

HOUSE BILL NO. 746

INTRODUCED BY RUSSELL, HARPER, DRISCOLL, D. BROWN,  
PIPINICH, COCCHIARELLA, JERGESON, VAN VALKENBURG, MAZUREK,  
SVRCEK, YELLOWTAIL, DOHERTY, NOBLE, GAGE, NATHE, HARDING,  
BLAYLOCK, FRANKLIN, MANNING, HOCKETT, MERCER, GRADY,  
GERVAIS, J. JOHNSON, GRINDE

IN THE HOUSE

FEBRUARY 11, 1991                   INTRODUCED AND REFERRED TO COMMITTEE  
  ON EDUCATION & CULTURAL RESOURCES.

  FIRST READING.

MARCH 23, 1991                    COMMITTEE RECOMMEND BILL  
  DO PASS AS AMENDED. REPORT ADOPTED.

  ON MOTION, REREFERRED TO COMMITTEE  
  ON APPROPRIATIONS.

MARCH 25, 1991                    PRINTING REPORT.

MARCH 27, 1991                    COMMITTEE RECOMMEND BILL  
  DO PASS. REPORT ADOPTED.

  PRINTING REPORT.

MARCH 28, 1991                    SECOND READING, DO PASS AS AMENDED.

  ENGROSSING REPORT.

  ON MOTION, RULES SUSPENDED. BILL  
  PLACED ON THIRD READING THIS DAY.

  THIRD READING, PASSED.  
  AYES, 90; NOES, 10.

  TRANSMITTED TO SENATE.

IN THE SENATE

MARCH 28, 1991                    INTRODUCED AND REFERRED TO COMMITTEE  
  ON EDUCATION & CULTURAL RESOURCES.

  FIRST READING.

APRIL 11, 1991                    COMMITTEE RECOMMEND BILL BE  
  CONCURRED IN. REPORT ADOPTED.

APRIL 13, 1991                    SECOND READING, CONCURRED IN.

APRIL 15, 1991

THIRD READING, CONCURRED IN.  
AYES, 44; NOES, 4.

RETURNED TO HOUSE.

IN THE HOUSE

APRIL 16, 1991

RECEIVED FROM SENATE.

SENT TO ENROLLING.

APRIL 18, 1991

REPORTED CORRECTLY ENROLLED.

SIGNED BY SPEAKER.

APRIL 19, 1991

SIGNED BY PRESIDENT.

DELIVERED TO GOVERNOR.

APRIL 24, 1991

RETURNED FROM GOVERNOR WITH  
RECOMMENDED AMENDMENTS.

APRIL 25, 1991

SECOND READING, GOVERNOR'S  
AMENDMENTS CONCURRED IN.

IN THE SENATE

APRIL 25, 1991

SECOND READING, GOVERNOR'S  
AMENDMENTS CONCURRED IN.

APRIL 29, 1991

THIRD READING, GOVERNOR'S  
AMENDMENTS CONCURRED IN.

IN THE HOUSE

APRIL 29, 1991

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

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*House* BILL NO. *746* *Bob Pipinich*  
 INTRODUCED BY *Russell Hays Daniel Dave Ron*  
*Cocchiarella Ferguson McVittie Reynolds*  
 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE STATE TO  
 ERECT A MONUMENT AND FLAG CIRCLE AT THE CAPITOL COMPLEX TO  
 HONOR AMERICAN INDIANS; ESTABLISHING AN ADVISORY COMMITTEE  
 TO COORDINATE THE PROJECT; APPROPRIATING FUNDS FOR THE  
 ADVISORY COMMITTEE; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1.** American Indian monument and tribal flag circle -- competition for design. (1) The state of Montana shall erect on the grounds of the capitol complex a monument to American Indians and a Montana tribal flag circle in recognition of American Indians' contributions to this state and nation.

(2) The Montana arts council shall advertise and conduct a competition among Indians for a design for the monument and flag circle.

NEW SECTION. **Section 2.** Advisory committee -- composition -- duties.

(1) To coordinate the project provided for in [section 1], the Montana arts council shall appoint an advisory committee composed of the following nine members:

(a) a representative from the Montana arts council;

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(b) a representative from each of the state's seven Indian reservations; and

(c) a representative from the architecture and engineering division of the department of administration.

(2) The advisory committee shall review the proposals submitted in the design competition for the monument and flag circle and select an appropriate design.

(3) The advisory committee shall make recommendations to the department of administration for an appropriate site for the monument and the flag circle on the grounds of the capitol complex. The monument and flag circle may be located separately on the grounds.

(4) The advisory committee shall solicit and accept private contributions to finance the monument and the placement of the monument and the flag circle on the grounds of the capitol complex.

NEW SECTION. **Section 3.** Funding -- appropriation. (1) There is appropriated \$6,000 from the cultural and aesthetic projects fund for the biennium ending June 30, 1993, to the Montana arts council for the purpose stated in [section 1] and for the administrative expenses of the advisory committee.

(2) The department of administration is authorized to accept and expend private contributions, and these contributions are appropriated for the purposes of financing



EC 1421/01

1 and placing the monument and flag circle.

2 NEW SECTION. **Section 4.** Effective date. [This act] is  
3 effective July 1, 1991.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB0746, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act requiring the state to erect a monument and flag circle at the capitol complex to honor American Indians.

ASSUMPTIONS:


1. The appropriation and private contributions will be adequate to complete the American Indian Monument.

FISCAL IMPACT:

None in the 1993 biennium.

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:

American Indian Monument will require annual maintenance similar to Capitol flower display. All state agencies located on the capitol campus will be charged approximately \$0.01 or less per square foot for this purpose in future years.

  
\_\_\_\_\_  
ROD SUNDSTED, BUDGET DIRECTOR                      DATE  
Office of Budget and Program Planning

2-22-91

  
\_\_\_\_\_  
ANGELA RUSSELL, PRIMARY SPONSOR                      DATE

2/24/91

Fiscal Note for HB0746, as introduced                      HB 746

APPROVED BY COMM. ON EDUCATION  
AND CULTURAL RESOURCES

HOUSE BILL NO. 746

INTRODUCED BY RUSSELL, HARPER, DRISCOLL, D. BROWN,  
PIPINICH, COCCHIARELLA, JERGESON, VAN VALKENBURG, MAZUREK,  
SVRCEK, YELLOWTAIL, DOHERTY, NOBLE, GAGE, NATHE, HARDING,  
BLAYLOCK, FRANKLIN, MANNING, HOCKETT, MERCER, GRADY,  
GERVAIS, J. JOHNSON, GRINDE

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE STATE TO  
ERECT A MONUMENT AND FLAG CIRCLE AT THE CAPITOL COMPLEX TO  
HONOR AMERICAN INDIANS; ESTABLISHING AN ADVISORY COMMITTEE  
TO COORDINATE THE PROJECT; APPROPRIATING FUNDS FOR THE  
ADVISORY COMMITTEE; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. American Indian monument and  
tribal flag circle -- competition for design.** (1) The state  
of Montana shall erect on the grounds of the capitol complex  
a monument to American Indians and a Montana tribal flag  
circle in recognition of American Indians' contributions to  
this state and nation.

(2) The Montana arts council shall advertise and  
conduct a competition among Indians for a design for the  
monument and flag circle.

NEW SECTION. **Section 2. Advisory committee --  
composition -- duties.**

(1) To coordinate the project provided for in [section  
1], the ~~Montana-arts-council~~ STATE COORDINATOR OF INDIAN  
AFFAIRS shall appoint an advisory committee composed of the  
following nine 11 members:

(a) a representative from the Montana arts council;

(b) a representative from each of the state's seven  
Indian reservations; and

(c) a representative from the architecture and  
engineering division of the department of administration;

(D) THE GOVERNOR'S STATE COORDINATOR OF INDIAN AFFAIRS  
OR THE COORDINATOR'S DESIGNEE; AND

(E) A REPRESENTATIVE OF THE MONTANA HISTORICAL SOCIETY.

(2) The advisory committee shall review the proposals  
submitted in the design competition for the monument and  
flag circle and select an appropriate design.

(3) The advisory committee shall make recommendations  
to the department of administration for an appropriate site  
for the monument and the flag circle on the grounds of the  
capitol complex. The monument and flag circle may be located  
separately on the grounds.

(4) The advisory committee shall solicit and accept  
private contributions to finance the monument and the  
placement of the monument and the flag circle on the grounds  
of the capitol complex.

NEW SECTION. **Section 3. Funding -- appropriation.** (1)

HB 0746/02

1 There is appropriated \$6,000 from the ~~cultural-and-aesthetic~~  
2 projects GENERAL fund for the biennium ending June 30, 1993,  
3 to the ~~Montana-arts-council~~ OFFICE OF STATE COORDINATOR OF  
4 INDIAN AFFAIRS for the purpose stated in [section 1] and for  
5 the administrative expenses of the advisory committee.

6 (2) The department of administration is authorized to  
7 accept and expend private contributions, and these  
8 contributions are appropriated for the purposes of financing  
9 and placing the monument and flag circle.

10 NEW SECTION. Section 4. Effective date. [This act] is  
11 effective July 1, 1991.

-End-

## 1 HOUSE BILL NO. 746

2 INTRODUCED BY RUSSELL, HARPER, DRISCOLL, D. BROWN,  
 3 PIPINICH, COCCHIARELLA, JERGESON, VAN VALKENBURG, MAZUREK,  
 4 SVRCEK, YELLOWTAIL, DOHERTY, NOBLE, GAGE, NATHE, HARDING,  
 5 BLAYLOCK, FRANKLIN, MANNING, HOCKETT, MERCER, GRADY,  
 6 GERVAIS, J. JOHNSON, GRINDE

7  
 8 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE STATE TO  
 9 ERECT A MONUMENT AND FLAG CIRCLE AT THE CAPITOL COMPLEX TO  
 10 HONOR AMERICAN INDIANS; ESTABLISHING AN ADVISORY COMMITTEE  
 11 TO COORDINATE THE PROJECT; APPROPRIATING FUNDS FOR THE  
 12 ADVISORY COMMITTEE; AND PROVIDING AN EFFECTIVE DATE."

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 14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

15 NEW SECTION. Section 1. American Indian monument and  
 16 tribal flag circle -- competition for design. (1) The state  
 17 of Montana shall erect on the grounds of the capitol complex  
 18 a monument to American Indians and a Montana tribal flag  
 19 circle in recognition of American Indians' contributions to  
 20 this state and nation.

21 (2) The Montana arts council shall advertise and  
 22 conduct a competition among Indians ALL MONTANANS for a  
 23 design for the monument and flag circle.

24 NEW SECTION. Section 2. Advisory committee --  
 25 composition -- duties.

1 (1) To coordinate the project provided for in (section  
 2 1), the ~~Montana-arts-council~~ STATE COORDINATOR OF INDIAN  
 3 AFFAIRS shall appoint an advisory committee composed of the  
 4 following nine 11 members:

- 5 (a) a representative from the Montana arts council;  
 6 (b) a representative from each of the state's seven  
 7 Indian reservations; and  
 8 (c) a representative from the architecture and  
 9 engineering division of the department of administration;  
 10 (D) THE GOVERNOR'S STATE COORDINATOR OF INDIAN AFFAIRS  
 11 OR THE COORDINATOR'S DESIGNEE; AND  
 12 (E) A REPRESENTATIVE OF THE MONTANA HISTORICAL SOCIETY.

13 (2) The advisory committee shall review the proposals  
 14 submitted in the design competition for the monument and  
 15 flag circle and select an appropriate design.

16 (3) The advisory committee shall make recommendations  
 17 to the department of administration for an appropriate site  
 18 for the monument and the flag circle on the grounds of the  
 19 capitol complex. The monument and flag circle may be located  
 20 separately on the grounds.

21 (4) The advisory committee shall solicit and accept  
 22 private contributions to finance the monument and the  
 23 placement of the monument and the flag circle on the grounds  
 24 of the capitol complex.

25 NEW SECTION. Section 3. Funding -- appropriation. (1)

THIRD READING



HB 0746/03

1 There is appropriated \$6,000 from the ~~cultural-and-aesthetic~~  
2 ~~projects~~ GENERAL fund for the biennium ending June 30, 1993,  
3 to the ~~Montana-arts-council~~ OFFICE OF STATE COORDINATOR OF  
4 INDIAN AFFAIRS for the purpose stated in [section 1] and for  
5 the administrative expenses of the advisory committee.

6 (2) The department of administration is authorized to  
7 accept and expend private contributions, and these  
8 contributions are appropriated for the purposes of financing  
9 and placing the monument and flag circle.

10 NEW SECTION. Section 4. Effective date. [This act] is  
11 effective July 1, 1991.

-End-

HOUSE BILL NO. 746

INTRODUCED BY RUSSELL, HARPER, DRISCOLL, D. BROWN, PIPINICH, COCCHIARELLA, JERGESON, VAN VALKENBURG, MAZUREK, SVRCEK, YELLOWTAIL, DOHERTY, NOBLE, GAGE, NATHE, HARDING, BLAYLOCK, FRANKLIN, MANNING, HOCKETT, MERCER, GRADY, GERVAIS, J. JOHNSON, GRINDE

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE STATE TO ERECT A MONUMENT AND FLAG CIRCLE AT THE CAPITOL COMPLEX TO HONOR AMERICAN INDIANS; ESTABLISHING AN ADVISORY COMMITTEE TO COORDINATE THE PROJECT; APPROPRIATING FUNDS FOR THE ADVISORY COMMITTEE; AND PROVIDING AN EFFECTIVE DATE."

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(2) The Montana arts council shall advertise and conduct a competition among Indians ALL MONTANANS for a design for the monument and flag circle.

NEW SECTION. Section 2. Advisory committee -- composition -- duties.

(1) To coordinate the project provided for in [section 1], the Montana-arts-council; STATE COORDINATOR OF INDIAN AFFAIRS shall appoint an advisory committee composed of the following nine ll members:

- (a) a representative from the Montana arts council;
(b) a representative from each of the state's seven Indian reservations; and
(c) a representative from the architecture and engineering division of the department of administration;
(D) THE GOVERNOR'S STATE COORDINATOR OF INDIAN AFFAIRS OR THE COORDINATOR'S DESIGNEE; AND
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NEW SECTION. Section 3. Funding -- appropriation. (1)

REFERENCE BILL



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5 the administrative expenses of the advisory committee.

6 (2) The department of administration is authorized to  
7 accept and expend private contributions, and these  
8 contributions are appropriated for the purposes of financing  
9 and placing the monument and flag circle.

10 NEW SECTION. Section 4. Effective date. [This act] is  
11 effective July 1, 1991.

-End-

GOVERNOR'S AMENDMENTS TO  
HOUSE BILL 746  
(REFERENCE COPY, AS AMENDED)  
April 24, 1991

1. Page 2, lines 2-3.

Following: "~~council~~"

Strike: "STATE COORDINATOR OF INDIAN AFFAIRS"

Insert: "Governor"

*Gov. Amend.  
HB 746*

HOUSE BILL NO. 746

INTRODUCED BY RUSSELL, HARPER, DRISCOLL, D. BROWN, PIPINICH, COCCHIARELLA, JERGESON, VAN VALKENBURG, MAZUREK, SVRCEK, YELLOWTAIL, DOHERTY, NOBLE, GAGE, NATHE, HARDING, BLAYLOCK, FRANKLIN, MANNING, HOCKETT, MERCER, GRADY, GERVAIS, J. JOHNSON, GRINDE

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(1) To coordinate the project provided for in [section 1], the Montana-arts-council STATE--COORDINATOR--OF--INDIAN AFFAIRS GOVERNOR shall appoint an advisory committee composed of the following nine 11 members:

- (a) a representative from the Montana arts council;
(b) a representative from each of the state's seven Indian reservations; and
(c) a representative from the architecture and engineering division of the department of administration;
(D) THE GOVERNOR'S STATE COORDINATOR OF INDIAN AFFAIRS OR THE COORDINATOR'S DESIGNEE; AND
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NEW SECTION. Section 3. Funding -- appropriation. (1)



HB 0746/04

1 There is appropriated \$6,000 from the ~~cultural-and-aesthetic~~  
2 ~~projects~~ GENERAL fund for the biennium ending June 30, 1993,  
3 to the ~~Montana-arts-council~~ OFFICE OF STATE COORDINATOR OF  
4 INDIAN AFFAIRS for the purpose stated in [section 1] and for  
5 the administrative expenses of the advisory committee.

6 (2) The department of administration is authorized to  
7 accept and expend private contributions, and these  
8 contributions are appropriated for the purposes of financing  
9 and placing the monument and flag circle.

10 NEW SECTION. Section 4. Effective date. [This act] is  
11 effective July 1, 1991.

-End-