

2021 SENATE GOVERNMENT AND VETERANS AFFAIRS

SB 2063

2021 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Room JW216, State Capitol

SB 2063
1/8/2021

A BILL relating to the nickel trophy.

Chairman Vedaa opened the hearing at 9:00 AM

All Senators present: Vedaa, Meyer, Elkin, Roers, Wobbema, Weber, and Marcellais

Discussion Topics:

- Home for trophy.

Bill Peterson, ND State Historical Society, testified in support of this bill. #297.

Additional written testimony: none

Vice Chairman Meyer moved a DO PASS.
Sen Wobbema second the motion.

Roll Call Vote: 7 -- YES 0 -- NO -0-ab

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

Motion Passed

Senator Meyer will carry the bill.

Adjourned at 9:08 AM

Pam Dever, Committee Clerk

REPORT OF STANDING COMMITTEE

SB 2063: Government and Veterans Affairs Committee (Sen. Vedaa, Chairman)
recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB
2063 was placed on the Eleventh order on the calendar.

DRAFT Nickel Trophy Talking Points

Proposed change in wording to "...the nickel trophy must be permanently displayed in the heritage center."

- Since 1895, the State Historical Society has been collecting and preserving artifacts and documents that tell the important stories of our history and culture. We've grown this significant collection to well over 2 million state artifacts and archives materials. Out of that large collection, the Nickel Trophy is the only piece that is mandated to be permanently on display.

This law, created during the last legislative session, has created some ongoing challenges for our agency.

- One is that this law goes against our state museum collections policy. Per our state collections practices and based on national best practices for museum collections care, we do not ever guarantee that a donated object will be placed on exhibit at any time or in any state building. This Century Code required the Nickel Trophy to be on exhibit forever.
- Because of the current wording, the Nickel Trophy may never be loaned to UND, NDSU, any community organizations or museums, or even be on exhibit at our own agency's state historic sites. It is permanently limited to viewing by only visitors to the North Dakota Heritage Center. Greater flexibility could potentially help more diverse audiences see this artifact.
- Part of our agency's mission is to provide the highest level of care, protection, and preservation to the state's artifacts. As worded in current Century Code, this artifact may never leave a display area within the North Dakota Heritage Center. As a best practice for artifact care, any artifact should not be continuously on view forever and ever, because it will be damaged over time with a long-term exposure to the elements of light, dust, pollutants, and more. Just like a chair in your living room will fade over time if exposed to rays of sunlight, artifacts are also affected by light levels in display cases and their surroundings. It is our museum curators' practice to regularly evaluate the condition and periodically remove artifacts from being on exhibit after certain lengths of time to allow the artifacts to "rest" from exposure to the elements in storage. Those artifacts may be exhibited again at a later time. Like all artifacts, the Nickel Trophy will likely deteriorate over time if left on permanent display. We would prefer to have the flexibility allowed by our professional curators' assessments to manage this state artifact's public availability based on the best methods for protecting and preserving its condition. Changing the word "will" to "may" would allow for a higher standard of care for this important collections piece.

2021 HOUSE GOVERNMENT AND VETERANS AFFAIRS

SB 2063

2021 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Pioneer Room, State Capitol

SB 2063
3/11/2021

Relating to the nickel trophy

Chairman Kasper opened the hearing at 2:51 p.m.

Representatives	Roll Call
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 Schauert	P
Representative Mary Schneider	P
Representative Vicky Steiner	P
Representative Greg Stemen	P
Representative Steve Vetter	P

Discussion Topics:

- Display of nickel trophy
- Wording change

Bill Peterson, Director, State Historical Society of ND, testified in favor, #8201.

Additional written testimony: #8840

Chairman Kasper ended at 3:10 p.m.

Carmen Hart, Committee Clerk

SB 2063 Nickel Trophy Talking Points

Proposed change in wording to "...the nickel trophy must be permanently displayed in the heritage center."

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- One is that this law goes against our state museum collections policy. Per our state collections practices and based on national best practices for museum collections care, we do not ever guarantee that a donated object will be placed on exhibit at any time or in any state building. This Century Code required the Nickel Trophy to be on exhibit forever.
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- Part of our agency's mission is to provide the highest level of care, protection, and preservation to the state's artifacts. As worded in current Century Code, this artifact may never leave a display area within the North Dakota Heritage Center. As a best practice for artifact care, any artifact should not be continuously on view forever and ever, because it will be damaged over time with a long-term exposure to the elements of light, dust, pollutants, and more. Just like a chair in your living room will fade over time if exposed to rays of sunlight, artifacts are also affected by light levels in display cases and their surroundings. It is our museum curators' practice to regularly evaluate the condition and periodically remove artifacts from being on exhibit after certain lengths of time to allow the artifacts to "rest" from exposure to the elements in storage. Those artifacts may be exhibited again at a later time. Like all artifacts, the Nickel Trophy will likely deteriorate over time if left on permanent display. We would prefer to have the flexibility allowed by our professional curators' assessments to manage this state artifact's public availability based on the best methods for protecting and preserving its condition. Changing the word "will" to "may" would allow for a higher standard of care for this important collections piece.

Testimony for the
House Government & Veterans Affairs Committee
SB 2063

Andrew Alexis Varvel

March 11, 2021

Chairman Kasper and Members of the Committee:

My name is Andrew Alexis Varvel. I live in Bismarck.

Please give SB 2063 a DO PASS recommendation.

This amendment would provide the State Historical Society of North Dakota with greater flexibility to manage its collections on behalf of the people of North Dakota.

The Nickel Trophy should be exhibited periodically as part of a contextualized display. It could be part of an exhibit about our state's history of higher education, our state's sports history, or a history of depictions of indigenous peoples in popular culture.

One problem with mandating a permanent display of the Nickel Trophy is that it may decontextualize its historical significance. It would be rather like the difference between exhibiting a Triceratops skull all by itself and exhibiting a Triceratops skull within a context that tells a greater story about North Dakota's Hell Creek Formation's ecology that would include flora and fauna from the Upper Cretaceous Period.

So, to help the State Historical Society better curate the Nickel Trophy and build better displays to explain historical context, please recommend a DO PASS for Senate Bill 2063.

Thank you.

Andrew Alexis Varvel
2630 Commons Avenue
Bismarck, ND 58503
701-255-6639
mr.a.alexis.varvel@gmail.com

Postscript:

One of the joys of the Nickel Trophy in UND and NDSU tradition has been the opportunity it has provided for rival students to steal the trophy. So, unless the State Historical Society of North Dakota would like this artifact to go missing, it would be prudent for it to refrain from loaning out the Nickel Trophy, instead keeping it in a neutral location under lock and key.

2021 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Pioneer Room, State Capitol

SB 2063
3/12/2021

Relating to the nickel trophy

Chairman Kasper opened the committee work meeting at 10:36 a.m.

Representatives	Roll Call
Representative Jim Kasper	P
Representative Ben Koppelman	P
Representative Pamela Anderson	P
Representative Jeff A. Hoverson	A
Representative Karen Karls	P
Representative Scott Louser	P
Representative Jeffery J. Magrum	A
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:

- Heritage center display

Rep. B. Koppelman explained the Title and Ownership Agreement, #8961. **Rep. B. Koppelman** presented and moved to **adopt amendment 21.8026.01003**, #9343. **Rep. Rohr** seconded.

Rep. Vetter moved to amend the previous amendment to “fall of 2021.” **Rep. Schauer** seconded. **Rep. Schneider** presented some information about the nickel trophy, #10675. **Voice vote on Rep. Vetter’s amendment. Motion carries.**

Rep. Schneider moved an oral amendment to Rep. B. Koppelman’s amendment “allowing the board to loan out the trophy at their discretion.” **Rep. P. Anderson** seconded.

No further action was taken, and the bill is to be held until next week.

Chairman Kasper adjourned at 10:57 a.m.

Carmen Hart, Committee Clerk

AGREEMENT TO TRANSFER TITLE AND OWNERSHIP

This Agreement to Transfer Title and Ownership is made on this day of December, 2020 by and between the State of North Dakota, by and through its State Historical Society; the University of North Dakota Student Senate; Blue Key Honor Society, North Dakota State University chapter; University of North Dakota; North Dakota State University; and the North Dakota State Board of Higher Education in order to transfer title and ownership of the Nickel Trophy to the State Historical Society for preservation and display, at its discretion, in perpetuity.

WHEREAS, the Nickel Trophy is a trophy inaugurated in 1938 in the shape of a once-minted U.S. nickel. Said trophy is two inches thick and 22 inches in diameter and weighs 75 pounds;

WHEREAS, previously, the Nickel Trophy was historically owned by the Blue Key Honor Society of UND and the Blue Key Honor Society of NDSU and was awarded by the Blue Key Honor Society of NDSU or UND to the winner of the University of North Dakota-North Dakota State football game;

WHEREAS, the Nickel Trophy has not been awarded to either school since 2003;

WHEREAS, the 65th Legislative Assembly passed 2017 Senate Bill 2003 which created North Dakota Century Code (N.D.C.C.) § 15-10-62 which states as follows:

To promote national recognition and statewide enthusiasm, the legislative assembly encourages the university of North Dakota and the North Dakota state university of agriculture and applied science to play for the nickel trophy during the course of a national collegiate athletic association football game. If the athletic director or president of either institution elects not to play for the nickel trophy, the nickel trophy must be permanently displayed in the heritage center.

WHEREAS, neither institution has elected to play for, or display, the Nickel Trophy since enactment of N.D.C.C. § 15-10-62;

WHEREAS, the Blue Key Honor Society chapter for the University of North Dakota has since ceased to exist and its ownership interests vested in the University of North Dakota Student Senate;

THE PARTIES HEREBY AGREE AS FOLLOWS:

1. The University of North Dakota Student Senate; Blue Key Honor Society, North Dakota State University chapter; University of North Dakota; North Dakota State University; and the North Dakota State Board of Higher Education (hereinafter collectively referred to as "donors") hereby irrevocably and unconditionally transfer to the State Historical Society all right, title, and

interest in and to the object previously described herein as the Nickel Trophy, including all owned copyrights, trademarks, and related interests.

2. Donors certify that, to the best of their knowledge, they are all possible lawful owners of said Nickel Trophy and that they are authorized to make this transfer of ownership.
3. Donors understand that by transfer of ownership of the Nickel Trophy, the Nickel Trophy becomes the property of the State of North Dakota, by and through its State Historical Society, and that the State may care for; preserve; display; dispose of; or transfer this object at its sole discretion as allowable by state law.

This Transfer Agreement shall be effective as of the date of the last signature of the parties.

DATED this 22 day of DECEMBER 2020.

BLUE KEY HONOR SOCIETY, NORTH DAKOTA STATE UNIVERSITY



Taylor Bengtson, President



Margaret Lattrell, Faculty Advisor

DATED this 23 day of DECEMBER 2020.

UNIVERSITY OF NORTH DAKOTA STUDENT SENATE

Matthew Ternus, Student Body President

Cassie Gerhardt, Student Government Advisor

interest in and to the object previously described herein as the Nickel Trophy, including all owned copyrights, trademarks, and related interests.

2. Donors certify that, to the best of their knowledge, they are all possible lawful owners of said Nickel Trophy and that they are authorized to make this transfer of ownership.
3. Donors understand that by transfer of ownership of the Nickel Trophy, the Nickel Trophy becomes the property of the State of North Dakota, by and through its State Historical Society, and that the State may care for; preserve; display; dispose of; or transfer this object at its sole discretion as allowable by state law.

This Transfer Agreement shall be effective as of the date of the last signature of the parties.

DATED this _____ day of _____ 2020.

BLUE KEY HONOR SOCIETY, NORTH DAKOTA STATE UNIVERSITY

_____, President

Margaret Lattrell, Faculty Advisor

DATED this _____ day of _____ 2020.

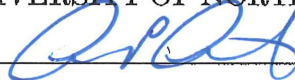
UNIVERSITY OF NORTH DAKOTA STUDENT SENATE

Matthew Ternus, Student Body President

Cassie Gerhardt, Student Government Advisor

DATED this 21ST day of January 2021
2020.

UNIVERSITY OF NORTH DAKOTA



Andrew Armacost, President

DATED this _____ day of _____ 2020.

NORTH DAKOTA STATE UNIVERSITY

Dean Bresciani, President

DATED this _____ day of _____ 2020.

STATE BOARD OF HIGHER EDUCATION

Nick Hacker, Chair

DATED this _____ day of _____ 2020.

STATE OF NORTH DAKOTA

By and through its STATE HISTORICAL SOCIETY

William D. Peterson, Director


DATED this _____ day of _____ 2020.

UNIVERSITY OF NORTH DAKOTA

Andrew Armacost, President

DATED this 18th day of December 2020.

NORTH DAKOTA STATE UNIVERSITY


Dean Bresciani, President

DATED this _____ day of _____ 2020.

STATE BOARD OF HIGHER EDUCATION

Nick Hacker, Chair

DATED this _____ day of _____ 2020.

STATE OF NORTH DAKOTA

By and through its STATE HISTORICAL SOCIETY

William D. Peterson, Director

DATED this _____ day of _____ 2020.

UNIVERSITY OF NORTH DAKOTA

Andrew Armacost, President

DATED this _____ day of _____ 2020.

NORTH DAKOTA STATE UNIVERSITY

Dean Bresciani, President

DATED this 17th day of December 2020.

STATE BOARD OF HIGHER EDUCATION

Nick Hacker

Nick Hacker, Chair

DATED this _____ day of _____ 2020.

STATE OF NORTH DAKOTA

By and through its STATE HISTORICAL SOCIETY

William D. Peterson, Director

DATED this _____ day of _____ 2020.

UNIVERSITY OF NORTH DAKOTA

Andrew Armacost, President

DATED this _____ day of _____ 2020.

NORTH DAKOTA STATE UNIVERSITY

Dean Bresciani, President

DATED this _____ day of _____ 2020.

STATE BOARD OF HIGHER EDUCATION

Nick Hacker, Chair

DATED this _____ day of _____ 2020.

STATE OF NORTH DAKOTA

By and through its STATE HISTORICAL SOCIETY



William D. Peterson, Director

21.8026.01003

Sixty-seventh
Legislative Assembly
of North Dakota

SENATE BILL NO. 2063

Introduced by

Government and Veterans Affairs Committee

(At the request of the State Historical Society)

1 A BILL for an Act to amend and reenact section 15-10-62 of the North Dakota Century Code,
2 relating to the nickel trophy.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 15-10-62 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **15-10-62. Nickel trophy.**

7 To promote national recognition and statewide enthusiasm, the legislative assembly
8 encourages the university of North Dakota and the North Dakota state university of agriculture
9 and applied science to play for the nickel trophy during the course of a national collegiate
10 athletic association football game. ~~If the athletic director or president of either institution elects~~
11 ~~not to play for the nickel trophy, the~~ The nickel trophy must be permanently displayed in the
12 heritage center ~~acquired by the state historical society and become part of the state historical~~
13 ~~society's permanent collection until the trophy is reinstated as the trophy that is transferred to~~
14 the victor of the football game each year beginning with the football game in 2022.

NDLA, Intern 09 - Maashio, Alexandria

From: Schneider, Mary
Sent: Friday, March 12, 2021 11:13 AM
To: NDLA, Intern 09 - Maashio, Alexandria
Subject: FW: Information Request Relating to 2021 SB 2063

Hi, Lexi--Maybe the Committee should have access to the Legislative Council information on the Nickel Trophy, if you would distribute the email below to them. The 2019 Senate action referenced in the LC email encouraged the creation of a new trophy.

Thanks, Lexi.

Mary

Rep. Mary Schneider
District 21 -- the Heart of Fargo

From: Schneider, Mary
Sent: Thursday, March 11, 2021 3:42 PM
To: Kasper, Jim M. <jkasper@nd.gov>
Subject: FW: Information Request Relating to 2021 SB 2063

Just FYI...

Mary

From: Aull, Kylah E. <kaull@nd.gov>
Sent: Wednesday, March 10, 2021 5:09 PM
To: Schneider, Mary <mschneider@nd.gov>
Subject: Information Request Relating to 2021 SB 2063

Representative Schneider,

You asked for information about the history of the Nickel Trophy up until the time it was given to the State Historical Society, how it came to be at the Historical Society, and any other information relative to the bill.

Sources credit University of North Dakota (UND) alum Robert Kunkel with the idea for the Nickel Trophy, which is an oversized replica of the United States Buffalo Nickel, designed by Dakota Territory-raised sculptor James Earle Fraser and circulated between 1913 and 1938. The trophy weighs 75 pounds, has a diameter of 22 inches, and is two inches thick.

North Dakota State University (NDSU) and UND first competed for the trophy in 1938, although their football rivalry dated back to 1894. The two teams, both members of the NCAA Division II North Central Conference since 1921, stopped competing for the trophy following their 2003 matchup as NDSU transferred to Division I the next year.

After the 2003 game, UND kept the trophy in various hidden locations following a history of prank thefts starting on the day of the trophy's unveiling and reemerging in the late 1990s in a series of elaborate plots led by UND and NDSU students.

When the two teams played one another in 2015, the trophy was no longer in play. Since their last match, UND had retired their “Fighting Sioux” nickname and logo; and the trophy, with a bison on one side and a Native American on the other side, no longer represented the mascots of each team.

On December 3, 2018, UND transferred the Nickel Trophy to the North Dakota State Historical Society, and in late 2020, the State Board of Higher Education formally approved the transfer.

The Legislative Assembly has considered legislation relating to the historical rivalry on several occasions (please see the legislative history materials linked below). In 2009, the Legislative Assembly failed to pass HB 1507 to require, and amended to encourage, an annual game between the two teams. In 2017, the Legislative Assembly passed language in section 7 of SB 2003 encouraging a renewed competition for the trophy or permanent display of the trophy in the Heritage Center. Through 2019 SCR 4011, the Legislative Assembly urged the student bodies of UND and NDSU to design and implement a new football rivalry trophy.

Both universities are now members of the Missouri Valley Football Conference.

2009 HB 1507	Measure Versions	Bill Status Actions	Minutes and Testimony
2017 SB 2003	Session Laws	Bill Status Actions	Minutes and Testimony
2019 SCR 4011	Session Laws	Bill Status Actions	Minutes and Testimony

Thank You,
Kylah E. Aull
Manager, Library and Records
North Dakota Legislative Council

2021 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Pioneer Room, State Capitol

SB 2063
4/1/2021

Relating to the nickel trophy

Chairman Kasper opened the committee work meeting at 9:52 a.m.

Representatives	Roll Call
Representative Jim Kasper	P
Representative Ben Koppelman	P
Representative Pamela Anderson	P
Representative Jeff A. Hoverson	A
Representative Karen Karls	P
Representative Scott Louser	P
Representative Jeffery J. Magrum	A
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:

- NDSU vs UND football rivalry
- Playing for a trophy

Rep. B. Koppelman presented and moved **amendment 21.8026.01007**, #11275. **Rep. Vetter** seconded.

After much committee discussion on this amendment, it was decided to leave this open until next week.

Chairman Kasper adjourned at 10:15 a.m.

Carmen Hart, Committee Clerk

Sixty-seventh
Legislative Assembly
of North Dakota

SENATE BILL NO. 2063

Introduced by

Government and Veterans Affairs Committee

(At the request of the State Historical Society)

1 A BILL for an Act to amend and reenact section 15-10-62 of the North Dakota Century Code,
2 relating to the nickel trophy; and to provide an effective date.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 15-10-62 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **15-10-62. Nickel trophy.**

7 To promote national recognition and statewide enthusiasm, the legislative assembly
8 encourages the university of North Dakota and the North Dakota state university of agriculture
9 and applied science to play for ~~the nickel~~ a state-owned trophy during the course of a national
10 collegiate athletic association football game. ~~If the athletic director or president of either~~
11 ~~institution elects not to play for the nickel trophy, the~~ The nickel trophy must be permanently
12 displayed in the heritage center ~~acquired by the state historical society and become part of the~~
13 ~~state historical society's permanent collection, unless on temporary loan from the heritage~~
14 center. If the athletic director or president of both institutions fail to elect to play for a different
15 state-owned trophy, the nickel trophy must be loaned to the victor of the football game each
16 year beginning with the football game in the fall of 2023. If the state loans the nickel trophy to
17 either university, the university shall accept the trophy and display the trophy in the university's
18 student union, or other prominent location on campus, for public viewing.

19 **SECTION 2. EFFECTIVE DATE.** This Act becomes effective on August 1, 2023.

2021 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Pioneer Room, State Capitol

SB 2063
4/8/2021

Relating to the nickel trophy

Chairman Kasper opened the committee work meeting at 10:49 a.m.

Representatives	Roll Call
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:

- Permanent display of nickel trophy
- New trophy development
- Requirement of "No Play"

Rep. B. Koppelman presented amendment 21.8026.01008, #11457.

Rep. Schneider moved to adopt amendment 21.8026.01008. **Rep. Vetter** seconded.
Voice vote. Motion carried.

Rep. Vetter moved **Do Pass** as amended. **Rep. Rohr** seconded.

Representatives	Vote
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	N
Representative Mitch Ostlie	N
Representative Karen M. Rohr	Y
Representative Austen Schauer	Y
Representative Mary Schneider	Y

Representative Vicky Steiner	N
Representative Greg Stemen	Y
Representative Steve Vetter	Y

Motion passes. 11-3-0. **Rep. Schauer** is the carrier.

Chairman Kasper adjourned at 10:58 a.m.

Carmen Hart, Committee Clerk

PROPOSED AMENDMENTS TO SENATE BILL NO. 2063

Page 1, line 2, after "trophy" insert "; to provide for a budget section report; and to provide a contingent appropriation"

Page 1, line 6, overstrike "**Nickel**" and insert immediately thereafter "**Football**"

Page 1, after line 6, insert:

"1. After being retired by the university of North Dakota and the North Dakota state university of agriculture and applied science, the state-owned nickel trophy must be displayed permanently in the heritage center.

2."

Page 1, line 9, overstrike "the nickel" and insert immediately thereafter "a state-owned"

Page 1, line 10, after "game" insert "beginning with the football game in the fall of 2023"

Page 1, line 10, overstrike "If the athletic director or president of either institution elects"

Page 1, line 11, overstrike "not to play for the nickel trophy, the nickel trophy must be"

Page 1, line 12, remove "acquired by the state historical society and become part of the state historical society's"

Page 1, line 13, remove "permanent collection"

Page 1, line 13, overstrike the period

Page 1, after line 13, insert:

"SECTION 2. CONTINGENT APPROPRIATION - REPORT TO BUDGET SECTION - FOOTBALL TROPHY. The university of North Dakota and North Dakota state university of agriculture and applied science shall present a report to the budget section before June 30, 2022, with a plan for how the universities will collaborate to design and create a state-owned trophy for purposes of section 15-10-62. If the budget section approves the plan for collaboration, there is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$9,900, or so much of the sum as may be necessary, to the university of North Dakota and North Dakota state university of agriculture and applied science for the purpose of designing and creating a state-owned trophy, for the biennium beginning July 1, 2021, and ending June 30, 2023. The funds appropriated under this section may be supplemented by other resources of the universities, provided the use of the other resources is not contrary to legislative appropriations."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2063: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2063 was placed on the Sixth order on the calendar.

Page 1, line 2, after "trophy" insert "; to provide for a budget section report; and to provide a contingent appropriation"

Page 1, line 6, overstrike "**Nickel**" and insert immediately thereafter "**Football**"

Page 1, after line 6, insert:

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Renumber accordingly

21.8026.01008

Sixty-seventh
Legislative Assembly
of North Dakota

SENATE BILL NO. 2063

Introduced by

Government and Veterans Affairs Committee

(At the request of the State Historical Society)

1 A BILL for an Act to amend and reenact section 15-10-62 of the North Dakota Century Code,
2 relating to the nickel trophy; to provide for a budget section report; and to provide a contingent
3 appropriation.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Section 15-10-62 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **15-10-62. ~~Nickel~~Football trophy.**

8 1. After being retired by the university of North Dakota and the North Dakota state
9 university of agriculture and applied science, the state-owned nickel trophy must be
10 displayed permanently in the heritage center.

11 2. To promote national recognition and statewide enthusiasm, the legislative assembly
12 encourages the university of North Dakota and the North Dakota state university of
13 agriculture and applied science to play for ~~the nickel~~ a state-owned trophy during the
14 course of a national collegiate athletic association football game beginning with the
15 football game in the fall of 2023. ~~If the athletic director or president of either institution~~
16 ~~elects not to play for the nickel trophy, the nickel trophy must be~~ permanently
17 displayed in the heritage center ~~acquired by the state historical society and become~~
18 ~~part of the state historical society's permanent collection.~~

19 **SECTION 2. CONTINGENT APPROPRIATION - REPORT TO BUDGET SECTION -**

20 **FOOTBALL TROPHY.** The university of North Dakota and North Dakota state university of
21 agriculture and applied science shall present a report to the budget section before June 30,
22 2022, with a plan for how the universities will collaborate to design and create a state-owned
23 trophy for purposes of section 15-10-62. If the budget section approves the plan for
24 collaboration, there is appropriated out of any moneys in the general fund in the state treasury,

1 not otherwise appropriated, the sum of \$9,900, or so much of the sum as may be necessary, to
2 the university of North Dakota and North Dakota state university of agriculture and applied
3 science for the purpose of designing and creating a state-owned trophy, for the biennium
4 beginning July 1, 2021, and ending June 30, 2023. The funds appropriated under this section
5 may be supplemented by other resources of the universities, provided the use of the other
6 resources is not contrary to legislative appropriations.