

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

4019

2005 SENATE EDUCATION

SCR 4019

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SCR 4019

Senate Education Committee

Conference Committee

Hearing Date January 31, 2005

Tape Number	Side A	Side B	Meter #
1		X	4,850-END
2	X		1-1762
Committee Clerk Signature <i>Patty Wilkins</i>			

Minutes: A concurrent resolution urging all educators to ensure that the schoolchildren of North Dakota are taught the history of the United States flag, that they are taught to respect the flag, to exercise proper flag etiquette, and to understand that the flag is the most visible and enduring symbol of the American spirit.

Senator Layton Freborg, Chairman called the meeting to order on SCR 4019.

All Senators were present.

Testimony in support of the Bill:

Senator Bill Bowman introduced SCR 4019 which urges all educators to ensure that schoolchildren are taught the history of the U.S. flag, that they learn to respect the flag and exercise proper flag etiquette. In the last national election, even though the country was divided people came together. Young people need to appreciate what the flag stands for, and know about the sacrifices that were made for freedom.

Representative Arlo Schmidt appeared in support of the resolution. As an announcer at sporting events over the years, he began to notice the lack of attention of people when the national anthem was played. It would take teachers just a few minutes each day to instruct children about this important issue.

Senator Dennis Bercier-appeared in support of the resolution. As a veteran, you are asked to take care of the flag. He notices a lack of understanding on what needs to be done for basic etiquette of the flag.

John Jacobsen appeared in support of the resolution. See attached testimony.

Senator Flakoll- Where is the best place to find this information on proper flag protocol?

John Jacobsen- Most veteran's organizations have flyers to pass out to the schools and to distribute at public rallies.

Ray Rothman- a past department commander of AMVETS, appeared in support of the bill.

Roy Basarabba- a member of American Legion Post 44 in Belfield appeared in support of the bill. After many years of observing events, he has had much frustration on the lack of the public's understanding of proper flag etiquette. Several people do not know what to do when taps are played, or the flag is raised. He is against the stance of the National Flag Alliance, they are focused on making sure the state has the right to protect the flag. Instead they should put their efforts and fundraising towards providing more education for youth about proper flag etiquette.

Sandy Clark, representing the North Dakota Farm Bureau appeared in support of the resolution. Farm Bureau sponsors a citizenship seminar day where children learn about flag etiquette and patriotism.

John Emter, appeared in support of the bill. The flag is a symbol of the United States, and people need to appreciate it more. We need to send a message by passing this resolution.

Gene Kuba, appeared on behalf of the commissioner of Veterans Affairs, **Bob Hanson** in support of the bill. Amvets have a flag folding presentation that they put on at every school in Bismarck and Mandan. This is a very powerful presentation.

Lyle Schuchard, Commander of Amvets Post 9 in Bismarck appeared in support of the resolution. Amvets goes out to schools and the elderly, and people are excited about the programs they offer.

Testimony in opposition of the Bill:

No opposition

Senator Freborg closed the hearing on SCR 4019.

Senator Freborg : Opened meeting for more discussion later on that afternoon.

Senator Flakoll : I visited with Senator Bowman about this earlier about sending this out electronically. Sometimes when they send out copies of these, they are all signed copies, signed by a couple different people, that may be the rub, because they would need to send out 800 copies. One to each School Board and one to each administrator 200 plus 200 plus the principle which would be 600. So I am just wondering if we can save a little possible paperwork if those need to be signed off on then we could send those electronically. Would you like that amendment now?

Senator Freborg : Not if you are not prepared..

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Senate Education Committee

Bill/Resolution Number SCR 4019

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Senator Flakoll : I didn't know that if on pg 2 line 1 we could say state forward electronic copies, or electronically forward copies, does that make sense, so it would be further resolved that the Secretary of State shall electronically forward copies, not sure how?

Senator Freborg : Could it be better if the DPI to do this? Considering where the resolution is going?

Senator Flakoll : I could live with that too Mr. Chairman, it does make sense as they have the list.

Senator Freborg : Secretary of State could direct them.

Senator Flakoll : So that line 2 could read that the Superintendent of Public Instruction who shall electronically forward copies to the board of each school district.

Senator Erbele : You had a whole list of people of who you would mail to in addition to just the school administrator, who would you have in mind there, my concern is if it would get lost in cyberspace. However much e-mail you do or get they may delete accidentally. You may want to just send them a hard copy.

Senator Flakoll : Last night when reading the bill, if a Superintendent would get a letter or e-mail from the Superintendent of Public Instruction, a more streamlined economical way. To eliminate producing 700 hard copies.

Senator Freborg : please look at this Senator Flakoll and come back with a recommendation or an amendment. I don't think anyone opposes your idea.

Senator Erbele : If there are 200 schools or whatever I would like to see that there is one hard copy on record per school. My personal feelings.

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Senate Education Committee
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Senator Flakoll, Made a motion for a Do Pass as amended on SCR 4019

Seconded By, **Senator Taylor**

There being no other discussion roll call vote was taken. vote: 6-0-0

Senator Taylor, will carry the bill.

The meeting was adjourned.

REPORT OF STANDING COMMITTEE

SCR 4019: Education Committee (Sen. Freborg, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4019 was placed on the Sixth order on the calendar.

Page 2, line 1, replace "copies" with "a copy"

Page 2, line 2, after the first comma insert "who shall forward electronic copies to"

Renumber accordingly

2005 HOUSE EDUCATION

SCR 4019

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SCR 4019

House Education Committee

Conference Committee

Hearing Date **9 March 2002**

Tape Number	Side A	Side B	Meter #
2	X		670 -3765
			535 - 740
Committee Clerk Signature <i>Jan Prindle</i>			

Minutes:

Vice Chairman Johnson opened the hearing of SCR 4019.

Senator Bill Bowman, District 39, introduced the resolution. It's a privilege to be here today to bring this resolution forward. I was called from a veteran from Belfield who asked if I would do this. I said I would be honored to do so. I'm not sure exactly what is taught in schools. I didn't have time to research that. This is not mandatory. This is a suggestion for our schools. When you see how many countries burn the American flag and then you see what our flag actually stands for. We need to let our young kids understand just exactly what that. When that flag is presented, that's a symbol of freedom that gives us the ability in this nation to disagree. We still have to respect that flag and be taught the respect for that flag. Every time that flag is raised we see people that don't honor it, we see people that are disrespectful. Is it because they weren't educated? I can tell you as someone who served in the military we were taught. I understand what it's all about. It's an honor to be a part of this resolution and support the

veterans that asked me to bring this forward especially at this time when there is so much conflict and so many countries and radical groups are burning our flag. Thank the Good Lord we have the ability and freedom to make our own decisions and not be ruled by one governing body that says you will not. If you read lines 23 & 24, it pretty much tells you the whole resolution.

Rep. Herbel: I noticed this is engrossed. How was it changed?

Sen. Bowman: On the last page as far as getting this out to the school it was added that they could use e-mail. That was to cut the cost down.

Harvey Peterson, District 8 commander for the American Legion: I heartily support this resolution. I want to address two principle issues. The first is me. Having been a member of the color guard for many, many years you get to be in the front of the parade so you get to pass by everybody and see how they respond. The response to the American flag goes from hearty enthusiasm to abject neglect. It's real obvious to see where children are being taught something because it's really thrilling to see preschool kids stand up, cover their heart and pull on their daddy's hand to get him off of the curb. There are some great things being done in certain places. The need is still there. Secondly I want to address the resources. The veterans groups in the nation, ND among them, have resources, have the ability, have the people and have the willingness to be a part of this education. Many of us do it now, have done it for years and will continue to do it with or without the resolution. I think urging of this type is extremely appropriate and would be beneficial to us all. I like the idea that it's not mandatory. I served overseas and although I did not salute their flags I certainly respected it. I expect the same thing of foreign nationals in our country.

Wayne Sanstead, state superintendent, DPI, spoke in favor of the resolution. I have on my bookshelf upstairs Nathan Hale's *The Man Without a Country*, the first edition in print. Nathan Hale's words in his introduction: "Americans are accused of lacking patriotism because they do not rise whenever the Star Spangled Banner happens to be played or when their national flag passes by them. Although they may fall short occasionally in patriotic etiquette, they're always ready when the country requires its most heroic loyalty." This puts some perspective into it. Often it's the youth that make the proper approach to the flag's presence and to the playing of the national anthem. He read The National and State High Schools Activities Association prepared statement for the proper decorum to be read before every major sports event. There are lots of materials to make sure this resolution takes place. Some materials include "How to Display the Flag" by the American Legion and the US Navy Recruiting Command booklet. Since the introduction of this bill I received a multimedia kit titled "For Which it Stands" developed by the American Legion.

Rep. Hunskor: As you well remember I was involved with a bill/resolution in the same vein as this. It is a resolution so from your standpoint so this is just not laid on the table to gather dust. I guess I'd like to hear what your department does and what did the schools of ND do with the resolution?

Sanstead: I recall that very much. It had to do with the military conflict and the expansion of materials for that effort. What we do is tell the schools these materials are available. We don't order them. We don't provide them. There are not funds for us to be able to do that. I think the important fact is that it is not a mandate. It is not a requirement. The school uses the

information and the request in the way they wish to do so. I have not see some concern for the presentation of the flag or the national anthem in social studies, history classes, etc.

Rep. Sitte: Could you provide for us the standards in history and social studies in regard to this area? Perhaps if we looked at those standards this Committee could actually include something like this in those standards if you don't already so we would have a strong statement.

Sanstead: I know the educators working on the creation of state standards are mindful of the necessity to incorporate some sense of history and particularly patriotism in our students. I know those elements will be included in standards although Social Studies standards are the last set of standards to be developed. I know that will be looked at and encouraged.

Gene Kouba, past commander of the American Legion, and member of DVA, offered support of SCR 4019. Both organizations offer support. They would not support it if it were mandatory. They want people to have a choice. The bill was generated from the Medora area by a veterans service officer who was appalled by the lack of respect in Medora at parades and ball games shown to the flag. He said the response went from people eating potato chips to people just getting up and leaving the room. We as county veterans service officers said we would support it. All those we were able to contact supported it.

Ray Rothman, past department commander and legislative director for AMVETS, testified in favor of the resolution. I am also a member of the honor guard and can echo what others said.

It's amazing what you see when walking down the street and how disrespectful people are. I'm talking about the senior people as well. Patriotism is something that seems to come and go. If we don't constantly work on this it's going to disappear. Patriotism is high today because of the terrorist attacks and being we are in Iraq. As these yellow ribbons come down we're going to

forget and patriotism is going to go back to where it was some years ago. We want to continue teaching our young people proper etiquette.

Austin Gillette, commander of Post 253 in White Shield ND and representing the Three Affiliated Tribes, testified in favor of the resolution. The flag is my home country. We would have a Native American flag song just for our flag and our relatives who served in the military. My great grandfather was a scout for Custer, my grandfather was a WWI veteran, my father was a WWII veteran, my uncle served in Korea, and I served in Vietnam. When we say farewell to our relatives we know the protocol--the family receives a flag. At our summer gatherings we fly flags of remembrance of those veterans and honor is paid to their memory. The protocol is impressive. When I came back from Vietnam there was a welcome home dance for me at the community hall attended by 200 people. When I told my friend from NJ this of this tradition, he wanted to come with me. We were attacked by a rocket and he never made it home. To me the flag represents freedom and the choice to do what we want but we have to be respectful. Our community raised \$5000 and in 1995 we went to the Korean War Memorial dedication. Fifteen auxiliary members and ten Legion members rented a bus and drove. We sat on the podium where the president had talked and rendered all our war songs from Custer to Vietnam and we rendered a Korea victory song and we had our flags there. People said you Native Americans got the bad end of the stick. I told them that was true but that doesn't mean we do not respect what is here what we all cherish. That's the freedom won by our relatives--yours and mine. To be able to stand before you today is a privilege and an honor.

Patrick Mischel, Vietnam veteran, with four purple heart commendations, now working as a security guard, testified in favor of the resolution. As a security guard I do a lot of football

games, basketball games and different events. I'm amazed at how people act when the colors come by. I would like this resolution passed.

Chairman Kelsch: On line one it says "a concurrent resolution urging all educators to insure that school children of ND are taught the history of the US flag." Perhaps we should include parents in there. I agree with you that at sporting events lack of respect is horrible. The superintendent was going around trying to get the kids to stand up, to remove their head gear, to put their hand on their heart. All too often we place too much responsibility on teachers when the parents at home need also to be teaching respect for the flag.

Mischel: That's correct. I used to work at the community bowl in Bismarck. They have signs about food, drinks. What upset me was when I had a high school official tell me we have to bend the rules because it's their homecoming. But getting back to the flag, yes it should include adults too.

Senator Dennis Bercier, District 9, Vietnam Veteran, and sponsor of the bill. The previous speakers have explained the lack of respect, the lack of understanding of what the flag means, and how it's handled and treated. I ask for your support in passing this resolution and helping to get our younger people and elders aware. At the Powwows as a veteran I have the responsibility to lower or raise the flags. I was responsible for folding it. An elder gentlemen brought me aside and reminded me that I had a very strong responsibility to understand and know how to handle that flag. I never forgot that.

Carol Two Eagle testified in favor of the resolution. I'm a traditional person and I'm one of the women who dances traditionally at the Powwow when the veterans take the flags down at the end of the day. I'm one of those mothers who dances behind. I haven't lost any kids but there is

still opportunity since I am now a great-grandmother. I was married to two veterans and nearly married a third but he died in Vietnam before that could happen. It used to bother the men I was married to when the flag was not shown proper respect. It bothers me too. My last husband was murdered but he was in Vietnam four tours and he was wounded four times. I think you should support this bill to the maximum you can.

Sophia Preszler, from District 35, testified in favor of the bill. I believe we should respect the flag. I consider the flag as sovereign. It represents the country, the state, and the whole world, but I will not pay homage to the flag that has the gold fringe attached to it. When you study the etiquette of the flag, if you add anything to the flag you undermine the flag and yet wherever I go in public offices you have the gold fringed flag which stands for national and international. I do honestly and truly respect all flags. It is the symbol of our country upon which we were founded. I would not support this amendment if gold fringe is on the flag.

There being no further testimony, Vice Chairman Johnson closed the hearing on SCR 4019.

At a later time Chairman Kelsch opened discussion of SCR 4019.

Rep. Haas: I move a **Do Pass**.

Rep. Herbel: I second.

Rep. Hawken: I wanted to add the Star Spangled Banner to it, but maybe next time.

Chairman Kelsch: When I was talking about parents I meant there are a lot of parent that aren't teaching their children respect for the flag either by not talking about it by they themselves not respecting the flag as it comes out.

Rep. Herbel: Unfortunately, as an athletic director in the past, I would see parents drop their kids off at the games and then let the school supervise evening day care for them. That got to be a problem.

Rep. Hawken: Maybe we can teach the kids and they can teach their parents.

The question was called for.

A roll call vote was taken.

Yes: 12 No: 0 Absent: 2 (Norland, Mueller)

Rep. Herbel will carry the bill.

#2 B 550 - 135

Date: 9 Mar 05
Roll Call Vote #:

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SR 4019

House Education Committee

Check here for Conference Committee

Legislative Council Amendment Number

Action Taken do Pass

Motion Made By Haas Seconded By Herbel

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch	✓		Rep. Hanson	✓	
Vice Chairman Johnson	✓		Rep. Hunskor	✓	
Rep. Haas	✓		Rep. Mueller	0	
Rep. Hawken	✓		Rep. Solberg	✓	
Rep. Herbel	✓				
Rep. Horter	0				
Rep. Meier	✓				
Rep. Norland	0				
Rep. Sitte	✓				
Rep. Wall	✓				

Total (Yes) 12 No 0

Absent 2 (Norland Mueller)

Floor Assignment Herbel

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
March 9, 2005 1:26 p.m.

Module No: HR-43-4516
Carrier: Herbel
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SCR 4019, as engrossed: Education Committee (Rep. R. Kelsch, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SCR 4019 was placed on the Tenth order on the calendar.

2005 TESTIMONY

SCR 4019



John L. Jacobsen, COL AUS (Ret)
330 E. Central Avenue
Bismarck, North Dakota 58501-1778
(701) 255-0969
jacobsen66@earthlink.net

Mr. Chairman:

I am John Jacobsen, today representing myself at this hearing of SCR 4019 that calls for educators to teach the North Dakota students about the flag of the United States. The history of the US Flag goes back 2 centuries and more. Many men and women have died fighting for "their flag" and from wounds incurred during their fighting.

Today, this resolution is being presented to direct our teachers to do just that – teach our children and our children's children about OUR flag. I would like to ask this committee to think about dedicating this resolution to honor former Representative Jim Coats of Mandan who so fervently served under this flag during World War II and Korea. You have all heard by now that our Comrade, Jim, died this past weekend of injuries incurred in an automobile accident. Jim was a retired teacher from Mandan and he proudly served as the State Commander of the American Legion. He was also a member of the Veterans of Foreign Wars and the AMVETS. Jim served on the joint American Legion and VFW honor guard in Mandan. He proudly presented the flag of the United States to the families of our fallen veterans during the commitment services of our veterans. As a veteran, I cannot think of a more fitting tribute to Jim, our comrade in arms, and I ask for your of passage of this resolution.