

**2019 HOUSE GOVERNMENT AND VETERANS AFFAIRS**

**HB 1169**

# 2019 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee  
Fort Union, State Capitol

HB 1169  
1/17/2019  
30978

- Subcommittee
- Conference Committee

Committee Clerk: Carmen Hart

## Explanation or reason for introduction of bill/resolution:

Relating to annual observance of Patriots' Day

Minutes:

Attachments 1, 2, 3

**Chairman Kasper** opened the hearing on HB 1169. Discussion of upcoming meetings and format of subcommittees was held.

**Rep. Schauer** appeared in support. Attachment 1 (4:07-7:09). He also read an excerpt from a book called The Crossing (7:10-8:11). Then he continued on with Attachment 1 (8:27-10:37).

**Rep. Laning:** Your intention is to have this as an unpaid holiday. Is it your intention that personnel would be able to take this day off from work or is this more of a commemorative day of recognition?

**Rep. Schauer:** Yes, it would be more commemorative.

**Rep. Louser:** I did some quick research on how Patriots' Day is observed in Massachusetts. It looks like that is where it originated. Some government entities are closed in that state. Is it correct that our courts and the registry of motor vehicle are not to be closed?

**Rep. Schauer:** Correct.

**Jim Nelson, ND Veterans' Legislative Council**, appeared in support. Attachment 2. (12:59-16:13)

**Lonnie Wangen, Commissioner of ND Veterans' Affairs**, appeared in support. This is a great way to remember the wars that we have had in the past. The education and knowledge of our history is very important. I ask the committee to add a proclamation from the governor.

Chairman Kasper closed the hearing.

A subcommittee was formed consisting of Reps. Schauer, Schneider, and Hoverson to add a proclamation.

**Chairman Kasper:** I think we also need to address another amendment to this bill to make it clear whether it is open or closed with pay. Seth, the law intern, just handed out Attachment 3 which is the chapter in the code on holidays.

**Rep. Laning:** The reality is holidays are very expensive if they have closed doors with pay for employees. I personally think we are jeopardizing the success of this bill if we try to make a paid holiday out of this.

**Chairman Kasper:** Good observation.

# 2019 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee  
Fort Union, State Capitol

HB 1169  
1/17/2019  
31000

- Subcommittee  
 Conference Committee

Committee Clerk: Carmen Hart

## Explanation or reason for introduction of bill/resolution:

Relating to annual observance of Patriots' Day

**Minutes:**

Subcommittee of Rep. Schauer, Rep. Hoverson and Rep. Schneider met.

**Rep. Schauer:** I met with Claire Ness in Legislative Council. I told her about the two requests. One would be to make sure the writing is on the open holiday, meaning that there would be no requirements for businesses and the state to close. The second would be the governor's proclamation. We are waiting for that amended bill, and we should be good to go. Claire also stated that we the House people tell the governor what to do, and he does it.

**Rep. Hoverson:** I am supportive of both requests.

**Rep. Schneider:** The governor's office has a proclamation clerk, and she is pretty good about getting it on the calendar.

There was discussion about having Rep. Hoverson taking the bill to the governor's office after action has taken by the full committee.

The subcommittee meeting was closed.

# 2019 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee  
Fort Union, State Capitol

HB 1169  
1/18/2019  
31046

- Subcommittee  
 Conference Committee

Committee Clerk: Carmen Hart

## Explanation or reason for introduction of bill/resolution:

Relating to annual observance of Patriots' Day

**Minutes:**

**Chairman Kasper** opened the meeting on HB 1169.

**Rep. Hoverson:** We do not need an amendment. We did decide it would be an open holiday, and after the vote I would carry this to the governor's clerk who deals with proclamations. I would do that today to give them time, and we would let them know that this hasn't cleared the House floor yet but would give them time to prepare if they so choose.

**Rep. Schneider:** If GVA feels we need to specify it as an open holiday, we can, but it looks like in the code that anything that is not specified as a closed holiday is an open holiday.

**Rep. Karls:** I heard on the radio, some other bill proposes a Horse Day.

**Rep. C. Johnson:** How many more days are we going to have honor and commemorate with other groups coming forward with bills?

**Chairman Kasper:** This is a little bit different with patriots versus horses. As we know, after today the bills are done unless they have a delayed bills committee that allows it.

**Rep. Hoverson made a motion for a DO PASS.**

**Rep. Schneider seconded the motion.**

**Rep. B. Koppelman:** I am totally open to considering any other holidays that had something to do with before 1780.

**A roll call vote was taken. 13-0, 1 absent.**

**Rep. Hoverson will carry the bill.**

# 2019 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee  
Fort Union Room, State Capitol

HB 1169  
1/24/2019  
31405

- Subcommittee
- Conference Committee

Committee Clerk Signature Carmen Hart

## Explanation or reason for introduction of bill/resolution:

Relating to annual observance of Patriots' Day

Minutes:

Attachment 1

**Chairman Kasper** opened the meeting on HB 1169. This was referred back to our committee, because Rep. Schauer had been working on an amendment and was gone last Friday, and we inadvertently took action on the bill and sent it up as a do pass.

**Rep. B. Koppelman made a motion to accept and reconsider our actions on HB 1169.**

**Vice Chair Steiner seconded the motion.**

**Voice vote. Motion carries.**

**Rep. Schauer** went over the amendment. Attachment 1. **I would make a motion that we adopt amendment 19.0694.01002.**

**Rep. Schneider seconded the motion.**

**Chairman Kasper:** Did you talk to the governor's office, or are we going to direct the governor to do it?

**Rep. Hoverson:** We did just make it a request. We did not want to make it a requirement.

**Rep. B. Koppelman:** I don't think that this is well overreaching in any way for us to direct the governor to do that. I believe the governor's office is supportive of the concept. I think we should pass the amendment as drafted.

**Voice vote. Motion carries.**

**Rep. Schauer made a motion for a DO PASS AS AMENDED.**

**Rep. Rohr seconded the motion.**

House Government and Veterans Affairs Committee  
HB 1169  
1/24/19  
Page 2

**A roll call vote was taken. 12-0, 2 absent.**

**Rep. Hoverson will carry the bill.**

DR9 1/29/19

19.0694.01002  
Title.02000

Prepared by the Legislative Council staff for  
Representative Schauer  
January 18, 2019

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1169

Page 1, line 7, remove "designated as"

Page 1, line 7, replace "to" with ". To"

Page 1, line 8, after "Concord" insert ", the governor shall issue a proclamation each year designating the third Monday in April as Patriots' Day. This section may not be interpreted to make Patriots' Day a day on which schools and other entities are required to close"

Renumber accordingly

Date: 1-18-19  
Roll Call Vote #: 1

**2019 HOUSE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 1169**

**House Government and Veterans Affairs Committee**

Subcommittee

Amendment LC# or Description:

Recommendation:	<input type="checkbox"/> Adopt Amendment	<input checked="" type="checkbox"/> Do Pass <input type="checkbox"/> Do Not Pass	<input type="checkbox"/> Without Committee Recommendation
	<input type="checkbox"/> As Amended	<input type="checkbox"/> Place on Consent Calendar	<input type="checkbox"/> Rerrefer to Appropriations
Other Actions:	<input type="checkbox"/> Reconsider	<input type="checkbox"/>	

Other Actions:  Reconsider

Motion Made By Rep. Hoverson Seconded By Rep. Schneider

Total (Yes) 13 No 0

Absent /

**Floor Assignment** \_\_\_\_\_ Rep Howeson

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

Date: 1-24-19  
Roll Call Vote #: 1

**2019 HOUSE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 1169**

## House Government and Veterans Affairs Committee

Subcommittee

Amendment LC# or Description:

Recommendation:	<input type="checkbox"/> Adopt Amendment	<input type="checkbox"/> Do Pass <input type="checkbox"/> Do Not Pass	<input type="checkbox"/> Without Committee Recommendation
	<input type="checkbox"/> As Amended	<input type="checkbox"/> Rerrefer to Appropriations	
	<input type="checkbox"/> Place on Consent Calendar		
Other Actions:	<input checked="" type="checkbox"/> Reconsider <input type="checkbox"/>		

Other Actions:  Reconsider  \_\_\_\_\_

Motion Made By Rep. B. Koppelman Seconded By Rep. Steiner

Representatives	Yes	No	Representatives	Yes	No
Chairman Jim Kasper			Rep. Pamela Anderson		
Vice Chair Vicky Steiner			Rep. Mary Schneider		
Rep. Jeff Hoverson					
Rep. Craig Johnson					
Rep. Daniel Johnston					
Rep. Karen Karls					
Rep. Ben Koppelman					
Rep. Vernon Laning					
Rep. Scott Louser					
Rep. Karen Rohr					
Rep. Austen Schauer					
Rep. Steve Vetter					

Total      (Yes) \_\_\_\_\_ No \_\_\_\_\_

**Absent** \_\_\_\_\_

## Floor Assignment

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

Date: 1-24-19  
Roll Call Vote #: 2

2019 HOUSE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 1169

House Government and Veterans Affairs Committee

Subcommittee

Amendment LC# or Description: 19.0694.01002

Recommendation:  Adopt Amendment  
 Do Pass     Do Not Pass     Without Committee Recommendation  
 As Amended     Rerefer to Appropriations  
 Place on Consent Calendar  
 Reconsider

Other Actions:  \_\_\_\_\_

Motion Made By Rep. Schauer Seconded By Rep. Schneider

Representatives	Yes	No	Representatives	Yes	No
Chairman Jim Kasper			Rep. Pamela Anderson		
Vice Chair Vicki Steiner			Rep. Mary Schneider		
Rep. Jeff Hoverson					
Rep. Craig Johnson					
Rep. Daniel Johnston					
Rep. Karen Karl					
Rep. Ben Koppelman					
Rep. Vernon Laning					
Rep. Scott Louser					
Rep. Karen Rohr					
Rep. Austen Schauer					
Rep. Steve Vetter					

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

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

Date: 1-24-19  
Roll Call Vote #: 3

2019 HOUSE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 116 9

House Government and Veterans Affairs Committee

Subcommittee

Amendment LC# or Description: \_\_\_\_\_

Recommendation:  Adopt Amendment  
 Do Pass     Do Not Pass     Without Committee Recommendation  
 As Amended     Rerefer to Appropriations  
 Place on Consent Calendar  
 Reconsider

Other Actions:  \_\_\_\_\_

Motion Made By Rep. Schauer Seconded By Rep. Rohr

Representatives	Yes	No	Representatives	Yes	No
Chairman Jim Kasper	X		Rep. Pamela Anderson	A	
Vice Chair Vicki Steiner	X		Rep. Mary Schneider	X	
Rep. Jeff Hoverson	X				
Rep. Craig Johnson	X				
Rep. Daniel Johnston	X				
Rep. Karen Karls	X				
Rep. Ben Koppelman	X				
Rep. Vernon Laning	X				
Rep. Scott Louser	X				
Rep. Karen Rohr	X				
Rep. Austen Schauer	X				
Rep. Steve Vetter	A				

Total (Yes) 12 No 0

Absent 2

Floor Assignment Rep. Hoverson

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

**REPORT OF STANDING COMMITTEE**

**HB 1169: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)**  
recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING).  
HB 1169 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1169: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)**  
recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends  
**DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1169 was placed  
on the Sixth order on the calendar.

Page 1, line 7, remove "designated as"

Page 1, line 7, replace "to" with ".To"

Page 1, line 8, after "Concord" insert ", the governor shall issue a proclamation each year  
designating the third Monday in April as Patriots' Day. This section may not be  
interpreted to make Patriots' Day a day on which schools and other entities are  
required to close"

Renumber accordingly

**2019 SENATE GOVERNMENT AND VETERANS AFFAIRS**

**HB 1169**

# 2019 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee  
Sheyenne River Room, State Capitol

HB1169  
2/28/2019  
#32985

- Subcommittee
- Conference Committee

Committee Clerk: Pam Dever

## Explanation or reason for introduction of bill/resolution:

Relating to annual observance of Patriots' Day.

**Minutes:**

Att # 1-4 Rep. Schauer; Att #5 – Jim Nelson; Att #6 –Al Dohrmann

**Chairman Davison:** Let's open the hearing for HB1169.

**Rep. Austen Schauer, Dist 13, W. Fargo:** (see att # 1) I am asking for a new holiday called Patriots Day. It would be the third Monday in April. It would be unpaid.

**Chairman Davison:** You said it was unpaid. How do we differentiate in Code?

**Rep. Schauer:** Legislative Council told me.

**Sen. Kristin Roers:** Is this a national holiday or just a N.D. thing?

**Rep. Schauer:** Five state have this now. Most of the state are out east. We need to teach the kids out history.

**Vice Chair Meyer:** This would line up with Massachusetts.

**Rep. Schauer:** Yes.

**Sen. Shawn Vedaa:** Can we sell fireworks?

**Rep. Schauer:** Yes. He passed out letter. (see att #2,3,4)

**Chairman Davison:** Any more in support?

**Jim Nelson, Legislative Dir. for N.D. Veterans Legislative Council:** (see att #5) (8.05-12.5)

**Al Dohrmann, Adjutant General National Guard:** (see att #6) (12.54-15.47) In my conference room hangs this medallion of the Minute Man. The National Guard is what the

Minute Men were. We are like them. We say our birthday is December 13, 1636. That is when the first militia in Massachusetts stood up and were the foundation for the colonial army. This is a no brainer bill. In Boston, Patriots Day is a big deal. I do not see a down side in this.

**Chairman Davison:** Any more in support? Any agency? Any against? We will close hearing.

# 2019 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee  
Sheyenne River Room, State Capitol

HB1169  
2/28/2019  
# 32987

- Subcommittee
- Conference Committee

Committee Clerk: Pam Dever

## Explanation or reason for introduction of bill/resolution:

Relating to annual observance of Patriot's Day.

**Minutes:**

**Chairman Davison:** Let's look at HB1169. This is an unpaid holiday. This goes under chapter 1-03 in code. We need to do some investigating before we vote.

(this discussion was between a hearing)

# 2019 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee  
Sheyenne River Room, State Capitol

HB1169  
3/7/2019  
# 33384

- Subcommittee  
 Conference Committee

Committee Clerk: Pam Dever

**Explanation or reason for introduction of bill/resolution:**  
Relating to annual observance of Patriots' Day.

**Minutes:**

**Chairman Davison:** Take a quick look at HB1169. I asked Sen. Elkin to go to L.C. and get information.

**Sen. Jay Elkin:** This will be a day of observance. This will not fall under the state holiday. It will fall under observance days'.

**Sen. Richard Marcellais:** It will probably be the same as the Vietnam Veteran Day which is March 29. We will have a ceremony.

**Sen. Jay Elkin:** That is exactly right. I move a DO PASS.

**Sen. Meyer:** I second.

**Chairman Davison:** Any discussion?

**Sen. Erin Oban:** When the sponsor brought this forward, he felt it would make everyone know about Patriots' Day. I ask you if you know what the other observed holidays are? Did you know there is a Bird Day?

**Chairman Davison:** You need to vote how to vote. Take the roll: YES -- 7 NO -- 0 -0-absent. **HB1169 PASSED.** **Sen. Jay Elkin will carry the bill.**

**Done(3.23)**

$$3 = 7^{-19}$$

Date:

**2019 SENATE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. HB 1169**

Senate Government and Veterans Affairs Committee

Subcommittee

Amendment LC# or Description:

Recommendation:  Adopt Amendment  
 Do Pass     Do Not Pass     Without Committee Recommendation  
 As Amended     Rerefer to Appropriations  
 Place on Consent Calendar  
 Reconsider

Other Actions:  Reconsider  \_\_\_\_\_

Motion Made By Sen. Elkin Seconded By Sen. Meyer

Total      (Yes)      7      No      0

Absent -0-

Floor Assignment Sen, Elkin

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

**REPORT OF STANDING COMMITTEE**

**HB 1169, as engrossed:** **Government and Veterans Affairs Committee (Sen. Davison, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1169 was placed on the Fourteenth order on the calendar.

**2019 TESTIMONY**

**HB 1169**

#1  
HB 1169  
1-17-19

Thank you Mr. Chairman and members of the Government and Veterans Affairs Committee.

My name is Austen Schauer representing West Fargo, District 13.

It is my pleasure today to speak with you about House Bill 1169 and I seek your support.

If approved, House Bill 1169 would create and enact a new State Holiday called **Patriots' Day**.

**Patriots' Day** would be to commemorate the start of the American Revolutionary War and the battles of Lexington and Concord.

Those battles, the first in our 8-year war against the British, began on April 19<sup>th</sup>, 1775. The date some have described as the birth of liberty and union.

Why establish a State Holiday for Patriots' Day?

1. To honor the sacrifice of our courageous Patriots who fought and died for our freedom. **25 thousand** Revolutionary soldiers were killed during the war.
2. To honor our first veterans. **80 thousand** Militia and Continental Army soldiers served at the height of the war.
3. **Education.** Did you know how much Gen. George Washington was paid for his military service? Did you know the age of the youngest member of the Continental Army?

HTB/1169  
1-17-19

What a terrific opportunity for educators throughout the State to focus on this historical event. It is my feeling (and maybe yours too) we need to **double down** in our efforts to teach children about the birth of our country and what it took to become a country.

4. **Community Events.** Patriots' Day will provide a vehicle for communities to celebrate the Revolutionary war with programs, events, re-enactments, lectures, town halls, symposiums and film festivals.

In fact, Emily Beck, (the director of the Fargo Theatre), says she loves the idea and would look forward to showing movies on the war followed by a panel discussion.

5. **Economic Development.** Patriots Day weekend will give businesses a new theme to build on similar to July 4<sup>th</sup> and other holidays.

Currently, Connecticut, Massachusetts, Wisconsin and Maine celebrate Patriots' Day as a State Holiday. It is officially observed in Florida.

Patriots' Day is an effort to **instill the spirit** of what it took to establish this country in the hearts and minds of people. The spirit of **determination** of our forefathers and mothers who truly believed in the words of Patrick Henry, "**Give me liberty or give me death.**"

If approved, Patriots' Day would be observed on the **third Monday in April**. Business and schools would stay open. It would be an unpaid holiday.

# 1  
HB 1169  
1-17-19

Mr. Chairman and members of the Government and Veterans Affairs Committee, I ask for your support of Patriots' Day and **HB 1169**.

Thank you for your time and I yield to your questions.

#1  
HB 1169  
1-17-19



NORTH DAKOTA STATE UNIVERSITY

January 15, 2019

Representative Austen Schauer  
110 West Beaton Drive  
West Fargo, ND 58078-2657

Dear Representative Schauer,

I write to express my support for the upcoming bill to make Patriot's Day a state holiday in North Dakota. As both an expert on the Revolutionary period and as an educator in North Dakota, I believe that understanding the American Revolution is more essential now than ever before, and instituting Patriot's Day as a state holiday would bring a much-needed awareness of the legacy of the founding era and the modern-day civics that it has inspired.

As a historian of popular politics during the American Revolution, I believe understanding the era is more essential now than ever. As our state and national political discourse degenerates into chaos, Revolutionary legacies such as freedom of expression, checks and balances, and even equality under the law have come under attack. For this reason, a renewed emphasis on the Revolutionary period is necessary to enrich and correct the course of our endangered commonweal. Celebrating Patriot's Day would help to bring about such a resuscitation of the Revolutionary legacy.

Further, as an Assistant Professor of early American history at North Dakota State University, I have taught North Dakota's young men and women about the American Revolution for the past four years. Each time I cover the Revolution in my introductory US History course, or in my upper-level courses period, I am gratified at the connections that our students make to the Revolutionary era and the present day – without fail, each time students come away with a more nuanced and complex understanding of our country's founding, and the legacies of the founders. Most importantly, students learn that the republic that emerged from the Revolution was a fragile, contingent one, and one that should not be taken for granted. Celebrating Patriot's Day would instill this understanding earlier, and among a much greater swath of the state's population.

In short, I believe instituting Patriot's Day as a North Dakota holiday would expand awareness of the Revolutionary legacy at a time when it is most needed. I urge you and your colleagues to pass this bill.

Sincerely,

*Don Johnson*

Donald F. Johnson, PhD  
Assistant Professor of History

# 1  
HB 1169  
1-17-19

Hello Austen and many warm greetings from downtown Fargo!

I had the pleasure of speaking with Jim Shaw last week regarding your efforts in making Patriot's Day a holiday in North Dakota. As I understand it, the holiday would be held in commemoration of the brave Americans who won our nation's independence. On behalf of the Fargo Theatre team, I enthusiastically support the creation of this holiday — celebrating and remembering our history is of the utmost importance. Honoring those that delivered our precious freedoms is just. My years at the Theatre have shown me that connecting with our history can be inspiring and instructive. The Fargo Theatre would support the inaugural Patriot's Day by hosting a special screening of a film centered on the Revolutionary War (title to be determined by availability, pricing etc). The film could be followed by an on-stage panel discussion or perhaps an audience Q&A with local history experts. I would seek support in organizing, financing, and promoting this event, but I believe it could provide a meaningful cultural and educational opportunity for North Dakota residents.

My thanks for your works on behalf of our state. Please let me know if I can provide any additional/useful information or commentary.

Sincerely,  
Emily

Emily Beck  
Executive Director  
Fargo Theatre  
314 Broadway  
> Fargo, ND 58102  
> (701) 239-8385  
>  
> [emily@fargotheatre.org](mailto:emily@fargotheatre.org)  
>

## **HB 1169—Observance of Patriots' Day**

#2  
HB 1169  
1-17-19

Noted Sociologist C. Wright Mills writes and I quote "Neither the life of an individual nor the history of a society can be understood without understanding the past" end quote.

Tomorrow is shaped by what we did yesterday and do today. I believe nothing happens without some connections to the past. Essentially, we learn from our mistakes and our successes. I am sure much of what you do daily for the people of North Dakota is based on some past history or precedent.

So why have another holiday?

I am going to tell a personal story if I may. During the downturn in the 80's I suddenly one morning didn't have a job because the company I worked for locked its doors. Faced with an unknown future friends in my church convinced me I should be a teacher. I was a Sunday school teacher, and many said I was a natural. So, at age 49, I went back to school and completed two bachelors' degrees and a Master degree. I began teaching for Minot State and Adjunct for BSC in the mid 90's. It was this experience that opened my eyes to how little young people really knew about history. What I learned in school, what my children learned in school and what my grandchildren are learning in school in many cases are as different as night and day.

They can whiz through their smartphones and computers leaving grandpa in the dust, yet they do not understand why we say the Pledge to the flag, why do we certain laws, what is really in the Constitution and Bill of Rights in sort just plain old Civics that the majority in the room we taught in grade school.

Back to this bill, A couple years ago I was asked to speak to a class at a middle school here in Bismarck around Veteran's Day. After my presentation I asked if there were any questions. I am a proud Viet Nam Veteran and that day wore my Vietnam hat. I never had one question about Vietnam. It was all about WWII. While walking out with the teacher I asked about that and his response shocked me. He said our history text books only go into WWII and just briefly mention Vietnam and other wars.

#2  
HB 1169  
1-17-19

This bill attempts to create at time when the schools, communities and whom ever to have an opportunity to learn about the Birth of this nation and the Shot heard round the World. Many of the issues today can be related to issues that fueled the battle for freedom.

The ND Veterans Legislative Council supports this bill

I Close with another quote from David McCough: a twice Pulitzer Prize winner and Medal of Freedom recipient "History is who we are and why we are the way we are: end quote.

I will stand for questions

# 3  
HB 1169  
1-17-19

## CHAPTER 1-03 HOLIDAYS

### 1-03-01. Holidays.

Holidays are as follows:

1. Every Sunday.
2. The first day of January, which is New Year's Day.
3. The third Monday of January, which is Martin Luther King Day, in recognition of the life, legacy, and dream of Martin Luther King, Jr.
4. The third Monday in February, in recognition of the birthday of George Washington.
5. The Friday next preceding Easter Sunday and commonly known as Good Friday.
6. The last Monday in May, which is Memorial Day.
7. The fourth day of July, which is the anniversary of the Declaration of Independence.
8. The first Monday in September, which is Labor Day.
9. The eleventh day of November, which is Veterans' Day.
10. The fourth Thursday in November, which is Thanksgiving Day.
11. The twenty-fifth day of December, which is Christmas Day.
12. Every day appointed by the President of the United States or by the governor of this state for a public holiday.

Nothing in this section may be construed to prevent the holding of legislative sessions or the taking of final action on any legislative matter upon any of such holidays other than Sunday. Any action heretofore taken upon any legislative matter upon any such holiday is valid and legal for all purposes.

#### 1-03-01.1. Closing of state offices - Christmas Eve.

State offices must be closed at twelve noon on December twenty-fourth, Christmas Eve day, unless it is a weekend or holiday pursuant to section 1-03-02.1.

#### 1-03-02. When day following holiday shall be a holiday.

If the first day of January, the fourth day of July, the eleventh day of November, or the twenty-fifth day of December falls upon a Sunday, the Monday following shall be the holiday.

#### 1-03-02.1. When holiday falls on a Saturday.

If any of the holidays enumerated in section 1-03-02 fall on a Saturday, the Friday immediately before shall be the holiday.

#### 1-03-03. Sports on Memorial Day - Penalty.

No person, prior to the hour of two p.m. of the day set apart as Memorial Day, may engage in organized or commercial ball games, horseracing, sports, or any entertainment which will interfere with the proper observance of such day. Any violation of this section is an infraction.

#### 1-03-04. Business days.

All days other than those mentioned in sections 1-03-01, 1-03-02, and 1-03-02.1 are to be deemed business days for all purposes. However, any bank may remain closed on any one business day of each week, as it may from time to time elect. Any day upon which a bank is so closed shall be, with respect to such bank, a holiday and not a business day. Any act authorized, required, or permitted to be performed at or by or with respect to such bank on such day, may be performed on the next succeeding business day, and no liability or loss of rights shall result from such delay.

Notice of intention on the part of any bank to remain closed on a business day of the week shall be posted in a conspicuous place in the lobby of the bank at least ten days prior to the establishment of such practice and similar notice shall be given when a bank elects to change the day of the week on which it remains closed. Any state bank establishing the practice, as hereinbefore provided, of closing one day a week shall give ten days' notice in writing to the commissioner of financial institutions, in addition to posting the notice in the lobby. However, any

#3  
HB 1169  
1-17-19

bank may elect to remain closed on a business day of the week without any prior notice in the event of the following emergencies: any act of God, death of an officer, or a robbery.

**1-03-05. Act due on Saturday or holiday performed on next day.**

Whenever an act of a secular nature, other than a work of necessity or mercy, is appointed by law or contract to be performed upon a particular day, that falls upon a Saturday or a holiday, the act may be performed upon the next business day with the same effect as if it had been performed upon the day appointed.

**1-03-06. Mothers' Day.**

The governor each year shall designate the second Sunday in May as Mothers' Day. The governor shall issue a proclamation requesting the people of the state to assemble on that Sunday in their churches, or at such other place or places as may be most convenient and proper, for the purpose of paying respect and tribute to our mothers.

**1-03-07. Arbor Day.**

In order to promote and encourage the planting of trees in this state, the first Friday in May of each year is hereby designated and established as "Arbor Day" for the state of North Dakota.

**1-03-08. Bird Day.**

To promote and encourage the conservation and enjoyment of one of nature's most attractive features, and to honor the birth and work of naturalist John James Audubon who made America's birds known to the world through his drawings and vivid prose, April twenty-sixth of each year is hereby designated as "Bird Day" in the state of North Dakota.

**1-03-09. Martin Luther King Day.**

Repealed by S.L. 1991, ch. 55, § 2.

**1-03-10. Workers' Memorial Day.**

The twenty-eighth day of April of each year is designated as Workers' Memorial Day in remembrance of American workers who have been killed, injured, or diseased on the job.

**1-03-11. Gold Star Mothers' Day.**

Each year the governor shall issue a proclamation designating the last Sunday of September as Gold Star Mothers' Day in honor of mothers whose sons or daughters served and died in the line of duty in the armed forces of the United States of America or its allies, or died as a result of injury sustained in such service.

**1-03-12. Four Chaplains Sunday.**

Each year the governor shall issue a proclamation designating the first Sunday of February as Four Chaplains Sunday in honor of the four United States army chaplains, George L. Fox, Alexander D. Goode, Clark V. Poling, and John P. Washington, who sacrificed their own lives to save the lives of other servicemen on the Dorchester, a United States army troop transport ship that was sunk off the coast of Greenland on February 3, 1943.

**1-03-13. First Nations Day.**

To recognize the indigenous peoples of the State of North Dakota and their contributions to the state and to the United States, the governor shall issue a proclamation each year designating the Friday before the second Monday in October as First Nations Day.

**1-03-14. Vietnam Veterans' Day.**

March twenty-ninth of each year is Vietnam Veterans' Day. Each year the governor shall issue a proclamation on March twenty-ninth in honor and remembrance of surviving and departed Vietnam veterans, including the one hundred ninety-eight individuals from North

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Dakota whose names are listed on the Vietnam Veterans Memorial wall in Washington, District of Columbia, and those veterans who are or were missing in action or prisoners of war.

**1-03-15. Women Veterans' Month.**

March of each year is Women Veterans' Month. Each year the governor shall issue a proclamation on March first in honor and remembrance of surviving and departed women veterans who have served honorably and with courage on behalf of the United States of America since the American Revolutionary War.

**1-03-16. Firefighters memorial weekend.**

Each year the governor shall issue a proclamation designating the dates of the national fallen firefighters memorial weekend as the North Dakota fallen firefighters memorial weekend and require that flags at state buildings be flown at half staff.

Representative Schauer  
January 18, 2019

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1169

Page 1, line 7, remove "designated as"

Page 1, line 7, replace "to" with ". To"

Page 1, line 8, after "Concord" insert ", the governor shall issue a proclamation each year  
designating the third Monday in April as Patriots' Day. This section may not be  
interpreted to be a day on which schools and other entities are required to close"

Renumber accordingly

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Thank you, Mr. Chairman and members of the Senate G-V-A Committee.

My name is Austen Schauer, a Representative from West Fargo, District 13.

I am asking your support for a new state holiday called **Patriots' Day**.

**On April 18<sup>th</sup>, 1775**, news reached leaders of the American Revolution that the British had had enough.

They decided to enter **Lexington** and arrest Samuel Adams and John Hancock. They would then march on to **Concord** to destroy **military stockpiles** and bring this American uprising to a **swift end**.

News of the plan reached a man by the name of Paul Revere. He contacted a friend at the **Old North Church** in Boston to communicate by lantern which direction the Brits were coming; by **land or sea**. Revere jumped on his favorite horse "**Brown Beauty**" and began his now famous **midnight ride**.

After changing his route to avoid British soldiers, he arrived in **Lexington** outside the house where Adams and Hancock were staying.

The guard on duty told Revere to stop making so much noise.  
**"Noise, cried Revere?! You'll have noise enough before long. The regulars are coming out!"**

The next day, April 19<sup>th</sup>, 1775, the **bloody fight** for liberty began lasting **8 and a half years** resulting in the deaths of **25 thousand American patriots**.

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In the end, the British lost and the birth of our great nation became reality.

Mr. Chairman and G-V-A, **House Bill 1169** would create and enact a new State Holiday called **Patriots' Day**.

### Why **Patriots' Day**?

1. **To honor** the sacrifice of our courageous Patriots.
2. **To honor** our first veterans. The **80 thousand** Militia and Continental Army soldiers who served at the height of the war.
3. **To Educate** our children and grandchildren. Do they know the story? Do they know what it took to establish this country? Do they appreciate it?
4. **To Commemorate** the Revolutionary War with community programs, events, re-enactments, lectures, town halls, symposiums and film festivals.
5. **To Provide** economic development opportunities by giving businesses a new theme similar to July 4<sup>th</sup> and other holiday

Ultimately, the aim of **House Bill 1169** is to instill the **spirit and determination** of our fore-fathers and mothers to a new generation of North Dakotans.

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Let us shed **new light** on our nation's heroes; George Washington, Abigail Adams, Benjamin Franklin, Betsy Ross, Ethan Allen, John Paul Jones, Esther DeBerdt Reed, Marquis de Lafayette, Mary Draper, Thomas Jefferson and so many more.

**Patriots' Day** would be an **open** holiday meaning businesses and schools would stay open.

It would be an **unpaid** holiday and celebrated on the **third Monday of April**.

Mr. Chairman and committee members, I seek your support for **Patriots' Day** in North Dakota. Give me Liberty and this bill.

Thank you Mr. Chairman and I yield to your questions.

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pg 1

NDSU

NORTH DAKOTA STATE UNIVERSITY

January 15, 2019

Representative Austen Schauer  
110 West Beaton Drive  
West Fargo, ND 58078-2657

Dear Representative Schauer,

I write to express my support for the upcoming bill to make Patriot's Day a state holiday in North Dakota. As both an expert on the Revolutionary period and as an educator in North Dakota, I believe that understanding the American Revolution is more essential now than ever before, and instituting Patriot's Day as a state holiday would bring a much-needed awareness of the legacy of the founding era and the modern-day civics that it has inspired.

As a historian of popular politics during the American Revolution, I believe understanding the era is more essential now than ever. As our state and national political discourse degenerates into chaos, Revolutionary legacies such as freedom of expression, checks and balances, and even equality under the law have come under attack. For this reason, a renewed emphasis on the Revolutionary period is necessary to enrich and correct the course of our endangered commonweal. Celebrating Patriot's Day would help to bring about such a resuscitation of the Revolutionary legacy.

Further, as an Assistant Professor of early American history at North Dakota State University, I have taught North Dakota's young men and women about the American Revolution for the past four years. Each time I cover the Revolution in my introductory US History course, or in my upper-level courses period, I am gratified at the connections that our students make to the Revolutionary era and the present day – without fail, each time students come away with a more nuanced and complex understanding of our country's founding, and the legacies of the founders. Most importantly, students learn that the republic that emerged from the Revolution was a fragile, contingent one, and one that should not be taken for granted. Celebrating Patriot's Day would instill this understanding earlier, and among a much greater swath of the state's population.

In short, I believe instituting Patriot's Day as a North Dakota holiday would expand awareness of the Revolutionary legacy at a time when it is most needed. I urge you and your colleagues to pass this bill.

Sincerely,

*Don Johnson*

Donald F. Johnson, PhD  
Assistant Professor of History

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STATE OF NORTH DAKOTA  
**DEPARTMENT OF VETERANS AFFAIRS**  
4201 38<sup>th</sup> St SW, SUITE 104  
FARGO, NORTH DAKOTA 58104  
TELEPHONE: 701-239-7165  
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TOLL-FREE: 1-866-634-8387



LONNIE WANGEN  
COMMISSIONER

CATHY HALGUNSETH  
ADMINISTRATIVE ASSISTANT

February 21, 2019

att  
H 3  
pg 1

Senate Government and Veterans Affairs Committee  
66<sup>th</sup> Legislative Assembly  
Senator Davison Chair

Dear Senator Davison and Committee members;

I am writing to you in support of HB 1169 "Patriots Day" which your committee is scheduled to hear on Wednesday February 28, 2019. Regrettably I will not be able to attend the hearing as I will be out of the state at that time. HB 1169 as it is written is a good bill with no fiscal note. It brings much needed attention to the important historical battles our veterans have fought so that we can enjoy the freedoms we now have.

With the recent 100<sup>th</sup> anniversary of the end of World War I in 2018 I had the privilege of honoring many of our fallen WWI veterans. I found it surprising how few of our children and citizens in general understand the history surrounding WWI. The casualties and effect this war had on our country and how their sacrifices have begun to be forgotten. That is why we need to place these important dates on our calendar every year and to have our governors issue proclamations reminding us of their historical significance.

I ask that you pass HB 1169 as written.

Sincerely,

Lonnie L. Wangen  
Commissioner ND DVA

"Putting Veterans First"

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pg 1

Hello Austen and many warm greetings from downtown Fargo!

I had the pleasure of speaking with Jim Shaw last week regarding your efforts in making Patriot's Day a holiday in North Dakota. As I understand it, the holiday would be held in commemoration of the brave Americans who won our nation's independence. On behalf of the Fargo Theatre team, I enthusiastically support the creation of this holiday — celebrating and remembering our history is of the utmost importance. Honoring those that delivered our precious freedoms is just. My years at the Theatre have shown me that connecting with our history can be inspiring and instructive. The Fargo Theatre would support the inaugural Patriot's Day by hosting a special screening of a film centered on the Revolutionary War (title to be determined by availability, pricing etc). The film could be followed by an on-stage panel discussion or perhaps an audience Q&A with local history experts. I would seek support in organizing, financing, and promoting this event, but I believe it could provide a meaningful cultural and educational opportunity for North Dakota residents.

My thanks for your works on behalf of our state. Please let me know if I can provide any additional/useful information or commentary.

Sincerely,  
Emily

Emily Beck  
Executive Director  
Fargo Theatre  
314 Broadway  
> Fargo, ND 58102  
> (701) 239-8385  
>  
> [emily@fargotheatre.org](mailto:emily@fargotheatre.org)  
>

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HB 1169

name Jim Nelson

Rep. Mary Marshall

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Noted Sociologist C. Wright Mills writes, and I quote "Neither the life of an individual nor the history of a society can be understood without understanding the past" end quote.

Tomorrow is shaped by what we did yesterday and do today. I believe nothing happens without some connections to the past. Essentially, we learn from our mistakes and our successes. I am sure much of what you do daily for the people of North Dakota is based on some prior history or precedent.

During the downturn in the 80's I suddenly, one morning, didn't have a job because the company I worked for locked its doors. I was a Sunday school teacher and many in my church said I should be a teacher. So, at age 40, I went back to school and completed two bachelors' degrees and a Masters' degree. I began teaching for Minot State and adjunct for BSC in the mid 90's. It was through this experience that I can to realize just how little young people really knew about the world they lived in. What I learned in school, what my children learned in school and what my grandchildren are learning in school in many cases are as different as night and day.

They can whiz through their smartphones and computers leaving grandpa in the dust, yet they do not understand why we say the Pledge to the flag, why do we have certain laws, what is really in the Constitution and Bill of Rights, what is the role of the three branches of government, in sort just plain old "Civics" that many in this room were taught in grade school. Let me give you an example: A few years ago. I was asked to speak to a class at a middle school here in Bismarck around Veteran's Day. I am a proud Viet Nam Veteran and that day wore my Vietnam Veteran cap as I always do. After my presentation I asked if there were any questions. I never had one question about Vietnam. It was all about WWII. While walking out with the teacher I asked about that and his response shocked me. He said our history text books only go into WWII and just briefly mention Vietnam and other wars.

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We live in a time when we are erasing and removing reminders of history that we do not like. The incidents regarding the Civil War and not including Vietnam in our history books are, I believe, two very good examples. Both wars radically changed the social and political landscape of our country and I believe many of the problems we face today have their roots in those two events along with many more incidents from our past.

Forgetting and erasing the history we do not like does not solve the problems created by those events in time. We cannot change yesterday. We only control what we do today and tomorrow.

This bill attempts would simply designate a day of remembrance whereby a time could set aside when the schools, communities and whomever would have an opportunity to learn about the Birth of this nation. What was it that drove a bunch of English settlers to take up arms and fight to create a new "NATION." Why did the Founding Fathers create the Constitution like they did? What did those first politicians stand for and how does it still affect us today. Many of the issues today can be found in the issues that fueled the battle for freedom.

I close with another quote from David McCough: a twice Pulitzer Prize winner and Medal of Freedom recipient "History is who we are and why we are the way we are" end quote. It is a very dangerous thing to forget our past and the world's past.

The ND Veterans Legislative Council supports this bill asks the committee for a do pass.

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TESTIMONY OF  
MAJOR GENERAL AL DOHRMANN  
NORTH DAKOTA NATIONAL GUARD  
BEFORE THE  
SENATE GOVERNMENT AND VETERANS AFFAIRS COMMITTEE  
28 FEBRUARY 2019  
HOUSE BILL 1169

Good morning Mr. Chairman, members of the committee, I am Al Dohrmann, Adjutant General for the state of North Dakota. I am here today to testify in support of House Bill 1169.

On a spring morning in April of 1775, men left their homes in Lexington and Concord to fight for liberty for themselves and their families. The first shots were fired and eight militiamen were killed as the sun rose at Lexington. And with the famous "shot heard round the world", the American Revolutionary War began, and America inched closer to independence from Britain.

Those that put down their plows and picked up arms to fight for freedom in the Revolutionary War were our National Guard ancestors, so I have a personal respect and connection to their service. Those citizen soldiers who bravely fought and certainly those that died were among our first patriots. Patriots Day is an opportunity for the citizens of North Dakota to reflect on the meaning of patriotism and come together in observance of the sacrifices that allow us to enjoy the freedom we have today. This day will also give schools the opportunity to educate the youth about the importance of those events in American history.

The cost of war is great and throughout history many men and woman have sacrificed their lives to sustain the freedom the first patriots fought for in April of 1775. Patriots Day is just a small token of gratitude and an opportunity for the remembrance of those that have come before us and to never forget our rich history.

I ask for your support of HB 1169 and will stand by for any questions that you may have.

arist