

2011 HOUSE POLITICAL SUBDIVISIONS

HB 1403

# 2011 HOUSE STANDING COMMITTEE MINUTES

House Political Subdivisions Committee  
Prairie Room, State Capitol

HB 1403  
January 27, 2011  
Job # 13549

Conference Committee

Committee Clerk Signature 

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

An Act to provide an appropriation to the department of commerce for providing a grant to the ND cowboy hall of fame.

## Minutes:

Hall of Fame booklet

Chairman Johnson: Opened the hearing on HB 1403.

Rep. Kempenich: The bill is looking for an appropriation for the cowboy hall of fame in Medora to so some expansion for the artifact they are hoping to get in. The money would probably come from the highway patrol gun range we are not going to fund.

Rep. Devlin: Have we funded the ND Hall of Fame with general dollars before? (Handed out Hall of Fame booklet)

Rep. Kempenich: We did a \$100,000 four biennials ago. We did \$50,000 one other time too. Last session I think we did \$25,000. This is a new project to help get this project going and it is a matching type of thing.

Senator Taylor: I am a trustee of the Cowboy Hall of Fame. I am a big fan of the Cowboy Hall of Fame. It has been a great attraction for ND in its short history. This week go down and see the movie True Grit; but if you want to really hear stories of true grit in and about ND whether it is with the cowboys, Native Americans or ranchers you just go to the Cowboy Hall of Fame in Medora. It affects the whole state. It is not just cowboys; it is also cowgirls. It does have story in McHenry County there is a story now in the Cowboy Hall of Fame about two women who held the ranch together in the early 1920's after a series of tragedies took all three men away from the ranch and left them out on the prairie with two little kids and one woman pregnant with the third. There are hundreds of stories like that out there and gives us pride in our heritage. The two ladies were my grandmother and great grandmother so I have told my next generation, but it is nice to have a place that can take that story to a wider audience inside and outside the state. I hope you will look on it favorable.

Darrell Dorgan, Executive Director, ND Cowboy Hall of Fame: Ten years ago we received a onetime appropriation of \$100,000 and then I believe it was eight years ago we received another appropriation of \$25,000. Those are the only two pieces of state money that we have received. On a \$100,000 invest that the state of ND put forth ten years ago you have received a \$5 million return. That is the value of the ND Cowboy Hall of Fame. Four years ago we were the ND tourist attraction; this past year we were named the Cowboy Hall of Fame in the USA. That put us in a little different class and we are continuing to expand. We now have an opportunity; the Theodore Roosevelt Foundation has stepped forward and offered us an incredible collection of artifacts. Original it was the Hubbard Collection. It will appraise in the million s of dollars and it needs to stay in ND. Most of these are ND artifacts. We have a proposal before us now. We have proposed putting on a \$3.2 million addition. We have a 5,000 sq.ft. patio on the west side of the building which we would convert into a 5,000 sq.ft. addition and put the patio on the second floor of the building. We are also working with a group of Native Americans who have expressed an interest in helping fund this project. It probably will take us a year or two to put the financing together. We have to come up with \$3 for every \$1 we would get of this \$250,000. We are willing to do that. I would like your support.

Rep. Shirley Meyer: We would not be able to retain the Hubbard Collection with our current space?

Darrell Dorgan: We can't do it and we don't have the environmental controls to do it either. This is a collection that is valued in the millions of dollars and requires special environmental controls etc. The addition we would put on would be windowless.

Rep. Maragos: Are you currently in position of this collection?

Darrell Dorgan: It is in storage when we built the Cowboy Hall of Fame. It should be seen by the general public. There may be a time where this collection may not be in ND and that would be a travesty so it is important we keep this collection in ND.

Chairman Johnson: what things are in the collection?

Darrell Dorgan: A lot of it is Mandan, Orikaha, Hidatsa, Dakota, Lakota clothing and day to day utensils that you would use. It is an amazing collection. It tells a story about a culture that goes back thousands of years. There was a lot going on out here 500 years ago or 1000 years ago for that matter. This collection helps detail what it was. When Lewis & Clark came in here there was somebody to say hi and tell them how to get out of here and it is important that we retain that information and show people what it was. It is all there and was collected by Dr. Ralph Hubbard.

Rep.Devlin: Why is this bill here? You would think if it was this important it would be in the tourism or Heritage Center or somebody else's budget. It wouldn't be a standalone bill here.

Darrell Dorgan: The Hubbard Collection came from Medora ND. That is where it was put together. Part of it was put together in Minot and came to Medora ND. It was purchase d

by Harold Schaffer. Dr. Ralph Hubbard was the curator of the collection. It needs to stay in Medora. It tells a unique story that is unique to Western part of ND.

Rep.Devlin: Why is the funding request before the political subdivision instead of the budget for tourism or Heritage Center?

Darrell Dorgan: This is a good place to put it.

Randy Hatzenbuehler, Present of the Theodore Roosevelt Medora Foundation: We are the owner of the collection. We have had it in storage 6-7 years. We had considered building a standalone facility. When we look at the mission state of the Medora Foundation and the ND Cowboy Hall of Fame on the front of their door when you walk in is the center of western heritage, Native American Horse Cultures. It really fits their mission. We want it to stay in Medora, ND. About three years ago one of the key pieces of the collection are eight paintings by David Humphreys Miller who state with survivors of the Battle of the Little Big Horn; interviewed them and painted them and it is a very rare collection of paintings and we put those on loan at DSU and we put them on loan at BSC a year ago. I talked to Darrell and he said that we just have such a collection; it has got to get back in front of the public; would you ever consider partnering with the Medora Foundation? That is the best kind of projects we can do when we partner together. The ND Cowboy Hall of Fame has been a great contribution for the community of Medora.

Ron Carlisle, Trustee with the Cowboy Hall of Fame.: I was involved in both of the findings from the legislature. This is a vehicle that Rep. Kempenich decided to use. It could well have been many different places between tourism and commerce. The collection is here and is worth \$1 million plus. I believe in it and it should stay in Medora. Rep. Shirley Meyer is also a trustee and Sen. Taylor and others in this room.

Rep.Devlin: Was there any attempt to place this request in the Governor's budget?

Ron Carlisle: Not that I am aware of.

Laura Griffin, ND Cowboy Hall of Fame: We were born and raised and ranched in Billings County and are very interested in the ND Cowboy Hall of Fame and will do everything in our power to support it. I have a great great grandmother that a horary and she ranched south of Medora; raised five girls and her husband was murdered on a cattle buying trip. There are stories like that need a place to be preserved.

Phil Baird, Co founder and President of the ND Cowboy Hall of Fame: I am doing this for the last 15 years. I am here to offer words of support of HB 1403. After looking at nine sites in ND and narrowing it down to 4; we finally got our crown jewel, the center of western heritage and culture, the American ranching and rodeo. I am blessed to be born of all three cultures so I am very passionate about what we have going today. You have heard about what we have done. Our accountability stands very good with the board that has supported us for the last 16 years with no compensation at all. A quarter of the board is still with us 16 years later. We have over 200 trustees representing all the communities and we have now exceeded a membership base of over 1500 people on an annual basis. That represents the commitment people are making toward this. We have an annual audit and

we have taken care of business. You have heard about our accomplishments. We have a strategic plan and we are looking ahead at the future; we are not only looking at this collection, but we also know that we have something the rest of the world wants. We have something you will find nowhere else in the northern plains. We went to Texas to pick up our National Award. It is a town of 261,000 people; we did make mention of our population, but the hospitality and support and the eyes with envy and with anticipation were looking up in this part of the corner of the state. They have a great project, a cattle drive trail project that is going to connect from the Mexican border clear up here to the Canadian border, right now we are at the northern end of that so the opportunity is knocking to bring people. We are also knocking on the door for international audience; people are looking for the cowboy and Indian experience and that is what we have a chance to offer. There is a hungry international audience willing to come to ND. Tourism is one of our top industries. The state invested a few years ago on a dream. 2011 you have the chance to support a National Award winning organization and facility and a good opportunity to be part of that.

Rep. Kempenich: In appropriations we can do things that don't require hearings, but it did come in a little late when the budget was built. Instead of amendments; we wanted a hearing on it and this is something for the whole state.

Opposition: None

Neutral: None

Hearing closed.

Chairman Johnson: reopened the hearing on HB 1403.

Do Pass Motion Made by Rep. Maragos: Seconded by Rep. Shirley Meyer:

Discussion:

Rep. Pietsch: Do Pass and forward to appropriations?

Rep. Maragos: Yes it would be referred to appropriations.

Vote: 8 Yes 2 No 4 Absent Carrier: Chairman Johnson:

Hearing closed.

Date: 1-27-11  
 Roll Call Vote #: 7

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
 BILL/RESOLUTION NO. 1403

House Political Subdivisions Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken  Do Pass  Do Not Pass  Amended  Adopt  
 Amendment

Rerefer to Appropriations  Reconsider

Motion Made By Rep. Maragos Seconded By Rep. S. Meyer

Representatives	Yes	No	Representatives	Yes	No
Chairman Nancy Johnson	✓		Rep. Kilichowski	✓	
Vice Chairman Hatelstad	✓		Rep. Shirley Meyer	✓	
Rep. Beadle	✓		Rep. Mock		
Rep. Devlin		✓	Rep. Zaiser	✓	
Rep. Heilman					
Rep. Klemin					
Rep. Koppelman					
Rep. Kretschmar	✓				
Rep. Maragos	✓				
Rep. Pietsch		✓			

Total (Yes) 8 No 2

Absent 4

Floor Assignment Rep. N. Johnson

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

**REPORT OF STANDING COMMITTEE**

**HB 1403: Political Subdivisions Committee (Rep. N. Johnson, Chairman) recommends DO PASS and BE REREFERRED to the Appropriations Committee (8 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING). HB 1403 was rereferred to the Appropriations Committee.**

**2011 HOUSE APPROPRIATIONS**

**HB 1403**



# 2011 HOUSE STANDING COMMITTEE MINUTES

House Appropriations Committee  
Roughrider Room, State Capitol

HB 1403  
2/8/11  
14226

Conference Committee

Committee Clerk Signature

*Meredith Tracholt*

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

A BILL for an Act to provide an appropriation to the department of commerce for providing a grant to the North Dakota cowboy hall of fame.

## Minutes:

You may make reference to "attached testimony."

**Chairman Delzer:** The committee was called to order, roll was called, and a quorum was declared. He discussed the order of today's meeting. There are no hearings on bills today. We'll take up 1403, which came to us from Political Subdivisions.

**Representative Nancy Johnson, District 37:** This is a request from the cowboy hall of fame for up to \$250,000 for the building of a climate controlled addition to the facility. It requires a \$3 private funding match to \$1 of state funds. In 2010, the cowboy hall of fame was voted ND's Tourist Attraction of the Year, and also named America's Best Cowboy Museum. The opportunity has presented itself to house the Hubbard collection of western artifacts; it was purchased by Harold and Sheila Schafer in the '70s and now belongs to the Theodore Roosevelt Medora Foundation, which is willing to permanently loan the collection to the cowboy hall of fame. The collection was appraised at about \$3 million a decade ago. Our Political Subdivisions Committee thought this would be a wise and historically valuable collection to remain in ND and recommends this appropriation be approved.

**Chairman Delzer:** There's no stipulation they have to have the 3 matching before they start, the way I read this.

**Representative Johnson:** That's not the way I read it.

**Chairman Delzer:** It doesn't say they have to have all \$750,000 before they can get the \$250,000.

**Representative Johnson:** That's correct. If they get \$100,000 in of private dollars, they'll get \$33,000 of state.

**Representative Kaldor:** Is the \$250,000 representative of what they anticipate to be the full cost?

**Representative Johnson:** It is part of a \$3.2 million expansion.

**Chairman Delzer:** Did they bring you any design material?

**Representative Johnson:** No.

**Representative Skarphol:** What was our contribution to the original facility, and the match required?

**Roxanne Woeste, Legislative Council:** In 2001 there was a \$100,000 contribution, and in 2003 there was a \$25,000 contribution.

**Representative Skarphol:** If memory serves, when we did the original \$100,000, they assured they would not be coming back to the state for additional money.

**Chairman Delzer:** In 2003, did that come from the Commerce Department, or was it a direct appropriation?

**Representative Johnson:** I don't know.

**Chairman Delzer:** It must have come from Commerce, they've got a \$25,000 grant they can give. Further questions? Committee members, do you want to take this up now? I do not believe that it's right for us to be putting money into non-state entities. There is not any state ownership in the cowboy hall of fame, to my understanding.

**Representative Skarphol:** I move Do Not Pass on HB 1403.

**Representative Thoreson:** Second.

**Chairman Delzer:** We have a motion and a second for a Do Not Pass. Discussion?

**Representative Kaldor:** Reflecting on last session, we appropriated \$500,000 for a private hotel in Medora. The fact that this is a gift from Harold and Sheila Schafer is fairly significant to me. It contains artwork and artifacts very representative of our historic past in western ND. If we can assist in some small way, this is a benefit to the state. Since our prime sponsor (Vice Chairman Kempenich) is not here, I feel awkward having a vote without his input. I would hope we would support our colleague.

**Chairman Delzer:** We do have a motion, so we'll take the vote, and hold it long enough so if Vice Chairman Kempenich wants to bring it back we can do that.

**Representative Skarphol:** There is a fairly significant proposal to fix infrastructure in the west. I've had people ask me if the money in that bill that is set aside for communities under 7500 can be used for community facilities. If that is the wishes of the bodies, both Senate and House, and it's a recommendation of the distributors of those dollars, that's a possibility to do something like this. But to fund individual projects, like this, at this point in time I think is inappropriate.

**Representative Glassheim:** The difference between opening things up so you might fund 20 community centers, and this project, is this is not a little community project, this is a statewide piece of our history. It does not open things up to fund every small project out of that money which is now set aside for roads.

**Chairman Delzer:** Further discussion? The clerk will call the roll for a Do Not Pass on HB 1403. Motion carries 14-6-1. Carrier is Representative Skarphol.

Vice Chairman Kempenich was at the meeting later. Chairman Delzer advised him a vote had been taken. Vice Chairman Kempenich stated he did not need to reopen discussion on it.

Date: 2/8  
 Roll Call Vote #: 1

**2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. 1403**

House Appropriations Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken:  Do Pass  Do Not Pass  Amended  Adopt Amendment  
 Rerefer to Appropriations  Reconsider

Motion Made By Rep Skarphol Seconded By Rep Thoreson

Representatives	Yes	No	Representatives	Yes	No
Chairman Delzer	X		Representative Nelson	X	
Vice Chairman Kempenich			Representative Wieland	X	
Representative Pollert	X				
Representative Skarphol	X				
Representative Thoreson	X		Representative Glassheim		X
Representative Bellew	X		Representative Kaldor		X
Representative Brandenburg	X		Representative Kroeber		X
Representative Dahl	X		Representative Metcalf		X
Representative Dosch	X		Representative Williams		X
Representative Hawken		X			
Representative Klein	X				
Representative Kreidt	X				
Representative Martinson	X				
Representative Monson	X				

Total (Yes) 14 No 0

Absent 1

Floor Assignment Rep. Skarphol

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

**REPORT OF STANDING COMMITTEE**

**HB 1403: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO NOT PASS** (14 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). HB 1403 was placed on the Eleventh order on the calendar.

2011 TESTIMONY

HB 1403

# The Cowboy Chronicle

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## AMERICA'S BEST COWBOY MUSEUM IN 2010

Available on request

# NORTHAD/KOTM

## CONTRIBUTION TO THE

## CENTER OF WESTERN

## HERITAGE & CULTURE'S

## NATIVE AMERICAN RANCHING & RODEO

