

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2349

2007 SENATE GOVERNMENT AND VETERANS AFFAIRS

SB 2349

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2349

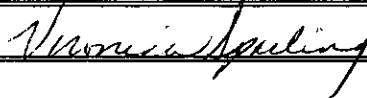
Senate Government and Veterans Affairs Committee

Check here for Conference Committee

Hearing Date: 02/01/07

Recorder Job Number: 2534, 2623

Committee Clerk Signature



Minutes:

All members of the committee were present.

Sen. Dever, Chairman, opened the hearing on SB 2349.

Senator Tollefson from District 38 introduced the bill. Last session \$35,000.00 was appropriated to be matched locally to help build the memorial. Section 1 of the bill will correct the wordage about the ownership and responsibility for the monument. He mentioned he would like to add an emergency clause to the bill so they could have the funds in hand to finish the memorial so it can be dedicated on July 4th, 2007.

Senator Dever asked about the ownership of the memorial.

Senator Tollefson said the State Historical Society will be over the memorial because public moneys cannot be given directly to private entities.

Senator Karen Krebsbach from District 40 spoke in support of the bill. She feels the clarification in Section 1 is very important. She mentioned that in 2005 the request was for \$100,000.00 and they got \$35,000.00 instead. The fund raising efforts could use a boost.

Senator Oehlke asked what the total cost of the project is.

Senator Krebsbach deferred the question to the others in the room.

Bill Kolb, the Chairman of the North Dakota Medal of Honor Memorial Committee, introduced two more members of the committee. Dorothy Pence, a WWII veteran and the past commander of the VFW, and Wayne Paulson, National Inspector General for VFW, were in attendance. He mentioned that the original \$35,000.00 has been matched. The original design was to cost a total of \$300,000.00 but was revamped and the estimated total cost is now \$250,000.00. It stands at the front entrance to Minot's Theodore Roosevelt Park. There are already 19 pillars, one for each of the Medal of Honor recipients from North Dakota. When this is completed it will truly be a North Dakota memorial. Funds have been raised from across the state and beyond. The memorial stands on sandy soil so they have to go down 7'. The center spire will be 36' high. They are \$80,000.00 short of their goal at this time. He has been appealing to county groups and city groups. He feels the funding should come from this body and our whole state can be proud of it. North Dakota has more Medal of Honor recipients than any other state in the union. See attachment # 1.

Senator Horne asked if there are any more pillars for additional Medal of Honor recipients.

Bill responded that it is designed with room for two more on each side.

Merl Paaverud, Director of the State Historical Society, spoke in support of the bill. See attachment # 2.

Senator Marcellais asked what the estimated cost of the maintenance of the memorial is.

Merl said the cost is unknown but the Park Board in Minot knows what is needed.

Senator Marcellais asked if the maintenance will be state or city funds.

Merl said it will be city funds.

Senator Nelson asked if there will be public recognition of the sponsors.

Merl said there will be a sign at the entrance to recognize the sponsors.

John Jacobsen, Chairman of the Legislative Committee of the ND Veterans Coordinating Council, spoke in favor of the bill. See attachment # 3.

Senator Dever thanked John for his years of service to his fellow veterans.

Opposition: -

Neutral: -

Chairman Dever closed the hearing on SB 2349.

Chairman Dever opened discussion on SB 2349.

There was discussion on how much money had been raised and how much more was needed.

Senator Nelson said she had a problem with the state funds given in 2005 added to what they are requesting now coming to a third of the cost of the project. ($\$35,000.0 + \$50,000.00 =$

$\$85,000.00$) She feels that a monument in a park should not be so heavily funded by the state legislature. She suggested changing the amount to $\$25,000.00$.

There was discussion about methods of funding monuments.

There was some discussion about who was honored on the veterans' monument on the Capital Grounds. All who have died in service to their country are honored with that memorial.

Senator Horne made a motion to pass SB 2349.

Senator Marcellais seconded the motion.

Senator Nelson said she would like to see an amendment. She likes section 1 but would like to amend section 2.

Senator Horne withdrew his motion.

Senator Marcellais withdrew his second.

Senator Lee made a motion to amend the bill to say $25,000.00$ to be matched and add an emergency clause.

Senator Horne said if the bill would pass, they could borrow against the money to get the monument done in time for July 4th dedication.

Senator Lee adjusted her motion to just deal with the \$25,000.00 matching.

Senator Nelson seconded the motion.

Senator Horne said he was voting no to make a statement not that he opposed the bill but that he wished the amount could have been larger.

Roll Call Vote: Yes 5 No 1 Absent 0.

Senator Lee made a motion to pass SB 2349 as amended and rerefer to appropriations.

Senator Marcellais seconded the motion.

Roll Call Vote: Yes 6 No 0 Absent 0.

Carrier: Horne

Date : 2-1-07
Roll Call Vote # : 1

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2349

Senate Government and Veteran Affairs Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken do pass

Motion Made By

Horne withdraw

Seconded By

Marcellais withdraw

Senators	Yes	No	Senators	Yes	No
Senator Dick Dever - Chairman			Senator Robert Horne		
Senator Dave Oehlke - VC			Senator Richard Marcellais		
Senator Judy Lee			Senator Carolyn Nelson		

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

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

Date: 2-1-07
 Roll Call Vote #: 2

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2349 amendment

Senate Government and Veteran Affairs Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken _____

Motion Made By Lee Seconded By Second by Nelson

Senators	Yes	No	Senators	Yes	No
Senator Dick Dever - Chairman	✓		Senator Robert Horne		✓
Senator Dave Oehlke - VC	✓		Senator Richard Marcellais	✓	
Senator Judy Lee	✓		Senator Carolyn Nelson	✓	

Total (Yes) 5 No 1

Absent 0

Floor Assignment _____

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

*make approx 25,000 to be matched
 withdrawn add-on. clause based on could that be
 done.*

Date: 2-1-07
 Roll Call Vote #: 3

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2349

Senate Government and Veterans Affairs Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken do pass as amended, refer to appropriation
 Motion Made By Lee Seconded By Marcellais

Senators	Yes	No	Senators	Yes	No
Senator Dick Dever - Chairman	✓		Senator Robert Horne	✓	
Senator Dave Oehke - VC	✓		Senator Richard Marcellais	✓	
Senator Judy Lee	✓		Senator Carolyn Nelson	✓	

Total (Yes) 6 No 0

Absent 0

Floor Assignment Horne

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

REPORT OF STANDING COMMITTEE

SB 2349: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2349 was placed on the Sixth order on the calendar.

Page 1, line 8, replace "\$50,000" with "\$25,000"

Renumber accordingly

2007 SENATE APPROPRIATIONS

SB 2349

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2349

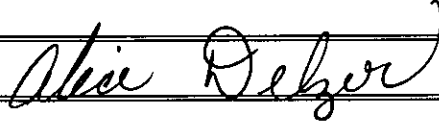
Senate Appropriations Committee

Check here for Conference Committee

Hearing Date: 02-12-07

Recorder Job Number: 3400

Committee Clerk Signature



Minutes:

Chairman Holmberg opened the hearing on SB 2349 in reference to Medal of Honor Memorial on February 12, 2007.

Senator Ben Tollefson, District 38, Minot gave oral testimony in support of SB 2349. He stated that the dedication for this monument will be located just inside the main entrance to Theodore Roosevelt Park in Minot, ND. He also displayed a picture of the proposed monument.

Bill Kolb, Chairman of North Dakota Medal of Honor Memorial Committee presented written brochure (1) and gave oral testimony in support of SB 2349. He said there are 18 names and one more name will be added shortly.

Senator Mathern asked what happens if we get more than 19. He was informed there is space for 4 more.

Senator Krauter had questions regarding the last session and the dollar amount reduced.

Wayne Paulson, VFW, State Adjacent Quarter Master gave oral testimony in support of SB 2349.

Senator Krebsbach stated there is one living recipient in South Dakota, a Mr. Pendleton, and he plans to be in Minot for the dedication of the Memorial on July 4, 2007.

Senator Krebsbach made the motion to add \$5,000 to this appropriation. Senator Christmann seconded. The Motion carried.

Senator Tallackson moved a DO PASS AS AMENDED, Senator Krebsbach seconded. A roll call vote was taken resulting in 13 yeas, 0 nays, and 1 absent. The motion carried.

Senator Krebsbach will carry the bill.

The hearing on SB 2349 closed.

Date: 2-12-07
Roll Call Vote #: 1

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO.

Senate Appropriations Committee

Check here for Conference Committee

Legislative Council Amendment Number on amendment

Action Taken do pass in amend.

Motion Made By Krubback Seconded By Christmann

Senators	Yes	No	Senators	Yes	No
Senator Ray Holmberg, Chrm			Senator Aaron Krauter		
Senator Bill Bowman, V Chrm			Senator Elroy N. Lindaas		
Senator Tony Grindberg, V Chrm			Senator Tim Mathern		
Senator Randel Christmann			Senator Larry J. Robinson		
Senator Tom Fischer			Senator Tom Seymour		
Senator Ralph L. Kilzer			Senator Harvey Tallackson		
Senator Karen K. Krebsbach					
Senator Rich Wardner					

Total (Yes) all No _____

Absent _____

Floor Assignment _____

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

Date: 2-12-07
Roll Call Vote #: 1

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2349

Senate Appropriations Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken do pass as amended

Motion Made By Tallackson Seconded By Krebsbach

Senators	Yes	No	Senators	Yes	No
Senator Ray Holmberg, Chrm	✓		Senator Aaron Krauter	✓	
Senator Bill Bowman, V Chrm			Senator Elroy N. Lindaas	✓	
Senator Tony Grindberg, V Chrm	✓		Senator Tim Mathern	✓	
Senator Randel Christmann	✓		Senator Larry J. Robinson	✓	
Senator Tom Fischer	✓		Senator Tom Seymour	✓	
Senator Ralph L. Kilzer	✓		Senator Harvey Tallackson	✓	
Senator Karen K. Krebsbach	✓				
Senator Rich Wardner	✓				

Total (Yes) 13 No 0

Absent 1

Floor Assignment Krebsbach

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

REPORT OF STANDING COMMITTEE

SB 2349, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2349 was placed on the Sixth order on the calendar.

Page 1, line 8, replace "\$25,000" with "\$30,000"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment increases the appropriation for the Medal of Honor monument from \$25,000 to \$30,000 from the general fund.

2007 HOUSE GOVERNMENT AND VETERANS AFFAIRS

SB 2349

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2349

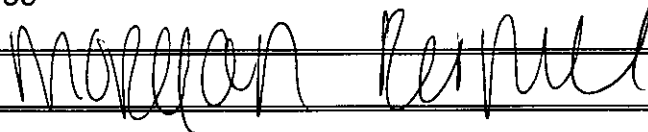
House Government and Veterans Affairs Committee

Check here for Conference Committee

Hearing Date: March 8, 2007

Recorder Job Number: 4635

Committee Clerk Signature



Minutes:

Sen. Tollefson: *I bring to you SB 2349 in the interest of patriotism, memories, and allegiance to our country. SB 2349 is a bill that is asking for additional appropriations for the Medal of Honor memorial that is being constructed in the Roosevelt Park in Minot, ND. Two years ago the legislature was so kind as to help out with a \$35,000 contribution to start this memorial. The memorial will cost about \$300,000 in total. At this point we have raised about \$200,000. We are anxious to get it built and dedicated by July 4th of this coming year. Some of you may not be familiar with the Medal of Honor Award. The Medal of Honor is the highest single award that the government can issue any service person as a result of his gallant actions. ND per capita has more Medal of Honor winners than any other state in the union. We have a total of 19, 18 confirmed and the 19th is awaiting confirmation through congress. These people gave their lives for others and for the action they were involved with. The Medal of Honor is unique. I think there are only two throughout the country that recognize particular the winners. These two other memorials, one is in Indiana and the other on the east coast. It is relatively unrecognized. We have a committee of most all veterans. All of those people are anxious to see this become a reality. It will. We do need some additional assistance. These things sometimes cost a little more than what you would figure. It is interesting and is very prominent*

and particularly important memorial. I have a few brochures to pass out and see what it will look like. I happen to be working on the construction end of that product. I have been able to deal with the citations of each one of these recipients. It is exceptional. They did it all. The contributions from the community and from around the state have been quite significant. We have some major contributions from different organizations, state wide organizations that have assisted. We are asking for an additional \$30,000. We hope that you would recommend that. There is another section to the bill that should have a little explanation. That is the clarification language from the legislation that was passed a few years ago. The language actually inferred that the memorial will be owned by the State Historical Society of ND. We felt that the clarification that it will be owned and maintained by the Park Board in the city of Minot. That one sentence in the bill clarifies that. I hope that you can see your way clear to help us continue our work. It is important. We are looking ahead to a big dedication on the 4th of July. As you can see it will be 36 feet high. It is set on a pad. The pad will be 36 feet in diameter. Around the pad are pedestals. There will be 19, each one having a plaque with a citation information regarding the recipient and why he received that award. It will be very impressive. We have room for growth on the walkway. There will be other recipients in the future years and there is room for 4 other monuments or pedestals that would carry those plaques. I believe that it is going to be quite a significant thing. You really realize what some people have done over the years for not only their fellow persons but for their country. This is the reason for the memorial. It is going to happen but we do need that little bit of extra help.

Rep. Meier: Initially this is the projected cost of this monument?

Sen. Tollefson: The projected cost of everything was about \$300,000. We are presently with our contributions about \$200,000. Our problem is, as in most of these projects, you have to commit yourself to the contractors. Some of that contributions are in full pledges over as long

as 3 years. The problem is to be able to pay these contractors when they complete the work.

Rep. Meier: Has the city of Minot provided any funds for this project?

Sen. Tollefson: Yes the city of Minot has \$20,000 in it. As well as the board has committed, their contribution will come through. We have like excel energy, Blue Cross Blue Shield which are major contributions. There is a multitude of smaller contributions too. Something like this rings a bell. I personally didn't talk to this person but there was a lady that said her parents were in the Philippine Islands and were captured then released. She said she wanted to make a contribution. To her this is a very important way to recognize what American's did to her personal family. I guess we all do, to a degree, realize what these recipients have done.

Rep. Kasper: Have you thought about doing a Prairie Public Television fundraiser where you get free airtime and you can tell as many people as you could about these opportunities.

Sen. Tollefson: They have explored many different ways to raise money. It will be there. This special request is to help us really finish the product. We will get the job done, there is no doubt about that. It is going to be a beautiful effort. It is interesting that we have two pro-bono architects on this project. We have a commercial artist who came up with this monument. All are veterans. Their interest was recognized.

Rep. Amerman: Thank you for bringing this bill forward, I think it is an excellent idea. I see from the original bill to this one it was \$50,000 that you were asking for. It must have gotten amended in the Senate. What I want to ask is if we tried to bring it back to 50, what you see the reason why it was rejected.

Sen. Tollefson: I believe that it happened in the appropriations committee on the senate side. I think they just wanted to reduce a few dollars.

Rep. Amerman: If we leave it at 30, it doesn't have to go to appropriations.

Rep. Haas: It will not have to go to appropriations at \$30,000.

Sen. Tollefson: It would if you increased it.

Rep. Haas: Is there any other testimony on SB 2349? If not we will close the hearing on SB 2349.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2349

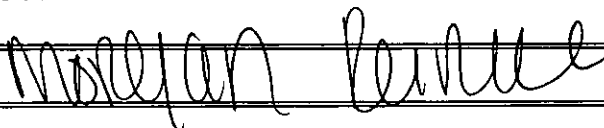
House Government and Veterans Affairs Committee

Check here for Conference Committee

Hearing Date: March 8, 2007

Recorder Job Number: 4641

Committee Clerk Signature



Minutes:

Rep. Haas: With that I will open the floor for pre motion discussion.

Rep. Weiler: I certainly think that this is a worthwhile cause. They need \$300,000 and they have raised \$200,000.

Rep. Haas: That is correct, and we gave them \$35,000 last session.

Rep. Weiler: It would be my recommendation that they continue on to raise that money on their own. These little projects add up. If we keep giving money to everyone that walks in the door, we will eventually hit \$1 million. It is a very worthwhile cause but it doesn't really need our help. It's not a ND project. I understand it honors people from all around the state. It is in Minot. They have done a wonderful job of raising money to this point, through private donations. As tough as this is sometimes we need to put a stop to giving away all of this money. It adds up.

Rep. Amerman: Rep. Weiler makes a good point. On the flip side of it I was going to take it to \$40,000 so it wouldn't have to go to appropriations. Maybe I will just go along with the Senate's recommendation and leave it where it is at.

Rep. Potter: I can too agree with Rep. Weiler. We can't keep on giving money to all of these causes. We are having trouble as this is. In the opposite, this does recognize people

throughout the state. It isn't necessarily a state project but it does recognize those people. I'm not aware of other memorials that recognize these people.

Rep. Haas: There are many. We have a Vietnam one on the capital grounds. Many communities have put up their own memorials to veterans. I was involved with a project in Richardton-Taylor. We raised about \$50,000. It is a very attractive structure and people love it. I could name the number of communities that have done this such as Dawson, Steele, Bowman, Beach, and Killdeer. They have done them all over the state.

Rep. Wolf: I agree with what Rep. Weiler said. This is going up right in the middle of my district. It is something that my predecessor worked very hard on. I feel like I need to please ask for the committee's support of this. I know it is going up in Minot, not Bismarck. I would appreciate the support to get us to be able to finish this product by the 4th of July. With that I move a do pass.

Rep. Meier: I second that.

Rep. Haas: Is there discussion?

Rep. Kasper: I agree with Rep. Weiler and Rep. Wolf. The arguments are good on both sides. ND citizens are going to be honored in the highest honor that our military can bestow on someone. The other thing you indicated is that there are monuments like this all over the state. My father was a service officer in Mercer County. He helped raise the dollars to build a memorial for Vietnam Veteran's. It took them years to do it but they raised it privately. This is a difficult vote.

Rep. Froseth: Being this is kind of in my area, I really like the idea. I think this has only been in the process for about 2 years. I don't think it has spent all its efforts. If this bill were to come to us the next session, I would support it. Right now, they can raise the money if they are given more time to do it. I don't think they have exhausted their funds. The money will come. This

project will fund itself if we give it time to do so. I think it's a project that will happen without the state spending the money.

Rep. Haas: Is there any other discussion on a do pass motion for SB 2349? If not we will take a roll call vote on SB 2349. The do pass motion passes with a vote of 8-4-1. Is there a volunteer to carry this bill?

Rep. Wolf: I will.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2349

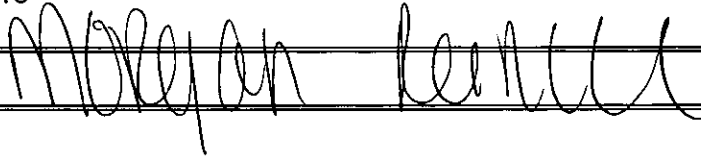
House Government and Veterans Affairs Committee

Check here for Conference Committee

Hearing Date: March 8, 2007

Recorder Job Number: 4746

Committee Clerk Signature



Minutes:

Rep. Haas: I will entertain a motion to reconsider our actions by which we sent SB 2349 out of here with a do pass.

Rep. Amerman: I reconsider

Rep. Haas: We have a motion to reconsider SB 2349.

Rep. Meier: I Second that.

Rep. Haas: Is there any discussion on the reconsideration?

Rep. Froseth: I voted no on this bill and to save the agony on sending this to appropriations I would move a do not pass.

Rep. Haas: I will entertain that motion right after we vote on the motion to reconsider. All in favor say 'aye' all opposed say 'no'. Motion carries.

Rep. Froseth: I move a do not pass. The reason is that I still feel that we should give them another two years to do the efforts to raise the funds locally. If they are still short they can come back. I just feel that this is a project they can handle. Sen. Tollefson said this project will go without our money. I don't think they have exhausted all of our local or private fund raising efforts, they will make it go. This might give them a little boost to see that it does go. I'm fully in support of the project. I just feel that this project can be funded without our state assistance.

Rep. Haas: We will consider this motion and I appreciate your explanation on why you want to move it that way.

Rep. Weiler: I Second that.

Rep. Haas: Is there any discussion?

Rep. Schneider: What is the procedure on the appropriations bill, and how and why did we get it wrong?

Rep. Haas: I just screwed up and I will take responsibility for it.

Rep. Grande: He added a zero he shouldn't have added. Its \$5,000 not \$50,000.

Rep. Haas: I will provide you with a fiscal note crib sheet. If there is an appropriation section in it of \$5,000 or more, it has to go to appropriations. I was thinking \$50,000 this morning. I was not thinking right.

Rep. Schneider: I thought maybe if it was a Senate appropriation and we don't alter it would be fine.

Rep. Haas: Then it says if or does the bills fiscal note after policy amendments have an effect of \$50,000, either positive or negative, on an appropriation for an agency or department. If the answer to either one of them is yes, then it has to go to appropriations. Then there are some other complications that are exceptions. If the money is being spent out of a special fund where a continuing appropriation then the committee does not have to include a re-referral to appropriations. It's just the general funds they are working on. Then there is another interesting twist to that. Some policy bills will increase revenue. If it increases revenue only, then generally it does not have to go to appropriations because those increases in revenue will be picked up on the budget status report that comes out of legislative council. It is not always perfectly straightforward.

Rep. Haas: Is there any other discussion on the Do not pass motion?

Rep. Kasper: I had a discussion on the floor with some appropriations committee expressing my anger with the fact that I agonized over voting for this bill earlier and it is a \$30,000 appropriation. The governor proposed a 24% increase over his previous budget which is an agency increase of over \$400 million which really ticks me off. I said why aren't you in appropriations finding spending cuts? My goal is to be less than a 10% per year spending increase and we would still be increasing agency budgets way more than we should. The two people I talked to said that he's been working in his area and has found \$27 million that can be cut out of the Human Services budget that was duplication. The other person said he has found \$20 million and another \$8 million that he thinks can come out of the spending. I said well now you are getting closer. Now you are starting to do what you ought to do and a lot of us think you ought to do. Having said that, it's hard for me to vote against this bill. My father was a veteran. He was a veteran's service officer for 30 years. He gave a good part of this life to service men and women of our state. We've got \$30,000 and yes it is Minot, but it is also for the people that died. I know we discussed this. I'm just sharing my agony with thinking about voting against \$30,000 for the men and women that gave their lives.

Rep. Haas: I don't disagree with you in any respect. I think there is another question here. I voted for the bill this morning. It goes back to what Rep. Froseth talked about. That is do we want to establish a policy. Maybe we set the precedent last session when we appropriated \$35,000 for this project. They got that money. The policy question is that do we want to set precedence session after session for appropriating small amounts of money for these little projects all over the state. Aside from the fact that this deals with Medal of Honor winners. To me that is an important policy question. It's an issue that can help decide on how you vote.

Rep. Grande: I understand what you are saying when you look at the monument. The only thing is that last session we showed that we support. We gave them the start up funds for the \$35,000. A no vote on this second appropriation would be in no shape or form is a vote saying that you don't support veterans. We have shown we support it. We started them up. Let's look at the monuments that we have set up for the vets. Those groups supported them all their selves. They have paid for partial restorations of those. They have all kinds of supporters. They have shown that they have supporters. This doesn't say we don't support the vets. It says that we have started this project out for you, your moving forward, and finish it.

Rep. Haas: Is there any more discussion? If not we will take a roll call vote on a do not pass motion for SB 2349. The do not pass motion passes with a vote of 10-3-0. Is there a volunteer to carry this?

Rep. Grande: I Will.