

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1453

2005 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HB 1453

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1453

House Government and Veterans Affairs Committee

☐ Conference Committee

Hearing Date 1/28/05

Tape Number	Side A	Side B	Meter #
1	x		0-30.5
Committee Clerk Signature			

Minutes: HB 1453 Relating to authorized use of the coat of arms of the state.

Rep. Maragos-District 3-for-I would ask this committee if we could fly the coat of arms of the State of North Dakota along with the American Flag and the State Flag.

Rep. Klemin: Is this limited to flags or could I put the coat of arms on my car.

Rep. Maragos: You do put the coat of arms on your car, if you want to park in the parking lot.

Rep. Klemin: Could I put a huge one on the side of my door, for example.

Rep. Maragos: I suppose, like anything, someone could probably take it to the nth degree, you better be a legislator if you do it.

Rep. Klemin: The point is that it is not limited to flags.

Rep. Grande: The coat of arms of this state may be used in a manner consistent with the respect and dignity do a state coat of arms and its symbolic value. The Governor, the National Guard, Departments and Agencies with the State of North Dakota, North Dakota Veterans Organizations, Educational Institutions, recognized Patriotic Organizations, etc.

Chairman Haas: It is quite specific, beyond that there is additional language that specifies exactly what it looks like and what colors you have to use, the colors are designated by Quarter Master General of the United States Army, so it gets restrictive.

Rep. Conrad: You are including former members of the legislature and this doesn't include former Governors.

Rep. Maragos: My understanding is that there might be an amendment to remove the word former.

Rep. Conrad: OK.

Rep. Maragos: Which I have no problem with.

Rep. Meier: Campaign advertising, would we be able to use it for campaign advertising?

Chairman Haas: I believe that it would detract from the dignity of the coat of arms.

Rep. Maragos: Just with the respect of the change I am asking for, would it be OK for us to use the coat of arms on a letter head.

Rep. Klemin: The coat of arms is not the same as the great seal.

Rep. Maragos: I don't believe it is. The great seal is round and the coat of arms is quite different.

Chairman Haas: Luke just gave us another section of the century code that says, unauthorized use: a person may not place or caused to be placed upon the coat of arms of this state, any advertisement of any nature or exposed coat of arms to public view when any advertisement has been attached there to. That would preclude the use of the coat of arms during campaigning. It goes on with additional restrictions.

Rep. Maragos: I certainly don't want to change any of that, all I am interested in doing is adding the idea that a legislature, if he so chooses could indicate by flying the flag that he is a duly elected member of the legislature.

Rep. Sitte: Historically do you know the difference between the great seal and the coat of arms and what each represents?

Rep. Maragos: I think they are both symbols of the state, the coat of arms, we use it to identify ourselves as members of the legislative assembly, the Governor, the National Guard. I really can't tell you what the distinction is. We have it on our stationary.

Chairman Haas: Luke just gave us another section of the century code 54-02-01, which governs the great seal, permitted uses, etc. We can have copies of this made and distributed to the committee.

Rep. Maragos: It seems to me that the great seal is used on communications then anything else. The coat of arms is basically a symbol to signify an association.

Rep. Galvin: Is there not another law that governs the great seal.

Rep. Maragos: I think that is just what your intern produced for you and it will be passed out to you.

Al Jaeger-Secretary of State-Neutral-The coat of arms is green. The great seal is my area of responsibility.

Chairman Haas: Thank you very much. Any more questions?

REP. CONRAD: I MOVE TO A DO PASS ON HB 1453.

REP. GRANDE: I SECOND.

VOTE: YES 14 NO 0 ABSENT 0 DO PASS REP. AMERMAN WILL CARRY BILL

50631.0101
Title.0200

Adopted by the Government and Veterans
Affairs Committee
January 28, 2005

VR
1/28/05

House AMENDMENTS TO HOUSE BILL NO. 1453 **GVA 1/31/05**

Page 1, line 6, remove "or a former member"

Renumber accordingly

Date: 1/28/05
Roll Call Vote #: 1

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1453

House House Government and Veterans Affairs Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 50631.0101

Action Taken To PASS As Amended

Motion Made By Rep Conrad Seconded By Rep Grande

Representatives	Yes	No	Representatives	Yes	No
Chairman C.B. Haas	✓		Rep. Bill Amerman	✓	
Bette B. Grande - Vice Chairman	✓		Rep. Kari Conrad	✓	
Rep. Randy Boehning	✓		Rep. Louise Potter	✓	
Rep. Glen Froseth	✓		Rep. Sally M. Sandvig	✓	
Rep. Pat Galvin	✓				
Rep. Stacey Horter	✓				
Rep. Jim Kasper	✓				
Rep. Lawrence R. Klemin	✓				
Rep. Lisa Meier	✓				
Rep. Margaret Sitte	✓				

Total (Yes) 14 No 0

Absent 0

Floor Assignment Rep. Amerman

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

REPORT OF STANDING COMMITTEE (410)
January 31, 2005 9:36 a.m.

Module No: HR-20-1405
Carrier: Amerman
Insert LC: 50631.0101 Title: .0200

REPORT OF STANDING COMMITTEE

HB 1453: Government and Veterans Affairs Committee (Rep. Haas, Chairman)
recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends
DO PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1453 was placed
on the Sixth order on the calendar.

Page 1, line 6, remove "or a former member"

Renumber accordingly

2005 SENATE GOVERNMENT AND VETERANS AFFAIRS

HB 1453

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. **HB 1453**

Senate Government and Veterans Affairs

Business and Conference Committee

Hearing Date March 18, 2005

Tape Number	Side A	Side B	Meter #
1	x		55-2100
Committee Clerk Signature <i>Shane Davis</i>			

Chairman Krebsbach opens the hearing on HB 1453

Relating to authorized use of the coat of arms of the state.

Representative Maragos - Introduced the bill. This is the same coat of arms used on their cars for the parking lot. He said he would like to buy and fly a flag with the coat of arms on it. He would like for Senators, former Senators, Representatives, former Representatives and former Governors be able to fly this flag.

Senator Nelson - Asked where you would buy this flag.

Rep. Maragos - Replied there is a silk screening company that does them.

Senator Nelson - Asked if this was the same as the governors flag.

Rep. Maragos - Said that it was similar but with out the stars.

Senator Nelson - Pointed out that the Governors Band gets this flag.

Senator Brown - Asked if this flag is green.

Rep. Maragos - Said yes it is the same as used on the parking stickers.

Senator Krebsbach - Asked him if the Secretary of State was in on this bill.

Rep. Maragos- Said he was not.

Rep. Maragos - Said he would like to see current and former legislator able to fly the flag.

Senator Lee - She would be okay with past legislators flying the flag..

Rep. Maragos - Agreed.

Senator Syverson - Asked if there was a sense of reason or resistance why the change.

Rep. Maragos - Did not know.

Senator Syverson - Thought maybe past governor should be added.

Senator Krebsbach - Said that may cause confusion of present Governor and past Governor.

Senator Syverson - Read out of the state code on the meaning of the code of arms.

Senator Krebsbach asked Secretary of State Al Jaeger so give his opinion on this.

Sec. Of State - Said the only protected image we have in the state is the Great Seal. Code of Arms is okay.

Close the hearing on HB 1453.

(meter #1387)

Discussion

Senator Lee - Would like to see it go back to include past legislators.

Senator Syverson - Said it can't be used in advertising and the statute already defines how the flag should look.

Senator Lee - moves to amend back to former legislators.

Page 3

Senate Government and Veterans Affairs

Bill/Resolution Number **HB 1453**

Hearing Date March 18, 2005

Senator Brown - Seconded

Senator Brown moved do pass as amended.

Senator Nelson seconded

Do Pass

Senator Syverson will carry

(Meter #2100)

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1453

Page 1, line 1, replace "a" with "two" and replace "subsection" with "subsections"

Page 1, line 4, replace "A" with "Two" and replace "subsection" with "subsections"

Page 1, line 5, replace "is" with "are"

Page 1, line 6, after "member" insert "or a former member"

Page 1, after line 6, insert:

"A former governor of North Dakota."

Renumber accordingly

Date: 3/18/05
Roll Call Vote #: 1453

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1453

Senate Government and Veterans Affairs

Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Motion to amend to add former legislators & gov.

Motion Made By Senator Lee Seconded By Senator

Senators	Yes	No	Senators	Yes	No
Karen K. Krebsbach, Chairman	X		Carolyn Nelson	X	
Richard L. Brown, Vice Chairman	X				
Judy Lee	X				
John O. Syverson	X				

Total (Yes) 5 No 0

Absent 0

Floor Assignment Senator

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

Date: 1/18/05
Roll Call Vote #: 2

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 458

Senate Government and Veterans Affairs Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass as amended

Motion Made By Senator Brown Seconded By Senator Nelson

Senators	Yes	No	Senators	Yes	No
Karen K. Krebsbach, Chairman	X		Carolyn Nelson	X	
Richard L. Brown, Vice Chairman	X				
Judy Lee	X				
John O. Syverson	X				

Total (Yes) 5 No 0

Absent 0

Floor Assignment Senator Syverson

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

REPORT OF STANDING COMMITTEE

HB 1453, as engrossed: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1453 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "a" with "two" and replace "subsection" with "subsections"

Page 1, line 4, replace "A" with "Two" and replace "subsection" with "subsections"

Page 1, line 5, replace "is" with "are"

Page 1, line 6, after "member" insert "or a former member"

Page 1, after line 6, insert:

"A former governor of North Dakota."

Renumber accordingly

2005 HOUSE GOVERNMENT AND VETERANS AFFAIRS

CONFERENCE COMMITTEE

HB 1453

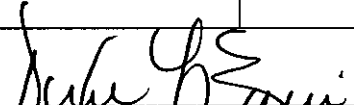
2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1453

House Government and Veterans Affairs Committee

☒ Conference Committee

Hearing Date 3/29/05

Tape Number	Side A	Side B	Meter #
2	x		0-25.6
Committee Clerk Signature 			

Minutes: Relating to authorized use of the coat of arms of the state.

Conference Committee

Chairman Grande: Calling the Conference Committee on HB 1453 to order and ask the clerk to take the roll. Rep. Grande, Rep. Galvin, Rep. Potter--Sen. Syverson, Sen. Kreabsbach. Sen.

Nelson-Sick

At this time would the Senate like to explain there amendment.

Sen. Syverson: You are familiar with the history of the bill when it was first filed with addressing a member or former member of the legislature being allowed to use the coat of arms. You folks amended it to read a serving member, we after some discussion and testimony by the Secretary of State decided the initial form of the bill with the member, first iteration former member would be appropriate and we also decided we had left out two significant elected officials, that being the former governor of North Dakota and the former Lieutenant Governor. I think in the committee we had some discussion on whether the term governor could be

extrapolated to mean the former governor, but it might be appropriate to insert that line in the bill. The former governor or the former lieutenant governor of the State of North Dakota in the bill. Let me address the issue of the coat of arms as it compares to the seal. There is indeed protection and direction in code to protect the coat of arms, as to its usage and it would be incumbent on everyone that worked be drafted this opportunity to comply those statutes, for that reason we thought we would like address the issue with you folks, the people that I have talked to they have no reservations about it, they feel it is a good idea if you want to have a flag in front of your house, with the United States flag flying, one could do that. We can't obviously use the seal in a lot of respects, but the coat of arms we could. If we can include veterans and patriotic organizations it seemed to us that it would be appropriate to allow someone who is as patriotic to the state as a serving legislature, former legislature, former governor, or a former lieutenant governor. For that reason we proposed to have a conference to report on.

Chairman Grande: Our committee had done some research, also. The piece that you are looking at is the original resolution from 1955. The development of the coat of arms for the State of North Dakota. The other thing is a copy of the current statute. One of things that was interesting that had stayed in place the whole time was the second whereas, where such a distinctive emblem is proper and necessary for use by the North Dakota National Guard and Veterans Organizations during ceremonies or for official functions, this is pretty much a significant piece is used and developed for the National Guard or the military for our state. In the resolution, in the minutes for when this resolution was heard in 1955, that is where they included the patriotic organization. They put it into the law then in 1957 and wrote it in, that is what you really see today, with little or no change has taken place. The coat of arms was used by the governor, who is the overseer of

the National Guard. Department agencies of the state of North Dakota, North Dakota Veterans organization, officially recognized North Dakota Educational Institutions Systems or divisions thereof and patriotic organizations. Legislators kind of got left out and the necessity of putting that into just because of the current usage of that is pretty important. I talked to the historical society and meeting with the Secretary of State on this, the only time an individual is allowed to utilize this symbol, that it is flown at the governors residence and it is a separate flag altogether. He is the only one that can use the four star and it is when he is in control of the National Guard that he is allowed to use this specific symbol. Each individual cannot and take it and use it as an individual. It was meant as an organizational symbol. My concern came up when we talk about, one, the former member portion, should we as former legislators have to remove the sticker off of our cars. I want to address the legislative assembly is using it as note to who the body is by using as stickers.

Sen. Krebsbach: There is another chapter and this was just given to me by the Secretary of the State and 54-41-05, unauthorized use and penalty and a person may not place or caused to be placed upon the coat of arms of this state any advertisement of any nature.

Sen. Syverson: Would there be any history as discovered as to when the North Dakota Educational Institutional Systems Division were included in the usage of this, because the original current resolution does not include them, nor does it include patriotic organizations or does it include departments or agencies in the State of North Dakota, obviously it seems fit in the past to address the usage in a broader scale then what was originally addressed in the original resolution.

Chairman Grande: In the 57 legislative assembly laws they do go to that extent, somebody made the decisions that those University systems should be included there. Since that time it hasn't been. In that unauthorized use, right away they said no person shall place or cause the coat of arms in advertisement. My concern is when they said no person.

Sen. Krebsbach: I think when they say no person, as the entity, that they may not use it in an advertising form.

Sen. Syverson: The way we have been using it apply to an organization or an individual.

Rep. Potter: A person and individual are different in law. A person and individual, when it says a person in law or an individual in law are two different entities.

Rep. Galvin: Reason would tell you, even the governor can't use it, only under some circumstances and individual could not use it at all. I don't see how an individual can use this at anytime.

Chairman Grande: It says that no person shall place or cause, whether we call that a group or a person and the final statement, any person violating the provisions of this section shall, you could interpret it either way as individual or a group.

Sen. Krebsbach: Not for commercial purposes or for advertising. I wonder if it would be proper for us to have a little research done by our Attorney General office and give us some guidance and direction in utilization of this and to what extent we have to go, if any to use this on our vehicles. We could get some idea, why it was so limited in scope.

Chairman Grande: That sounds like a good idea and I will reschedule the committee.

Sen. Syverson: What was the thought process by expanding it to Departments and Agencies and Educational Institutions.

Page 5

House Government and Veterans Affairs Committee

Bill/Resolution Number HB 1453

Hearing Date 3/29/05

Sen. Krebsbach: In point number three it is department and agencies of the state of North Dakota has authorization. We might as include the former legislators and the former governors and former lieutenant governors.

Chairman Grande: We will discuss as a legislative body want to extend that from organizations, individual and which individuals do we want to extend that. We will put that together and reschedule. The conference committee will adjourn and rescheduled when we get the information.

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1453

House Government and Veterans Affairs Committee

☒ Conference Committee

Hearing Date 4/5/05

Tape Number	Side A	Side B	Meter #
1	x		0-26.2
Committee Clerk Signature <i>Mike R. Quinn</i>			

Minutes: HB 1453 Relating to authorized use of the coat of arms of the state.

Chairman Grande: We will bring the committee to order, for the conference committee, for HB 1453. Lets take roll please: Rep. Grande, Rep. Galvin, Rep. Potter, Sen. Syverson, Sen. Krebsbach, Sen. C. Nelson. We had requested information after our last meeting. The problem is that no minutes and records are kept until 1959 and this was put into place in 1955 and 1957. The only thing that we could dig up is what showed up in the newspapers during this time. My questions is what was the purpose of having a coat of arms? What do surrounding states have as coat of arms and what is there usage? There is only one other state in the Union that has a coat of arms. Why do we? Typically other states will use there flag as the coat of arms, North Dakotas problem is that our flag is similar as the United States coat of arms. If the North Dakota National Guard used that flag whether they were using the North Dakota coat of arms or United States coat of arms, so we had to come up with our own. The study was put together on what our coat of arms should look like. The only thing that I found out, by questioning around, this was meant and

is still used only as the representation of that group, so the National Guard flies the flag, when the National Guard is together. I haven't been able to find a department or agency that utilizes the shield, the crest. The Veterans organization use it to represent there organization. The problem comes up, is the legislature a department or agency of the state of North Dakota, I say no.

Information is that we should probably quickly adjust that to be clear. At least have the wording, the following the legislative assembly, to make sure we at least have that and cover ourselves. I would see how far we could take this and I am being a little informal for a conference committee, because I think whether we agree or disagree on a set of amendments, what the proper thing is to do. Our amendments had been to say, a member of the legislative assembly, it is of group that it would be utilized, not as individuals, so I question our amendments. As you guy discussed, this is a great little emblem and so why shouldn't we expand this out, so that is where our debate lies.

Sen. Syverson: Having been familiar with one of the organizations that was addressed. I haven't seen the coat of arms flown, the United States flag, under carried by the State flag. I was in an organization in which our emblem was somewhat copied after the coat of arms, so there was a take off in that respect. The possibility of using it as a former or present legislature as a decal on the license plate, to detonate the fact that you have had an association with the legislature or are presently associated with the legislature. That would probably could not be accomplished under the bill that originated in the Senate. There really is no recognition that has been granted to legislatures or former legislatures, as there has been to veterans, who have had a lot of recognition. Maybe there should be some recognition allowed for them in that service that they have provided for the state.

Chairman Grande: The only person who has been given the authority is the governor. The legislative body should back up and design there own coat of arms and then move forward in a proper fashion.

Rep. Galvin: It seems to me when you read the entire law, in order for this to be used by any individual, you would have to go back and change the entire law. There are places through out the law that makes it very clear that an individual can not use the coat of arms under any circumstances.

Chairman Grande: Correct, no individual is suppose to use it under any circumstance. Which lends me to, we are using it as individuals, because we have it on our cars, but we are using it as a body to identify ourselves and our parking and as our things. The National Guardsmen has it on his sleeve, he is not using it individually, he is using it as representation in that group.

Rep. Galvin: We have them on cars of people that are not part of the body.

Sen. Krebsbach: Anyone who is employed by the legislature perhaps becomes a member of the body of the legislative assembly during the former period or duration. I recall reading where it was established for the National Guard and recognized patriotic associations. In this particular one, from the Merriam-Webster, is for the National Guard and the Governor. There has been a lot of thoughts and ideas expressed on this whole thing. Maybe we should put it in a study and decide what to do.

Chairman Grande: We need to pass something that says the legislative assembly, to cover ourselves for what we are currently doing, but then amend in that somebody looks through this process and see if we need to establish our own.

Sen. Syverson: The legislative assembly should fit under the umbrella of the state of North Dakota, by establishing a unique and individual coat of arms for the legislative assembly. We are kind of saying, well we are standing off here by ourselves.

Chairman Grande: That could be one take on it, but the Judicial Branch, Governor and the Legislative Branch has their own.

Sen. Nelson: I think it would be interesting concept, the Governor does has his own flag, if there was similar, but different. If there is some way to incorporate what is in the state seal with something, move something around so it is not exactly the same. In this one we have the arrowhead and in this one you have the shield.

Sen. Krebsbach: It has evolved to this. We had to pass legislation, because first of all we were not entitled to use it on our stationary or our calling cards, but we allowed for that.

Chairman Grande: I have always seen the coat of arms with the military, I think we are to the point where we have to include the legislative assembly and issue a study together to finish this off.

Sen. Krebsbach: The motion would be the Senate recede from its amendments and House bill be amended.

Chairman Grande: Luke do you have an idea if what kind of amendment we want on the study?

Luke-Intern: LC shall consider studying the possibility of the legislative assembly having its own emblem.

Sen. Kerbsbach: If we want to have something on our license plate.

Chairman Grande: Do you wish to come back and review these, we will recess the hearing on HB 1453 to come back and look at our amendments.

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1453

House Government and Veterans Affairs Committee

☒ Conference Committee

Hearing Date 4/7/05

Tape Number	Side A	Side B	Meter #
1	x		0-30.1
Committee Clerk Signature <i>Dupuy</i>			

Minutes: HB 1453 Relating to authorized use of the coat of arms of the state.

Chairman Grande: We will bring the conference committee on HB 1453 to order and have roll.

Rep. Grande, Rep. Galvin, Rep. Potter-Sen. Syverson, Sen. Krebsbach, Sen. C. Nelson

We have an amendment in front of us for an option hear. Any comments or suggestions, I guess I need a motion on this.

Sen. Krebsbach: I move that the Senate recede from this amendment on HB 1453.

Chairman Grande: We have a motion for the Senate to recede from its amendments by Sen Krebsbach and seconded by Sen. Nelson. **Role Call:** Rep. Grande-Yes Rep. Galvin-Yes Rep. Potter-Yes—Sen. Syverson-No Sen. Krebsbach-Yes Sen. C. Nelson-Yes

Sen. Nelson: I think it should be the legislative assembly.

Sen. Krebsbach: Then it would be legal for us to have our stickers.

Chairman Grande: Sen. Nelson is offering here is amendment to the first engrossment, the legislative assembly and add section 2, the amendment offered to us, do we have a motion.

Sen. Nelson: I move the second amendment.

Chairman Grande: Is there a second, seconded by Sen. Krebsbach. Amend section 1 and add the written amendments to section 2, discussion.

Sen. Syverson: If you wanted to have something unique to the legislature as a whole, a design and creation of a pennant for the sole use of the legislative assembly, you could have a flag and the flag could also be basis of a parking permit. It could be used by the legislative assembly. It would be unique only to the legislature. If you are going to add this study, I would suggest that we do not use the term emblem. I think there should be designs, design is singular, I think there should be an s after design.

Sen. Nelson: Symbol of recognition. I move a motion to add the amendment to the bill.

Sen. Krebsbach: I seconded the motion.

Chairman Grande: The motion in front of us that we will further amend this recommendation and with that further amendment it is offered that it would read, its findings and recommendations of designs and usage together with any legislation. Does that open up for you the right way.

Sen. Syverson: How about recommended legislation required to implement these, I guess legislation is all right.

Chairman Grande: I have motion by Sen. Syverson, seconded by Sen. Krebsbach to further amend. Any other comments. We will call the roll on the motion of amending the amended version. *Rep. Grande- Yes, Rep. Galvin-Yes, Rep. Potter-Yes, Sen. Syverson- Yes,*

Sen. Krebsbach-Yes, Sen. C. Nelson- Yes

The committee is now dissolved.

**REPORT OF CONFERENCE COMMITTEE
(ACCEDE/RECEDE)**

Bill Number HB 1453 (, as (re)engrossed):

Date: 3/29/05

Your Conference Committee _____

For the Senate:

For the House:

	YES / NO		YES / NO
SyVERSON J.		CRANE	
KREBSBACH K		GALVIN	
Nelson, C. ILL		POTTER	

recommends that the (SENATE/HOUSE) (ACCEDE to) (RECEDE from)

the (Senate/House) amendments on (SJ/HJ) page(s) _____ -- _____

_____, and place _____ on the Seventh order.

_____, adopt (further) amendments as follows, and place _____ on the Seventh order:

_____, having been unable to agree, recommends that the committee be discharged and a new committee be appointed.

((Re)Engrossed) _____ was placed on the Seventh order of business on the calendar.

DATE: _____

CARRIER: _____

LC NO.	of amendment
LC NO.	of engrossment
Emergency clause added or deleted	
Statement of purpose of amendment	

MOTION MADE BY: _____

SECONDED BY: _____

VOTE COUNT ___ YES ___ NO ___ ABSENT

Revised 4/1/05

Committee decided to explore further options through the Attorney General's Office. Re-scheduled.

**REPORT OF CONFERENCE COMMITTEE
(ACCEDE/RECEDE)**

Bill Number HB 1453 (, as (re)engrossed):

Date: 4/5/05

Your Conference Committee GVA

For the Senate:

For the House:

YES / NO

YES / NO

<u>SYUERSON</u>		<u>GRANDE</u>	
<u>KREBSBACH, L</u>		<u>GALVIN</u>	
<u>NELSON C.</u>		<u>POTTER</u>	

recommends that the (SENATE/HOUSE) (ACCEDE to) (RECEDE from)

the (Senate/House) amendments on (SJ/HJ) page(s) _____ -- _____

_____, and place _____ on the Seventh order.

_____, adopt (further) amendments as follows, and place _____ on the
Seventh order:

_____, having been unable to agree, recommends that the committee be discharged
and a new committee be appointed.

((Re)Engrossed) _____ was placed on the Seventh order of business on the calendar.

DATE: _____

CARRIER: _____

LC NO.	of amendment
LC NO.	of engrossment
Emergency clause added or deleted	
Statement of purpose of amendment	

MOTION MADE BY: _____

SECONDED BY: _____

VOTE COUNT ___ YES ___ NO ___ ABSENT

Revised 4/1/05

Decided to come back and look at their amendments.

Conference Committee Amendments to Engrossed HB 1453 (50631.0203) - 04/07/2005

That the Senate recede from its amendments as printed on page 1265 of the House Journal and page 933 of the Senate Journal and that Engrossed House Bill No. 1453 be amended as follows:

Page 1, line 2, after "state" insert "; and to provide for a legislative council study"

Page 1, line 6, replace "A member of the" with "The"

Page 1, after line 6, insert:

"SECTION 2. NORTH DAKOTA LEGISLATIVE ASSEMBLY EMBLEM - LEGISLATIVE COUNCIL STUDY. The legislative council shall consider studying, during the 2005-06 interim, the feasibility and desirability of creating an emblem for the sole use of the North Dakota legislative assembly, members of the legislative assembly, and the legislative council. The legislative council shall report its findings and recommendations of designs and usage, together with any legislation required to implement the recommendations, to the sixtieth legislative assembly."

Renumber accordingly

REPORT OF CONFERENCE COMMITTEE (ACCEDE/RECEDE)

Bill Number HB 1453 (, as (re)engrossed):

Date: 4/7/05

Your Conference Committee GVA

For the Senate:

For the House:

	YES / NO		YES / NO
Syverson	✓	Grando	✓
Krebsbach, K	✓	Galvin	✓
Nelson, C	✓	Potter	✓

recommends that the (SENATE/HOUSE) (ACCEDE to) (RECEDE) from)

the (Senate/House) amendments on (SJA/H) page(s) 1265 --

and place on the Seventh order.

✓ adopt (further) amendments as follows, and place HB 1453 on the Seventh order:

having been unable to agree, recommends that the committee be discharged and a new committee be appointed.

((Re)Engrossed) 1453 was placed on the Seventh order of business on the calendar.

DATE: 4/7/05

CARRIER: Rep. Grando

LC NO. <u>50631.0203</u>	of amendment <u>0400</u>
LC NO.	of engrossment
Emergency clause added or deleted	
Statement of purpose of amendment	

MOTION MADE BY: SEN. SYVERSON

SECONDED BY: SEN. KREBSBACH

VOTE COUNT 6 YES 0 NO 0 ABSENT

Revised 4/1/05

**REPORT OF CONFERENCE COMMITTEE
(ACCEDE/RECEDE)**

Bill Number HB 1453 (, as (re)engrossed):

Date: 4/7/05

Your Conference Committee GVA

For the Senate:

For the House:

YES / NO		YES / NO	
SYVERSON	✓	CLANDE	✓
KREBSBACH	✓	GALVIN	✓
NELSON C.	✓	POTTER	✓

recommends that the (SENATE) (HOUSE) (ACCEDE to) (RECEDE) from)

the (Senate) (House) amendments on (SJ (H)) page(s) _____ -- _____

_____, and place _____ on the Seventh order.

☒ , adopt (further) amendments as follows, and place _____ on the Seventh order:

_____, having been unable to agree, recommends that the committee be discharged and a new committee be appointed.

((Re)Engrossed) _____ was placed on the Seventh order of business on the calendar.

DATE: _____

CARRIER: _____

LC NO.	of amendment
LC NO.	of engrossment
Emergency clause added or deleted	
Statement of purpose of amendment	

MOTION MADE BY: SEN. Krebsbach

SECONDED BY: SEN. Nelson

VOTE COUNT 5 YES 1 NO 0 ABSENT

Revised 4/1/05

REPORT OF CONFERENCE COMMITTEE

HB 1453, as engrossed: Your conference committee (Sens. Syverson, Krebsbach, Nelson and Reps. Grande, Galvin, Potter) recommends that the **SENATE RECEDE** from the Senate amendments on HJ page 1265, adopt amendments as follows, and place HB 1453 on the Seventh order:

That the Senate recede from its amendments as printed on page 1265 of the House Journal and page 933 of the Senate Journal and that Engrossed House Bill No. 1453 be amended as follows:

Page 1, line 2, after "state" insert "; and to provide for a legislative council study"

Page 1, line 6, replace "A member of the" with "The"

Page 1, after line 6, insert:

"SECTION 2. NORTH DAKOTA LEGISLATIVE ASSEMBLY EMBLEM - LEGISLATIVE COUNCIL STUDY. The legislative council shall consider studying, during the 2005-06 interim, the feasibility and desirability of creating an emblem for the sole use of the North Dakota legislative assembly, members of the legislative assembly, and the legislative council. The legislative council shall report its findings and recommendations of designs and usage, together with any legislation required to implement the recommendations, to the sixtieth legislative assembly."

Renumber accordingly

Engrossed HB 1453 was placed on the Seventh order of business on the calendar.

2005 TESTIMONY

HB 1453

CHAPTER 54-02
STATE EMBLEMS, SYMBOLS, AND AWARDS

54-02-01. Great seal - Permitted uses - Penalty for commercial use.

1. The great seal of the state is that prescribed in section 2 of article XI of the Constitution of North Dakota. A description in writing of such seal must be deposited and recorded in the office of the secretary of state and must remain a public record. A reproduction of the great seal may be placed on any official form, document, or stationery of any agency, authority, board, body, branch, bureau, commission, committee, council, department, division, industry, institution, or instrumentality of the state or of any elected or appointed official of the state. A reproduction of the great seal may be placed on business calling cards produced for the use of an elected or appointed state official or state employee regardless of whether the cards are purchased by the official or employee or by the state. Any use of the great seal on any other object or thing by any of the foregoing state entities or officials is prohibited unless approved by the secretary of state; provided, however, that the state historical society and the parks and recreation department may, with the concurrence of the secretary of state, reproduce the great seal on any objects they offer for sale as souvenirs.
2. It is a class B misdemeanor for any person to:
 - a. Place or cause to be placed the great seal, or any reproduction of the great seal, on any political badge, button, insignia, pamphlet, folder, display card, sign, poster, billboard, or on any other public advertisement, or to otherwise use the great seal for any political purpose, as defined in section 16.1-10-02.
 - b. Place or cause to be placed on the great seal, or any reproduction thereof, any advertisement.
 - c. Expose the great seal, or any reproduction thereof, to public view with any advertisement attached thereto.
 - d. Utilize the great seal, or a copy or reproduction thereof, for any commercial purpose.

As used in this subsection, "advertisement" means any printed matter, device, picture, or symbol, no matter how presented to the senses, which informs the public that a good or service is available; and "commercial purpose" means with intent to produce a pecuniary gain through sale of a good or service. Notwithstanding any other provision of law, the secretary of state may grant a written request by a private vendor to reproduce official state forms and documents, containing a reproduction of the great seal, for resale to persons intending to submit the forms or documents to any state entity in the regular course of business. The secretary of state may also grant a written request by a publisher, educational institution, or author to reproduce the great seal in any research, reference, or educational publication containing a compilation of the great seals of other states.

54-02-02. State flag. The flag of North Dakota must consist of a field of blue silk or material which will withstand the elements four feet four inches [132.08 centimeters] on the pike and five feet six inches [167.64 centimeters] on the fly, with a border of knotted yellow fringe two and one-half inches [6.35 centimeters] wide. On each side of said flag in the center thereof, must be embroidered or stamped an eagle with outspread wings and with opened beak. The eagle must be three feet four inches [101.6 centimeters] from tip to tip of wing, and one foot ten inches [55.88 centimeters] from top of head to bottom of olive branch hereinafter described. The left foot of the eagle shall grasp a sheaf of arrows, the right foot shall grasp an olive branch showing three red berries. On the breast of the eagle must be displayed a shield, the lower part

54-41-03. Authorized use.

The coat of arms of this state may be used in a manner consistent with the respect and dignity due a state coat of arms and its symbolic values by the following persons, organizations, and agencies:

1. The governor of North Dakota.
2. The North Dakota national guard.
3. Departments and agencies of the state of North Dakota.
4. North Dakota veterans organizations.
5. Officially recognized North Dakota educational institutions, systems, or divisions thereof.
6. Recognized North Dakota patriotic organizations.

Source: S.L. 1957, ch. 330, § 3; R.C. 1943, 1957 Supp., § 54-4103.

54-41-04. Employment as motif for color or standard - Use by governor.

When the coat of arms is employed as the motif of a pennant, color, or standard it must be superimposed upon a pennant of green, as identified by cable number 65007, in the center one-third horizontally, and the center two-thirds vertically. The motif must in the main be golden yellow as identified by cable number 65001. The pennant must be fringed by the same golden yellow as the coat of arms. The color cable numbers must be the same as are on file in the office of the quartermaster general of the army, Washington, D.C.

The proportion of the pennant, color, or standard must be as 1 width hoist is to 1.9 fly. When used by the governor the coat of arms upon any pennant, standard, or placard must have a white star embroidered or emblazoned on each of the four corners of the pennant, standard, or placard.

Source: S.L. 1957, ch. 330, § 4; R.C. 1943, 1957 Supp., § 54-4104.

a white star embroidered or emblazoned on each of the four corners of the pennant, standard, or placard.

54-41-05. Unauthorized use - Penalty. A person may not place or cause to be placed upon the coat of arms of this state any advertisement of any nature; or expose such coat of arms to public view when any advertisement has been attached thereto; or expose to public view for sale or any other purpose or have in that person's possession for sale, gift, or other purpose, any article of merchandise or receptacle for carrying merchandise upon which the coat of arms of this state has been produced or attached for the purpose of advertising or calling attention to such article. Any person violating the provisions of this section is guilty of an infraction.

North Dakota Veteran's Coordinating Council

My name is John L. Jacobsen. I am the chairman of the Legislative Committee of the North Dakota Veterans Coordinating Council. I am a member of both the VFW and the American Legion. I am also a member of the VFW National Legislative Committee. We work directly with our Members of Congress on legislation at the national level.

I served 29 years in the ND National Guard and the US Army Reserve, retiring in 1995 with the rank of Colonel. I served on active duty in 1991 in the Persian Gulf stationed in the United Arab Emirates.

The NDVCC membership is comprised of 15 members representing the five (5) veterans' organizations in the state. (3 from each organization) They are:

- American Legion
- AMVETS
- Disabled American Veterans (DAV)
- Veterans of Foreign Wars (VFW)
- Vietnam Veterans of America (VVA)

These organizations represent approximately 60,000 veterans currently living in North Dakota.

I am a member of the Legislative Committee of the NDVCC. I am not a member of the NDVCC but report directly to them. In order for the Legislative Committee to support any bill brought up before our Legislature, concurrence must be unanimous, that is all 15 members must agree that we should support the bill. A single negative response will kill our support.

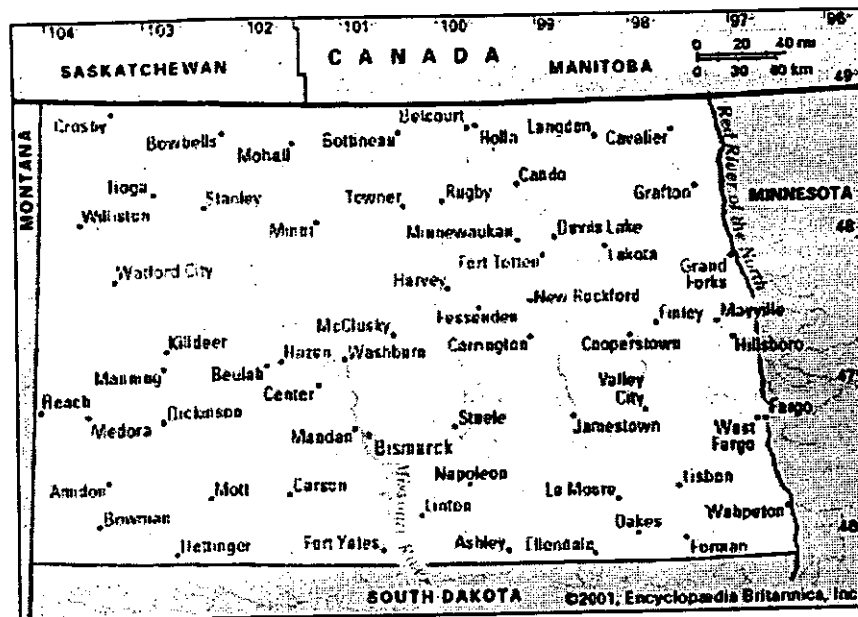


The New York Times
ON THE WEB

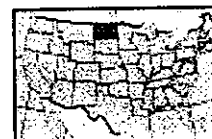
Geography

Merriam-Webster's Atlas

MORE MAPS



North Dakota



Official name: State of North Dakota.

State nickname: Peace Garden State.

Total area: 70,704 sq mi, 183,123 sq km.

Population (2000): 642,200.

Population by race, origin (1997): white non-Hispanic 93.0%; white Hispanic 0.9%; black (including Hispanic) 0.6%; American Indian/Eskimo/Aleut 4.7%; Asian/Pacific Islander 0.8%.

Natural increase rate per 1,000 population (1995): 3.9 (U.S. avg. 6.0).

Gross domestic (state) product (1996): U.S.\$15,700,000,000 (U.S.\$24,420 per capita).

Land use (1992): federal land 4.4%; non-federal land 95.6%, of which forest 1.0%, cropland 56.1%, pasture 2.6%, rangeland 23.4%, urban and built-up areas 3.0%, other 9.5%.

Exports by state (1997): U.S.\$778,000,000; percent of national total 0.13%.



In the late 19th century the Dakota Territorial Guard displayed a blue flag with the coat of arms of the United States in the center. After North Dakota joined the Union in 1889, a similar design was used by the state's National Guard. Colonel John H. Fraine was the battalion commander of the state troops who saw action in the Philippines under this flag in 1898-99. He spearheaded the drive to have it recognized as the state flag, which it officially became on March 3, 1911.

The coat of arms on the state flag was easily confused with the U.S. coat of arms, however. In the mid-20th century the North Dakota National Guard created a distinctive new coat of arms, which it proposed as a replacement for the existing design. Its display on a green field was recognized as a flag for government use on March 15, 1957, although it did not replace the 1911 flag. The green flag was basically restricted to the use of the National Guard and of the governor of the state.

Collegiate Dictionary
Collegiate Thesaurus

Merriam-Webster Online
Word Game of the Day

Word of the Day
Word for the Wise

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STATE GOVERNMENT

CHAPTER 330

H. B. No. 822
(Lindberg and Olson of Griggs)

NORTH DAKOTA COAT OF ARMS

AN ACT

Designating a coat of arms for the state of North Dakota and providing for its use.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. **Designation Of Coat Of Arms.**) A coat of arms of the state of North Dakota is hereby designated and described as follows:

Device: On an Indian arrowhead point to base or a bend vert charged with three mullets of the first, in base a fleur-de-lis of the second.

Crest: On a wreath or and azure, a sheaf of three arrows argent armed and flighted gules behind a stringed bow fessways or with grip of the second (gules).

Motto: Strength from the soil.

§ 2. **Significant Elements Of Coat Of Arms.**) The colors of yellow gold and green are indicative of the great agricultural state of North Dakota and has particular reference to ripening grain and the abundant grazing areas. The Indian arrowhead forms the shield of the coat of arms and symbolizes the "Sioux State". The three stars denote the trinity of government: legislative, executive and judicial. Each star in the bend is given the heraldic value of thirteen which signifies the thirteen original colonies of the United States, and the cumulative numerical value of the three stars indicates that North Dakota was the thirty-ninth state admitted to the Union. The stars also allude to the history of the territory under three foreign flags. Three stars are borne upon the coat of arms of Meriwether Lewis of the Lewis and Clark expedition and also on the coat of arms of Lord Selkirk, head of the first permanent settlement in this state. The fleur-de-lis alludes to LaVerendrye, a French explorer who was the first known white man to visit the territory of this state. The blue and gold wreath in the crest reflects the history of the territory as part of the

Department of public instruction
State equalization, department of public
instruction surplus property

400.00

§ 3. **Amendment.**) Section 54-2354 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

54-2354. Retirement Pay.) When eligible for retirement, each employee shall be entitled to the payment of a wage equal to one-half of the average monthly salary or wages paid such employee during the ten years next preceding his or her retirement. Such monthly retirement wage shall be paid out of the salaries and wages account of the institution formerly employing such person. Only employees eligible for retirement or retired under section 54-2353 prior to July 1, 1957, shall be entitled to payments under this section.

§ 4. **Amendment.**) "c." of section 2 of chapter 306 of the North Dakota Session Laws of 1955 is hereby amended and reenacted to read as follows:

c. The term "employee" includes an officer of a state or political subdivision as well as all persons employed in and by regulatory boards, commissions or councils recognized and established by the statutes of the state of North Dakota, except part-time elected persons or persons hired on a fee basis, if excluded by the federal-state agreement;

§ 5. **Amendment.**) Subdivision 3(a)4 of chapter 306 of the North Dakota Session Laws of 1955 is hereby amended and reenacted to read as follows:

4. All services which constitute employment as defined in section 2 and are performed in the employ of the state by employees of the state, shall be covered by the agreement; all services which constitute employment as defined in section 2 and are performed in the employ of any municipality except elected officials, shall be covered by the agreement, notwithstanding the provisions of section 5, which provides for plans for coverage of employees;

§ 6. **Emergency.**) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its approval.

Approved March 18, 1957.

Louisiana purchase. The crest which shall constitute the military crest of the state of North Dakota is a motif taken from the state seal and to the Sioux Indian tribes signifies mighty warriors.

§ 3. Authorized Use.) The coat of arms of this state may be used in a manner consistent with the respect and dignity due a state coat of arms and its symbolic values by the following persons, organizations and agencies:

1. The governor of North Dakota;
2. The North Dakota national guard;
3. Departments and agencies of the state of North Dakota;
4. North Dakota veterans organizations;
5. Officially recognized North Dakota educational institutions, systems, or divisions thereof;
6. Recognized North Dakota patriotic organizations.

§ 4. Employment As Motif For Color Or Standard; Use By Governor.) When the coat of arms is employed as the motif of a pennant, color, or standard it shall be superimposed upon a pennant of green, as identified by cable number 65007, in the center one-third horizontally, and the center two-thirds vertically. The motif shall in the main be golden yellow as identified by cable number 65001. The pennant shall be fringed by the same golden yellow as the coat of arms. The color cable numbers shall be the same as are on file in the office of the quartermaster general of the army, Washington, D.C.

The proportion of the pennant, color or standard shall be as 1 width hoist is to 1.9 fly. When used by the governor the coat of arms upon any pennant, standard, or placard shall have a white star embroidered or emblazoned on each of the four corners of the pennant, standard or placard.

§ 5. Unauthorized Use; Penalty.) No person shall place or cause to be placed upon the coat of arms of this state any advertisement of any nature; or expose such coat of arms to public view when any advertisement has been attached thereto; or to expose to public view for sale or any other purpose or have in his possession for sale, gift or other purpose, any article of merchandise or receptacle for carrying merchandise upon which the coat of arms of this state shall have been produced or attached for the purpose of advertising or calling attention to such article. Any person violating the provisions of this section shall be punished by a fine of not to exceed one hundred dollars.

Approved March 15, 1957.

CHAPTER 331

H. B. No. 572
(Gefreh and Baldwin)

JOINT EXERCISE OF GOVERNMENTAL POWERS

AN ACT

To amend and reenact section 1, of chapter 309 of the 1955 Session Laws, relating to joint exercise of governmental powers.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. Amendment.) Section 1 of chapter 309 of the 1955 Session Laws is herewith amended and reenacted to read as follows:

§ 1. Agreement.) Two or more governmental units or municipal corporations having in common any portion of their territory or boundary, by agreement entered into through action of their governing bodies, may jointly or cooperatively exercise their respective separate powers, or any power common to the contracting parties or any similar powers, including those which are the same except for the territorial limits within which they may be exercised for the purpose of acquiring, constructing and maintaining any building for their joint use. The term "governmental unit" as used in this action includes and means every city, village, county, town, park district, school district, states and United States governments and departments of each thereof, and all other political subdivisions even though not specifically named or referred to herein.

Approved March 14, 1957.

*Dependent State - This old (updated) article was in an old history file -
 Sorry about the quality of print -*

N.D. National Guard Plans to Display State Coat of Arms on Memorial Day

By W. B. ALLEN

Grand Forks Herald

Although some 11 months have past since the unveiling of North Dakota's distinctive coat of arms, public showings have been at a minimum. Only one such flag has been in circulation for this period.

On Memorial Day 1933, the picture will change. On that day, the coat of arms will be displayed with the stars and stripes in all corners of the state where a new National Guard Armory is located. For many North Dakotans, it will be their first opportunity to view the newly adopted coat of arms of the state, bearing the inscription, "Strength from the Soil and a green background."

The first time it was displayed in public was by the National Guard at Camp Stanton in 1930. June 16, 1937, it was later carried in the American Legion state convention parade at Minot and the national convention in Atlantic City.

IN THE MINDS of many will come the thought, "Why not display the state flag?"

To this the military heads of our state have an answer. The Military Department of North Dakota and the various veteran organizations made it quite clear to the legislative assembly back in 1931 that the state flag adopted by the National Guard or veteran organizations because that flag is merely the reverse of the great seal of the United States with the words "North Dakota" inscribed below. The 1. Book was enthusiastic in its descrip-

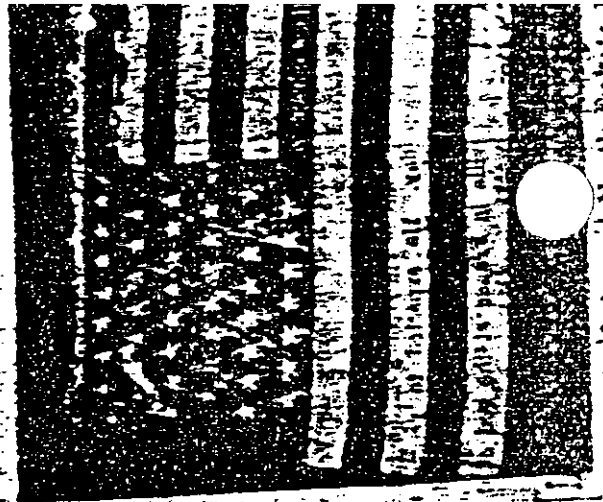


COAT OF ARMS — The Coat of Arms for the state of North Dakota is shown above. The stars located on each of the four corners appear on the flag only when used by the Governor.

acquainted with flags of the United States the statement is most amazing. While it was made famous by the North Dakota volunteers in the Philippines, it is to make farmers of state who published the book by Andrew Jackson, Zachary Taylor and U. S. Grant at Vicksburg arms for North Dakota passed by



North Dakota State Flag as adopted by legislative assembly of 1911



When it is taken into consideration that in 1911 the Adjutant General was a part time official only, and the office was open at times and closed frequently!

The act of 1911 states "The flag conforms to all respects as to color, form, size, and device with the other than the flag that the men of the First North Dakota Volunteers marched under for two years in the Philippines. It is the flag that was with the regiment in thirty-seven engagements."

The statement continued: "The state flag of North Dakota is none other than the flag that the men of the First North Dakota Volunteers marched under for two years in the Philippines. It is the flag that was with the regiment in thirty-seven engagements."

TO THAT POINT the account is true, but then it shows a lack of proper research for it continued: "Its origin is almost unknown. It was the flag of the territorial militia, and it is first remembered at Huron, S.D., when it was unfurled at the annual encampment. Then follow the statements that who designed it and when it was adopted is not discoverable. The only change from the regimental standard is placing the words, North Dakota at the bottom in place of 'First North Dakota Infantry'."

This statement was challenged by Maj. Gen. Heber L. Edwards, the Adjutant General of North Dakota. The General said to anyone

the device is an Indian arrowhead used in place of the customary shield. The colors are yellow, gold and green, indicative of the agriculture of the state with particular reference to ripening grain and grazing areas.

Crossing the arrowhead is a bend vert as a green strip is known in heraldry. On this are three mullets, five pointed stars. These have a number of meanings. They denote the trinity of government, legislative, judicial and executive departments. Each star has the heraldic value of 12, which signifies the 12 original colonies, and the fact that North Dakota was the 39th state admitted to the Union.

The mullets also indicated the three governments under which the land has been held. Three stars also appear on the coat of arms of the Meriwether Lewis of the Lewis and Clark expedition, which was one of the early explorations of North Dakota. They also appear in the coat of arms of Lord Selkirk, the first permanent settlement of the state. The fleur-de-lis at the bottom refers to LaVerdrie, the first known white man to visit the state.

The description of the crest of the coat is "On a wreath (or and azure), a sheaf of three arrows argent armed and flighted gules behind a stringed bow fessways or with grip of the second (gules)."

THIS MEANS a band (wreath) of blue and gold supporting the crest, which represents the history of the territory as part of the Louisiana purchase. The sheaf of three arrows are silver (argent), with red feathers (flighted gules). The stringed bow is understandable, but fessways means across.

The crest by law is the military crest of the state of North Dakota. It is a motif taken from the great seal of the state and to the shield of the Indian tribes is signified "mighty warrior."

For those who like heraldry, the federal act creating the national coat of arms reads: "Palways of thirteen pieces, argent and gules, a chief azure; the escutcheon is not bear the seal of the United States for state or generalities."

AT THE DISCHARGE of the state guard in 1945 the war department of the United States informed the state that the discharges could not bear the seal of the United States for state or generalities."

As to the use of the coat of arms by states, General Edwards recalled that in 1945 a shipment of uniforms for the state guard had the buttons cut off and instructions from the war department were not to use the army buttons, which bear the insignia taken from the shield of the United States for state or generalities."

As to putting the flag in every school house, the general's idea was to have it known that the design is not unique or peculiar to North Dakota, and means no more to North Dakota than to any other state. It is the opinion of some authorities that the use of the national great seal is not legal by states.

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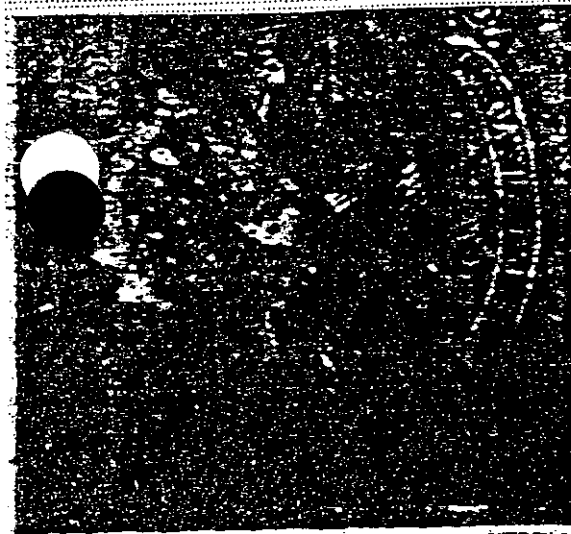
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1st Nebraska Infantry, United States

1st Regiment Infantry, New York

Czechs

The shorts that are

Suits

- Hammon Park — \$75.00 and \$110.00
- Wasted Tax — \$65.00
- Hampton Heath — \$50.00 to \$65.00
- Brookfield — \$39.95

A Perfect Fit At

K&G Men's Store

Blomard's Men's Store
Across from New York Dept. 23

N. D. Coat Of Arms To Be On Display Memorial Day

Sarg. Towner 5-19-58

By THE ASSOCIATED PRESS

The recently-created North Dakota coat of arms will be displayed on Memorial Day in all communities of the state where a new National Guard Armory is located.

The coat of arms bears the motto, "Strength from the Soil." It displays an Indian arrowhead used in place of the customary shield, and the colors of the flag are yellow, gold and green, to indicate agriculture, with particular reference to ripening grain and grazing areas.

Crossing the arrowhead is a

green strip. On this are three mullets, five pointed stars. These have a number of meanings. They denote the trinity of government — legislative, judicial and executive departments. Each star has the heraldic value of 13, which signifies the 13 original colonies, and the fact that North Dakota was the 39th state admitted to the Union.

The mullets also indicated the three governments under which the land has been held. Three stars also appear on the coat of arms of Merriwether Lewis of the Lewis and Clark expedition, which was one of the early explorations of North Dakota. They also appear on the coat of arms of Lord Selkirk, head of the first permanent settlement of the state. The fleur-de-lys at the bottom refers to La Verendrye, the first known white man to visit the state.

The crest, including the sheaf of three arrows and the stringed bow, is by law the military crest of the state. It is a motif taken from the great seal of the state.

The Bismarck Tribune Wednesday, May 2, 1956 Page 3

N. D. Citizens Asked to Aid In Designing Coat of Arms

Citizens of North Dakota generally are being called upon to assist in designing an official coat of arms for the state.

The State Coat of Arms Committee, which has worked on the project since last Aug. 1, desires that before final decision is made on the design this year, all interested persons and groups be given an opportunity to offer suggestions.

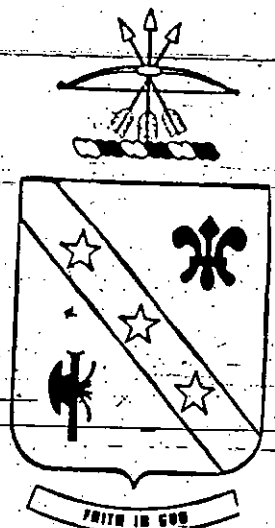
Women's clubs, are departments of colleges and high schools, students, artists and other interested persons are being asked to submit their ideas and designs to the Adjutant General's Office, Frairie Barracks, Bismarck, by June 1.

THE COMMITTEE is not empowered to offer any reward. It feels that citizens will cooperate in the program as a service to the state, says Maj. Gen. Heber L. Edwards, state adjutant general and chairman of the committee.

The concurrent resolution passed by the 1955 Legislature, authorizing the project, states in a broad sense what the emblem is to contain. It is to be a "suitable emblem depicting appropriately significant state history" and is "to serve as the coat of arms of this state and be used and displayed by the North Dakota National Guard and veterans' organizations during ceremonies, or for official functions." The committee feels the emblem also may be used by Girl and Boy Scouts and other similar organizations.

In preliminary studies, committee members have learned most states have a coat of arms although some have not been formalized as such and that all of them contain heraldic symbols.

A suggestion that the North Dakota State Seal be used for the



SUGGESTED SHIELD—The above shield is merely a suggested coat of arms which might provide ideas for heraldic symbols pertinent to North Dakota history. The State Coat of Arms Commission is hopeful that improvements and suggestions be made upon this sample crest.

purpose has been discarded since the seal has a design on both sides and is of a type that does not lend itself to easy reproduction. The coat of arms should contain symbols rather than pictures, was the decision.

THE COMMITTEE studied coats

of arms at the Library of Congress and consulted with Arthur DuBois, Washington, world authority on heraldic design. It also examined the coats of arms of Meriwether Lewis, of Lewis and Clark fame; and Lord Selkirk, founder of the Selkirk Colony, finding them rather ornate and complicated.

Webster's Dictionary defines "heraldry" as "the art or science having to do with coats of arms genealogies, etc."

The rules of heraldry as established by practice over the centuries dictate that each coat of arms be composed of a crest, a shield and a motto.

What the committee proposes is a simpler design. Its upper portion would include the state's traditional crest of three arrows across a bow (taken from the state seal) underneath which would be a shield containing heraldic symbols, with the motto under the shield.

THE PRESENT feeling of the committee is that the symbols shall include three mullets (stars) taken from the First North Dakota Infantry coat of arms. The three mullets also appear in the coats of arms of Meriwether Lewis and Lord Selkirk. Each mullet would also represent the numerical number 13—three times 13 being 39. The three mullets would be symbolic of North Dakota being the 39th state to be admitted to the union. The arrangement of the mullets on the shield is a matter of personal choice. Tentatively, the committee is considering use of the fleur-de-lis symbol, honoring Verendrye and other early French explorers, as well as the fact that the greater part of North Dakota was a part of the Louisiana Purchase.

As for sheaves of wheat or bison, the committee at present looks on such symbols as too commonplace and general in character. Other states already have adopted these symbols. The committee also feels the motto on the state seal reading "Liberty and union now and forever one and inseparable" should not be used for the coat of

arms as it is too long and unwieldy. It is felt that the new motto should be placed at the bottom of the emblem and that it should be significant to North Dakota and of timeless import. A contraction of the motto could be used, whether it should be in Latin, French or another language is a question still under debate. Examples of some states are: Sic Semper Tyrannis (Thus always to tyrants) for Virginia and Labor Omnia Vincit (Labor conquers all things) for Oklahoma.

THE COMMITTEE is interested in having citizens make suggestions as to color combinations for the coat of arms as well as the design. It was pointed out that blue cannot be used as a major background color because it is now used in several other emblems. At the present writing, a green and gold combination is favored.

The National Guard members of the committee, besides Edwards, are Lt. Col. Donald Fraser of Fargo and Capt. Emerson Murry, judge advocate, of Bismarck. Robert Dahl of Grafton, who is department Americanism chairman, and George Rulon of Fargo, who is department service officer of the American Legion, represent the service men on the committee.

Interested persons may obtain more information by calling on the committee members. They also may be helped by studying coats of arms and heraldry in public libraries.

HOUSE CONCURRENT RESOLUTION "U"
(Lindberg and Hegge)

STATE COAT OF ARMS

A concurrent resolution authorizing and requesting the governor to appoint a committee to select a suitable emblem to serve as a coat of arms for the state of North Dakota.

WHEREAS, the state of North Dakota does not have an officially recognized coat of arms emblem; and

WHEREAS, such a distinctive emblem is proper and necessary for use by the North Dakota national guard and veterans' organizations during ceremonies or for official functions; and

*Patriotic
organizations*

WHEREAS, the official coat of arms should conform to the recognized rules of heraldry and depict appropriately significant state history;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the governor is hereby authorized and requested to appoint a committee consisting of not less than three nor more than five members, who shall be either officers of the national guard or members of a veterans' organization, for the purpose of selecting a suitable emblem depicting appropriately significant state history, to serve as the coat of arms of this state, and to be used and displayed by the North Dakota national guard and veterans' organizations during ceremonies or for official functions.

BE IT FURTHER RESOLVED that in making this selection the committee shall consult with the heraldic branch, research and development division of the office of the quartermaster general, United States department of the army, to insure that such emblem shall conform to the recognized rules of heraldry and shall not duplicate the emblems of other states or organizations.

Filed March 9, 1955.

SECTION 2. NORTH DAKOTA LEGISLATIVE ASSEMBLY EMBLEM –

LEGISLATIVE COUNCIL STUDY. During the 2005-06 interim, the legislative council shall consider studying the feasibility and desirability of creating an emblem for the sole use of the North Dakota legislative assembly, members of the legislative assembly, and the legislative council. The legislative council shall report its findings and ^{of design} ~~and~~ ^{to design} ~~recommendations~~, together with any legislation required to implement the recommendations, to the sixtieth legislative assembly.