

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1355

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
Committee Clerk Signature <i>Robin L. Small</i>			

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 to 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? SEN. HEITKAMP 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.

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House Government and Veterans Affairs Committee
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REP. KLEMIN asks if the grounds commission has the say on the flags? SEN. BERCIER replies that he will try to provide that additional information.

In favor:

TOM DISSELHORST, ATTORNEY FOR THE THREE AFFILIATED TRIBES

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

Neutral:

CURT ZIMMERMAN, DIRECTOR OF FACILITY MANAGEMENT DIRECTOR

Please see attached testimony.

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.

Action was not taken at this time.

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		X	3117-5406
Committee Clerk Signature <i>Robin A. Small</i>			

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. REP. GRANDE motions to accept the amendments at hand, seconded by REP. KASPER. A voice vote was taken with the majority passing them. REP. CLEARY, REP. HUNSKOR and REP. KROEBER voted against the amendments. REP. GRANDE then motions for a DO NOT PASS AS AMENDED, seconded by REP. CLARK. 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 REP. CLARK.

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.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures			\$66,000		\$6,000	
Appropriations						

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

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

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:	Curt Zimmerman	Agency:	OMB - Facility Management
Phone Number:	328-4002	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.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

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

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

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 alleviating 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	Agency:	OMB Facility Management
Phone Number:	328-4002	Date Prepared:	02/06/2001

10575.0102
Title.0200

Prepared by the Legislative Council staff for
Representative Clark
February 13, 2001

VK
2/15/01

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

Date: Feb. 15. 4th, 2001

Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1355

House GOVERNMENT AND VETERANS AFFAIRS Committee

Subcommittee on _____

or

Conference Committee

Legislative Council Amendment Number _____

Action Taken Accept the Amendments

Motion Made By Grande Seconded By Kasper

Representatives	Yes	No	Representatives	Yes	No
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 CLEARY		✓			
REP HUNSKOR		✓			
REP METCALF	✓				

Total (Yes) 11 No 3

Absent 1

Floor Assignment _____

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

Date: Feb. 15th, 2001

Roll Call Vote #: 2

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1355

House GOVERNMENT AND VETERANS AFFAIRS Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Not Pass As Amended

Motion Made By Grande Seconded By Clark

Representatives	Yes	No	Representatives	Yes	No
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 CLEARY		✓			
REP HUNSKOR		✓			
REP METCALF		✓			

Total (Yes) 9 No 6

Absent _____

Floor Assignment Rep. Clark

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

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

HB 1355

