

2017 SENATE GOVERNMENT AND VETERANS AFFAIRS

SB 2287

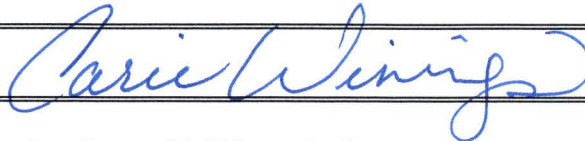
2017 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee
Sheyenne River Room, State Capitol

SB 2287
2/2/2017
Job Number 27785

- Subcommittee
 Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A BILL for an Act to create and enact a new section to chapter 48-05 of the North Dakota Century Code, relating to the display of Indian nation flags at certain locations in the state capitol.

Minutes:

Attachments: 1-2

Chairman Poolman: Opened the hearing on SB 2287.

Senator Marcellais, District 9: See Attachment #1 for testimony to explain and in support of the bill. See Attachment #2 for amendment on the bill.

(2:50) Chairman Poolman: I was thinking about the Secretary of State's testimony on memorial hall and that it is meant to honor those who have come before us, would you be willing to think about an amendment where maybe instead of the judicial wing, that those would appeared somewhere in memorial hall?

Senator Marcellais: I counted the pillars in memorial hall this morning and there are spaces for 5 flags in between the pillars.

Chairman Poolman: The intent of the bill is to ensure that we have Native American representation in the capitol somewhere correct?

Senator Marcellais: Yes.

Chairman Poolman: If we ask around and maybe find a good spot, is that something we can amend the bill to?

Senator Marcellais: Yes, as long as they are displayed someplace where the public can see them.

(4:35) Senator Heckaman, District 23: Testified in support of the bill. This bill has been in the works for several sessions and I think it is time that we do it. I think memorial hall would

be a great place to display them. I represent Spirit Lake Nation and we have no representation for them any place in our capitol other than in the office of the Indian Affairs commissioner.

(5:30) Andrea Denault, Resident: Testified in favor of the bill. I want to point out that it is a little silly that we should be having this conversation. Just in the context of thinking about that I am Norwegian decent and we are guests in this land. I think that tribal flags absolutely need to be displayed in the capitol. These are the original inhabitants of the land where we are all residing.

(6:30) Carol Two Eagle, Grassroots People: Testified in support of the bill. I am Dakota, Lakota, and a little bit of Apache. The state is named after my people. All of us Native nations were here for thousands of years before the Europeans ever existed, and yet we continually have to come up and say "don't you think it is time you recognize that". I noticed that in the past few months they have been taking the Indian head off state signs and replacing it with the outline of the state. I think that is unfortunate. We had a big deal over who should be the mascot for the university of the state and I was in favor of changing that. To mascot is to enslave – by definition it is a caricature or a pet. Who knows what kind of pet I would make. Not good. We have heard all manner of ugly excuses for not hanging the flags in the past. Those legislators are no longer here. Something I applaud. Lucky you I can't rattle my tongue today. This is long past overdue. Everywhere you go on Turtle Island you are standing on Indian land. I carry a pipe and that pipes focus is to heal the sacred hoop that takes many forms. It takes the form or what is happening in Standing Rock, and it takes the form of these flags. Get it done finally. There has been a proposal to stick the Indians in the Heritage Center. I resent being stuck. If you put it in the Heritage Center, that relegates us to history and we have a monumental uphill battle against being seen in a time warp. Within the last 20 years I have been coming here as a function of my pipe, because I was sent here by the spirits for a reason. I saw this building and I did not want to come here because of the politics and not because I was afraid. I had done politics in the past and I was tired of it. I am here so you notice how much choice I had. I have heard people say things like "an Indian, I thought we killed all you people off years ago". Even last month on Twitter, someone asked if we were even citizens. We need to hang the flags and we need to do it now.

Chairman Poolman: Closed the hearing on SB 2287.

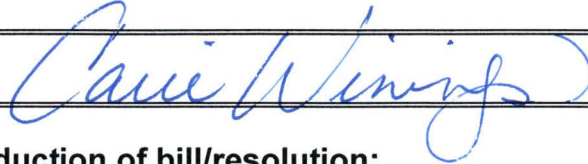
2017 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee
Sheyenne River Room, State Capitol

SB 2287
2/2/2017
Job Number 27817

- Subcommittee
 Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A BILL for an Act to create and enact a new section to chapter 48-05 of the North Dakota Century Code, relating to the display of Indian nation flags in the state capitol.

Minutes:

No Attachments

Chairman Poolman: Opened SB 2287 for committee discussion. As we talked about, we knew it had to be amended and I think that the idea of putting it in memorial hall, where everyone can see, would be a great idea.

Senator Bekkedahl: I think memorial hall is the most recognizable place to have them for a public display. **Moved to Amend**, on line 8 after the word "displayed" remove the remaining language in that sentence and insert new language "in memorial hall."

Senator Meyer: Seconded.

Chairman Poolman: Asked for discussion.

Senator Vedaa: Is this a flag that is displayed 24/7, 365 days a year or is this a flag that would be honored on certain days.

Chairman Poolman: My interpretation is that this becomes a permanent fixture in memorial hall.

Senator Marcellais: Just like the US and North Dakota flag.

A Roll Call Vote Was Taken: 5 yeas, 0 nays, 1 absent.

Motion Carried.

Senator Bekkedahl: Moved a Do Pass As Amended.

Senator Meyer: Seconded.

Senate Government and Veterans Affairs Committee

"Click here to type Bill or Resolution Number"

"Click here to type date"

Page 2

A Roll Call Vote Was Taken: 5 yeas, 0 nays, 1 absent.

Motion Carried.

Senator Marcellais will carry the bill.

February 2, 2017

ET
2-2-17
p. 1 of 1

PROPOSED AMENDMENTS TO SENATE BILL NO. 2287

Page 1, line 2, remove "at certain locations"

Page 1, line 8, remove "chamber of the"

Page 1, line 9, replace "house of representatives, the chamber of the senate, and the
courtroom of the supreme court" with "memorial hall of the state capitol"

Renumber accordingly

2017 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 2287

Senate Government and Veterans Affairs Committee

Amendment LC# or Description: Subcommittee
Line 89 remove after displayed
→ "in memorial hall"

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

17.0871.01002

Motion Made By Bekkedahl Seconded By Meyer

Senators	Yes	No	Senators	Yes	No
Chairman Poolman	✓		Senator Marcellais	✓	
Vice Chairman Davison	Ab				
Senator Bekkedahl	✓				
Senator Meyer	✓				
Senator Vedaa	✓				

Total (Yes) 5 No 0

Absent 1

Floor Assignment _____

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

Date: 2/2
Roll Call Vote #: 2

2017 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 2287

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
Other Actions: Reconsider _____

Motion Made By Bekkedahl Seconded By Meyer

Senators	Yes	No	Senators	Yes	No
Chairman Poolman	<input checked="" type="checkbox"/>		Senator Marcellais	<input checked="" type="checkbox"/>	
Vice Chairman Davison	<input checked="" type="checkbox"/>				
Senator Bekkedahl	<input checked="" type="checkbox"/>				
Senator Meyer	<input checked="" type="checkbox"/>				
Senator Vedaa	<input checked="" type="checkbox"/>				

Total (Yes) 5 No 0

Absent 1

Floor Assignment Marcellais

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

REPORT OF STANDING COMMITTEE

SB 2287: Government and Veterans Affairs Committee (Sen. Poolman, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2287 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "at certain locations"

Page 1, line 8, remove "chamber of the"

Page 1, line 9, replace "house of representatives, the chamber of the senate, and the courtroom of the supreme court" with "memorial hall of the state capitol"

Renumber accordingly

2017 TESTIMONY

SB 2287

**Testimony on SB 2287
February 2, 2017**

Chairperson Poolman, members of the Government Veterans Affairs committee, my name is Richard Marcellais, Senator for District 9 Rolette County.

On its face SB 2287 appears to be a rather simple bill. However, if the State of North Dakota should venture down this path it sends a huge message to our five Native American Nations in the state of North Dakota.

This bill is all about trust and respect. Displaying the five Native American Nations in North Dakota flags would be a first to create a dynamic moving forward that is the based on trust and respect.

Of the 31,329 Native American citizens about 4.9% of the total population of North Dakota they contribute over \$57.5 million annually in taxes. This does not include the hundreds of millions our Nations share with the State of North Dakota in oil/gas taxes.

It is time to create a new relationship between the state of North Dakota and our Tribal nations. This small step of displaying flags is a great first step to change the current dynamic into one of cooperation and partnership for those who reside in the great State of North Dakota.

I have a proposed amendment to SB 2287 and that is instead of displaying the flags in the "courtroom of the supreme court" replace that with the "entrance of the judicial wing".

Chairman, members of the committee on behalf of the North Dakota Native American Nations, I would ask a DO PASS on SB 2287. I will try and answer any questions.

17.0871.01001
Title.

Prepared by the Legislative Council staff for
Senator Marcellais

January 27, 2017

PROPOSED AMENDMENTS TO SENATE BILL NO. 2287

Page 1, line 9, replace "the courtroom of the supreme court" with "in the atrium of the judicial wing of the state capitol"

Renumber accordingly