

2023 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HB 1172

2023 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee
Pioneer Room, State Capitol

HB 1172
1/19/2023

Relating to the pledge of allegiance.

Meeting called to order by **Chairmen Schauer at 2:26 PM**

Chairmen Austen Schauer, Vice Chairmen Bernie Satrom, Reps. Landon Bahl, Claire Cory, Jeff A. Hoverson, Jorin Johnson, Karen Karls, Scott Louser, Carrie McLeod, Karen M. Rohr, Vicky Steiner, Steve Vetter, Mary Schneider. All present.

Discussion Topics:

- Different versions of pledge

Representative Steiner- Testifies in favor of HB 1172 (Testimony #14809)

Jim Nelson, Director for the ND Veterans Legislative Council- Testifies in favor of HB 1172 (Testimony #14810)

Mark Jorritsman, ND Family Alliance Legislative Action- Testifies in favor (Testimony #14377)

Representative Schauer Closes the meeting for HB 1172 at 2:44 PM

Phillip Jacobs, Committee Clerk by Risa Berube

2023 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Pioneer Room, State Capitol

HB 1172
1/20/2023

Relating to the pledge of allegiance.

Chairman Schauer called the meeting to order at 11:31 AM

Chairman Austen Schauer, Vice Chairman Bernie Satrom, Reps. Landon Bahl, Claire Cory, Jeff A. Hoverson, Jorin Johnson, Karen Karls, Scott Louser, Carrie McLeod, Karen M. Rohr, Vicky Steiner, Steve Vetter, Mary Schneider. All present.

Discussion Topics:

- Committee work

Rep. Steiner updated committee on the response from legislative council- the bill would not include the governor, just his staff. The recommendation from Rep. Steiner is to add a governor or executive branch officer or employee; and to remove the comma after "nation".

Bill held for further clarification.

Chairman Schauer adjourned the meeting at 11:33 AM.

Phillip Jacobs, Committee Clerk

2023 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Pioneer Room, State Capitol

HB 1172
1/26/2023

Relating to the pledge of allegiance.

Meeting called to order by **Chairmen Schauer at 11:21 AM.**

Chairmen Austen Schauer, Vice Chairmen Bernie Satrom, Reps. Landon Bahl, Claire Cory, Jorin Johnson, Karen Karls, Scott Louser, Carrie McLeod, Karen M. Rohr, Vicky Steiner, Steve Vetter, and Mary Schneider present. Rep. Hoverson not present.

Discussion Topics:

- Committee work
- Amendment

Chairman Schauer – called for a discussion on HB 1172.

Rep. Steiner moved to amend HB 1172 (#23.0678.01001) as follows:

Page 1, line 7, after the underscored comma insert “the governor or”

Page 1, line 9, remove the fourth the comma

Seconded by Vice Chairman Satrom

Roll Call Vote:

Representatives	Vote
Representative Austen Schauer	Y
Representative Bernie Satrom	Y
Representative Landon Bahl	Y
Representative Claire Cory	Y
Representative Jeff A. Hoverson	AB
Representative Jorin Johnson	Y
Representative Karen Karls	Y
Representative Scott Louser	Y
Representative Carrie McLeod	Y
Representative Karen M. Rohr	Y
Representative Mary Schneider	Y
Representative Vicky Steiner	Y
Representative Steve Vetter	Y

Motion carries 12-0-1.

Rep. Steiner moved a do pass as amended on HB 1172.

Seconded by Vice Chairman Satrom

Roll Call Vote:

Representatives	Vote
Representative Austen Schauer	Y
Representative Bernie Satrom	Y
Representative Landon Bahl	Y
Representative Claire Cory	Y
Representative Jeff A. Hoverson	AB
Representative Jorin Johnson	Y
Representative Karen Karls	Y
Representative Scott Louser	Y
Representative Carrie McLeod	Y
Representative Karen M. Rohr	Y
Representative Mary Schneider	Y
Representative Vicky Steiner	Y
Representative Steve Vetter	Y

Motion carries 12-0-1.

Carried by Rep. Steiner

Chairman Schauer adjourned the meeting at 11:26 AM.

Phillip Jacobs, Committee Clerk

AK
1-26-23
(1-1)

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1172

Page 1, line 7, after the underscored comma insert "the governor or"

Page 1, line 9, remove the fourth the comma

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1172: Government and Veterans Affairs Committee (Rep. Schauer, Chairman)
recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends
DO PASS (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1172 was placed
on the Sixth order on the calendar.

Page 1, line 7, after the underscored comma insert "the governor or"

Page 1, line 9, remove the fourth the comma

Renumber accordingly

2023 SENATE STATE AND LOCAL GOVERNMENT

HB 1172

2023 SENATE STANDING COMMITTEE MINUTES

State and Local Government Committee
Room JW216, State Capitol

HB 1172
3/30/2023

Relating to the pledge of allegiance.

10:00 AM Vice Chair opened the hearing. Present: Vice Chair Barta, Sen Cleary, Sen Estenson, Sen J Lee, and Sen Braunberger. Sen Roers was absent.

Discussion Topics:

- Maintenance of language
- Christian roots
- Voluntary

Rep Steiner, Dist 37, bill sponsor testified in support #27064.

Jim Nelson, Director Legislative Veterans Assoc testified in support #27067.

Jacob Thomsen, ND Family Alliance testified in support #27040.

10:20 AM Vice Chair Barta closed the hearing.

Pam Dever, Committee Clerk

2023 SENATE STANDING COMMITTEE MINUTES

State and Local Government Committee
Room JW216, State Capitol

HB 1172
3/30/2023

Relating to the pledge of allegiance.

3:03 PM Vice Chair Barta opened committee work. Present: Vice Chair Barta, Sen Cleary, Sen Estenson, Sen J Lee, and Sen Braunberger. Sen Roers was absent.

Discussion Topics:

- Committee action

Sen Lee moved a DO NOT PASS.

Sen Braunberger seconded the motion.

Senators	Vote
Senator Kristin Roers	AB
Senator Jeff Barta	Y
Senator Ryan Braunberger	Y
Senator Sean Cleary	N
Senator Judy Estenson	N
Senator Judy Lee	Y

ROLL CALL VOTE: YES – 3 NO – 2 Absent – 1 Motion PASSED

Sen Barta will carry the bill.

3:14 PM Vice Chair Barta adjourned the meeting.

Pam Dever, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1172, as engrossed: State and Local Government Committee (Sen. K. Roers, Chairman) recommends **DO NOT PASS** (3 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1172 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.

TESTIMONY

HB 1172



NORTH DAKOTA

Family Alliance LEGISLATIVE ACTION

Testimony in Support of House Bill 1172

Mark Jorritsma, Executive Director
North Dakota Family Alliance Legislative Action
January 19, 2023

Chairman Schauer and honorable members of the House Government and Veterans Affairs Committee. My name is Mark Jorritsma and I am the Executive Director of North Dakota Family Alliance Legislative Action. We are submitting testimony in support of House Bill 1172 and respectfully request that you issue a "DO PASS" on this bill.

The Pledge of Allegiance was initially written in August 1892 by the minister Francis Bellamy. Since that time, it has been modified a number of times into what we now recite as the pledge.

North Dakota Family Alliance Legislative Action recognizes that certain words and phrases in today's version of the Pledge are problematic for some people. Some don't like "one nation", making the point of how divisive things are in our country right now. Others don't like the phrase "justice for all", and yet others want "under God" removed. While we appreciate their feelings, they're missing the point.

The official Pledge of Allegiance is found in the United States Code (see attachment for a screen shot of USC code version). The USC represents the "consolidation and codification by subject matter of the general and permanent laws of the United States" [United States Office of the Law Revision Counsel website]. The official Pledge of Allegiance is codified, regardless of peoples' various views on the Pledge and whether some feel it should be different. If they so choose, the citizens of the United States can work on changing the wording through the court system, as has been tried many times, or can work through Congress to try and change the wording. Until that point in time, the Pledge of Allegiance remains as it is today. This bill merely seeks to acknowledge that this is the official Pledge of Allegiance.

North Dakota Family Alliance Legislative Action respectfully request that you pass HB 1172 out of committee with a "DO PASS" recommendation.

Thank you for allowing us to testify, and I'd now be happy to stand for any questions.

United States Pledge of Allegiance

4 USC 4: Pledge of allegiance to the flag; manner of delivery - Google Chrome
uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title4-section4&num=0&edition=prelim

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§4. Pledge of allegiance to the flag; manner of delivery
The Pledge of Allegiance to the Flag: "I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.", should be rendered by standing at attention facing the flag with the right hand over the heart. When not in uniform men should remove any non-religious headdress with their right hand and hold it at the left shoulder, the hand being over the heart. Persons in uniform should remain silent, face the flag, and render the military salute. Members of the Armed Forces not in uniform and veterans may render the military salute in the manner provided for persons in uniform.
(Added Pub. L. 105-225, §2(a), Aug. 12, 1998, 112 Stat. 1494 ; amended Pub. L. 107-293, §2(a), Nov. 13, 2002, 116 Stat. 2060 ; Pub. L. 113-66, div. A, title V, §586, Dec. 26, 2013, 127 Stat. 777 .)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
4	36:172.	June 22, 1942, ch. 435, §7, 56 Stat. 380 ; Dec. 22, 1942, ch. 806, §7, 56 Stat. 1077 ; Dec. 28, 1945, ch. 607, 59 Stat. 668 ; June 14, 1954, ch. 297, 68 Stat. 249 ; July 7, 1976, Pub. L. 94-344, (19), 90 Stat. 813 .

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/ Burgum calls for public schools, governing bodies to administer the Pledge of Allegiance, display flag

Burgum calls for public schools, governing bodies to administer the Pledge of Allegiance, display flag

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Monday, August 15, 2022 - 04:30 pm

BISMARCK, N.D. – Gov. Doug Burgum today released the following statement regarding the Pledge of Allegiance in public schools and at meetings of elected governing bodies in North Dakota.

“America is the land of opportunity. And students in every public school in North Dakota, along with elected governing bodies and those who attend their meetings, should have the opportunity to recite the Pledge of Allegiance and express support for the American ideals upon which our country was founded,” Burgum said. “To that end, our administration is creating a framework for legislation to guarantee that the opportunity exists to recite the Pledge of Allegiance, as other states have done. We look forward to working with lawmakers to bring a proposal to the 68th Legislative Assembly in January. As North Dakotans and Americans, we believe strongly in the value of this traditional and powerful affirmation that we are one nation, united under one flag, with liberty and justice for all, aspiring toward a more perfect union and acknowledging that such noble work never ends.”

State Sen. Scott Meyer of Grand Forks and state Reps. Pat Heinert of Bismarck and Todd Porter of Mandan have agreed to collaborate with the Governor’s Office to craft the legislation.

“The Pledge of Allegiance is one of the strongest and most unifying statements that we have as Americans,” Meyer said. “During this time of civil discourse, it is a guiding light.”

“The saying of the Pledge of Allegiance is important for our boards and commissions prior to public meetings as they are elected and are there to serve the people,” Heinert said.

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The Pledge Of Allegiance And How It Has Changed

Citizen Activism, Entrepreneurs & Inventors, Only in the USA, Taking a Stand / By Kate Kelly



As the Pledge of Allegiance became more widely accepted after its introduction in 1892, various groups weighed in on the wording. There have been alterations from the original wording penned by Francis Bellamy (1855-1931):

"I pledge allegiance to my Flag and to the Republic for which it stands, one nation, indivisible, with liberty and justice for all."

One change was spearheaded by the American Legion and the Daughters of the American Revolution. In 1923 the groups pushed for "my flag" to be replaced by "the Flag of the United States of America." The organizations felt that with so many immigrants coming to the country that it was important for newcomers to affirm their loyalty to the U.S.

In 1954 Congress added the words "under God," to the pledge. This

campaign was led by the Knights of Columbus, the world's largest Catholic fraternal organization.

The addition of "under God" has led to numerous court challenges from people who cite the Constitution's First Amendment specifying that Congress shall not make any laws pertaining to establishment of religion. Many believe that a pledge of patriotism should not be tied to

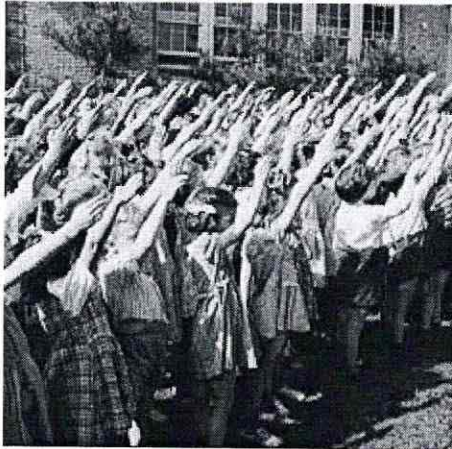


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a belief in God. Thus far the legal challenges have been unsuccessful.

Getty Images

Changes in the Way We Recognize the Flag (the Salute)



Today when we say the Pledge of Allegiance, we have learned to place our right hand over our heart as we recite the words. The original salute was very different. It was called a military salute, and it consisted of the right arm extended upward, with the palm down slightly. This was the form schoolchildren and members of the public were taught to use when they said the Pledge from 1892 on.

Today, of course, that is the arm gesture that we associate with "Heil Hitler." It began being used officially in Nazi Germany in 1933 when the Nazis passed a law that stated that all employees of the state were to be saluted in that way and violators would be punished.

This stirred a big reaction among Americans though it took almost

ten years to pass a new law. In December of 1942 Congress passed an amendment that specified that the pledge "should be rendered by standing at attention facing the flag with the right hand over the heart."



New citizens. Getty Images

Is the Pledge of Allegiance Still Widely Used?

Today most states provide time for schools to say the pledge, though it is still at the discretion of the local school board and/or the individual teacher. Five states do not have this provision (Hawaii, Iowa, Oklahoma, Vermont, and Wyoming).

To read about how the Pledge of Allegiance came into existence, read "Writing the Pledge of Allegiance."

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HB 1172

When I saw this bill and 1120 my heart skipped a beat. Never in a million years did I think I would be standing in front of a legislative committee defending the Pledge of Allegiance. The Pledge of Allegiance is a patriotic verse that is recited that promises allegiance or loyalty to the Flag of the United States of America that was written by Captain George Thatcher Balch a Union Army officer in 1885 and had a slightly different text than the current Pledge. That first version read **I pledge allegiance to my Flag and the Republic for which it stands, one nation, indivisible, with liberty, and justice for all.** In 1892 it was changed to, **to the Republic.** In 1923 **the United States of America** was added the flag of. The final change came in 1954 when President Dwight Eisenhower sign into law the addition of **under God** after one nation.

And so now we have the current Pledge of Allegiance. **I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.**

My Family tree shows that I had relatives in the Revolutionary War, Civil War, WWI, WWII, Vietnam

including myself and my grandson is in the Marines With the exception of me and my grandson the others are rolling over in their graves.

I suspect we are today because of recent headlines in the news over the past couple of years. Basically, we have been reciting this Pledge since 1885 as a tool in developing a sense of patriotism in our young people.

The main reason for saying the Pledge is to instill or reinforce a sense of patriotism towards this country.

It is far from being an oath which can bind the person against what we are saying. it is a pledge a nonbinding promise to do something. Saying the pledge is merely a promise to be loyal or respectful to this country. By standing you are showing the utmost respect for both this country and YOUR flag. You are also recognizing that it took blood sweat and tears to get and keep the freedoms we have today. I believe that majority of those I represent would agree.

The game Jenga which I'm sure many of us have played involves building a tower with 54 blocks of equal length and width each containing a small imperfection. The object of the game is to after building the tower the players remove a piece from the tower and place it top

of the tower continuing this process in the hope of rebuilding the tower without collapse. It is nearly impossible to achieve. I use this illustration to describe what I have and am seeing in this country, In, recent decades a portion of our society is attempting to change things in this county that don't fit their ideology. Granted these things may not be perfect, they have held this country not only defined us but also have held us together for 246 years. Like the in game Jenga every time a log is moved to a different location it weakens the structure. That slight imperfection was okay in is original location. However, after repeated movement of other logs we run the risk of the tower collapsing

The NDVLC urges a yes vote.



NORTH DAKOTA

Family Alliance LEGISLATIVE ACTION

Testimony in Support of House Bill 1172

Jacob Thomsen, Policy Analyst
North Dakota Family Alliance Legislative Action
March 30, 2023

Madam Chair Roers and honorable members of the Senate State and Local Government Committee. My name is Jacob Thomsen and I am representing North Dakota Family Alliance Legislative Action. I am testifying on behalf of our organization in support of House Bill 1172 and respectfully request that you issue a "DO PASS" on this bill.

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4 USC 4: Pledge of allegiance to the flag; manner of delivery - Google Chrome

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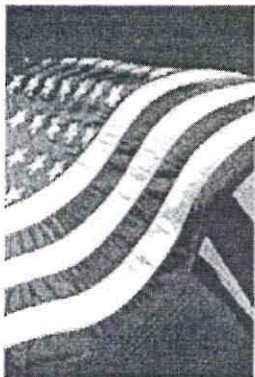


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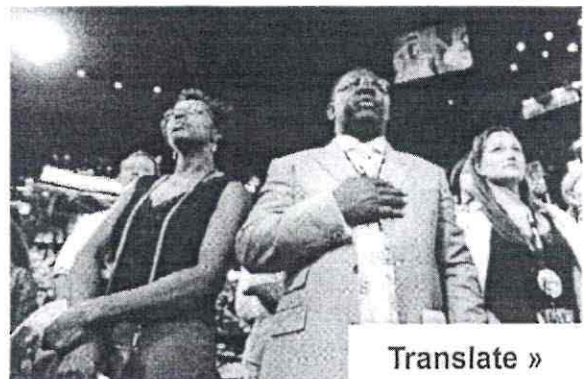
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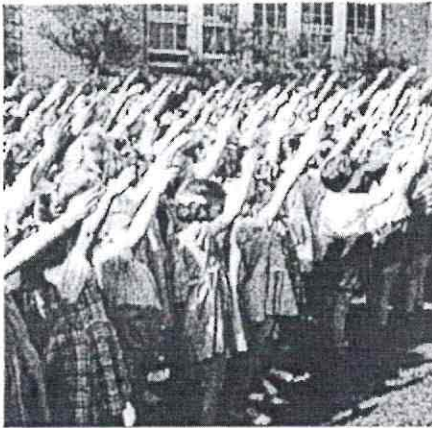


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Getty Images

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HB 1172

Since 1892 when the pledge was first recited in American schools it has undergone minor changes with the last and most controversial change happened on June 14, 1954.

Shortly after the end of WWII, Communism was spreading into Russia, China and Korea, and Cuba to name a few. Most Americans at that time viewed communism as a god-less form of government. The Knights of Columbus and other religious groups began petitioning congress to add the phrase under God to the pledge. Their argument was two-fold, 1. They believed that by adding the phrase would give students a deeper understanding of patriotism and 2. would provide a bulwark against Communism. In February 1954 Eisenhower heard a sermon by Reverend George Docherty that had a profound impact on the President. The Reverend argued that to omit the words "under God" in the pledge is to omit the definitive factor in the American way of life. He stated the an atheistic American is a contradiction in terms because if you deny the Christian ethic, you fall short of the American way of life. This Christian ethic has it's genesis at the Continental Congress of 1774, when at the urging of Benjamin Franklin, they would start each session with a prayer and the tradition as continued to this very day. The first prayer was on September 7, 1774. At the request of President Eisenhower Congress created legislation that would add the phrase "under God" to the Pledge and on

June 14th (Flag Day) Eisenhower signed the legislation into law. Two years later Eisenhower added the phrase “In God we Trust” to our currency and made it the Official motto of the United States. Since that change in 1954 there have been numerous lawsuits filed against it. Probably the most notable ones were filed by Michael Newdow, an atheist beginning in 1998 the suit was dismissed, in 2000 the suit was dismissed in 2005 in 2010 The US 9th Circuit Court of Appeals denied the suit finding that the pledge does not present a government endorsement of religion. In The Massachusetts Supreme Court ruled that reciting the Pledge of Allegiance is a patriotic, rather than a religious, exercise, saying the words “under God” does not discriminate against atheists.

The ND Veterans Legislative Council supports this bill and requests a do Pass