauer	Y
Representative Mary Schneider	Y
Representative Vicky Steiner	Y

Representative Greg Stemen	Y
Representative Steve Vetter	Y

The motion passed 14-0-0. **Rep. Ostlie** is the carrier.

**Chairman Kasper** adjourned at 9:23 a.m.

*Carmen Hart, Committee Clerk*

**REPORT OF STANDING COMMITTEE**

**HB 1053: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)**  
recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB  
1053 was placed on the Eleventh order on the calendar.

## HB 1053 : Century Code Chapter 11-11-53.1—Affiliate Closings

**Key Legislative Change Request:** Change “shall” revert to the state to “may” revert to the state.

### Rationale for Change

- **This is an unfunded mandate that will stress a small state agency staff with potentially thousands of hours of extra work for up to several years.** Existing projects deemed as priorities may need to be eliminated to meet this unforeseen mandate.
- **This mandate has potential to create ill will** with the county museums and cultural organizations that we work closely with to maintain positive professional partnerships. Perceived fears exist among county organizations that the state wants to take their artifacts. Communities and counties are passionate about keeping their local treasures of importance in their own communities, and we support keeping it local whenever possible.
- **The State Historical Society has no control over the buildings housing these objects.** We could potentially be placed into a legal situation of needing to remove of thousands of items from a building that needs to be vacated immediately, has been damaged by elements, or other situations beyond our control.
- As a state and national standard of a Museum Best Practice followed by institutions such as the Smithsonian, **we do not accept objects into the state’s museum collection that do not have a clear record of ownership.** What that means is that we clearly know from written records whether the museum or organization legally owns each item. This is important in case any person suddenly appears and states that a certain object belongs to his/her family and they want it back. We need clear records of ownership for the state to take possession of those items. If those records don’t exist, we cannot accept the items into our collections by our own collections policy.
- **Artifact storage and preservation standards differ from our state practices at many other museums and historical societies.** Following national best practices, we will not accept items into the North Dakota museum collection that have been significantly compromised by weather elements, inadequate storage practices, or inadequate climate control. Items having mold, mildew, pest infestations, and damaged fabrics and materials beyond salvage or that are redundant to the state’s existing collection would not be advised to add to our current collections as a best practice. This mandate forces our staff to potentially compromise the preservation of our entire curated collection.
- **Our storage capacity is extremely limited.** To house a county’s entire museum collection in our existing storage space would be challenging or impossible. We also may have similar objects that tell a similar story representing that county. We do not wish to add redundant items to a state collection already facing storage constraints.

**2021 SENATE GOVERNMENT AND VETERANS AFFAIRS**

**HB 1053**

# 2021 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee  
Room JW216, State Capitol

HB 1053  
2/12/2021

## Relating to the donation of historical artifacts from a county historical society.

**Chair Vedaa** opened the hearing at 9:00 a.m. with Sen Vedaa, Meyer, Elkin, K Roers, Wobbema, Weber, and Marcellais present.

### Discussion Topics:

- Abandoned items from local museums
- Unfunded mandate
- Clear record of ownership
- Change “shall” revert to “may” revert

**Bill Peterson – State Historical Society** - testified in favor #6501

**Sen Roers moved Do Pass**

**Sen Weber Seconded**

**Roll Call Vote 7 YES 0 -- NO -0-ab- Motion Passed**

Senators	Vote
Senator Shawn Vedaa	Y
Senator Scott Meyer	Y
Senator Jay R. Elkin	Y
Senator Richard Marcellais	Y
Senator Kristin Roers	Y
Senator Mark F. Webber	Y
Senator Michael A. Wobbema	Y

**Sen Weber will carry the bill**

Adjourned at 9:07 a.m.

*Pam Dever, Committee Clerk*

**REPORT OF STANDING COMMITTEE**

**HB 1053: Government and Veterans Affairs Committee (Sen. Vedaa, Chairman)**  
recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB  
1053 was placed on the Fourteenth order on the calendar.

## HB 1053 : Century Code Chapter 11-11-53.1—Affiliate Closings

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### Rationale for Change

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- **This mandate has potential to create ill will** with the county museums and cultural organizations that we work closely with to maintain positive professional partnerships. Perceived fears exist among county organizations that the state wants to take their artifacts. Communities and counties are passionate about keeping their local treasures of importance in their own communities, and we support keeping it local whenever possible.
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