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State of Minnesota

HOUSE OF REPRESENTATIVES

SECOND SPECIAL SESSION

H. F. No. 73

07/14/2020 Authored by Freiberg, Fischer, Becker-Finn and Lee
The bill was read for the first time and referred to the Committee on Government Operations

1.1 A bill for an act
1.2 relating to state government; creating a commission to redesign the official state
1.3 flag and the official state seal; requiring a report; repealing Minnesota Statutes
1.4 2018, sections 1.135; 1.141.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. STATE EMBLEMS REDESIGN COMMISSION.

1.7 Subdivision 1. Establishment. The State Emblems Redesign Commission is established.
1.8 The purpose of the commission is to develop, design, and recommend to the legislature and
1.9 governor new designs for the official state flag and the official state seal no later than January
1.10 1, 2021.

1.11 Subd. 2. Membership; meetings. (a) The commission consists of the following members:

1.12 (1) three members of the public, appointed by the governor;

1.13 (2) two members of the house of representatives, one each appointed by the speaker of
1.14 the house and the minority leader of the house;

1.15 (3) two members of the senate, one representing the majority caucus and one representing
1.16 the minority caucus, appointed by the Subcommittee on Committees of the Senate Committee
1.17 on Rules and Administration;

1.18 (4) one member appointed by the Council for Minnesotans of African Heritage;

1.19 (5) one member appointed by the Minnesota Council on Latino Affairs;

1.20 (6) one member appointed by the Council on Asian-Pacific Minnesotans; and

1.21 (7) two members appointed by the Indian Affairs Council.

2.1 (b) The following serve as ex-officio, nonvoting members of the commission:

2.2 (1) the secretary of state or the secretary's designee;

2.3 (2) the executive director of the Minnesota Historical Society or the director's designee;

2.4 (3) the chair of the Capitol Area Architectural and Planning Board or the chair's designee;

2.5 (4) the chair of the Minnesota Arts Board or the chair's designee; and

2.6 (5) the executive director of Explore Minnesota Tourism or the director's designee.

2.7 (c) Appointments to the commission must be made no later than August 1, 2020. The
 2.8 voting members of the commission shall elect a chair and vice-chair. An appointee designated
 2.9 by the governor shall convene the commission's first meeting. Decisions of the commission
 2.10 must be made by majority vote. The Minnesota Historical Society must provide office space
 2.11 and administrative support to the commission.

2.12 Subd. 3. **Meetings.** Meetings of the commission are subject to Minnesota Statutes,
 2.13 chapter 13D.

2.14 Subd. 4. **Duties; form and style of recommended state emblems.** The commission
 2.15 shall develop, design, and recommend to the legislature and governor a new design for the
 2.16 official state seal and a new design for the official state flag. The designs must accurately
 2.17 and respectfully reflect Minnesota's shared history, resources, and diverse cultural
 2.18 communities. Symbols, emblems, or likenesses that represent only a single community or
 2.19 person, regardless of whether real or stylized, may not be included in a design. The
 2.20 commission may solicit and secure the voluntary service and aid of vexillologists and other
 2.21 persons who have either technical or artistic skill in flag construction and design, or the
 2.22 design of official seals, to assist in the work. The commission must also solicit public
 2.23 feedback and suggestions to inform its work.

2.24 Subd. 5. **Report.** The commission shall make its recommendation in a report to the
 2.25 legislature and governor no later than January 1, 2021. In addition to the recommended
 2.26 designs, the commission's report must describe the symbols and other meanings incorporated
 2.27 in the design. The commission expires upon submission of its report.

2.28 Sec. 2. **LEGISLATIVE ACTION; RETIREMENT OF CURRENT OFFICIAL SEAL**
 2.29 **AND FLAG.**

2.30 The legislature intends to hold necessary votes on adoption of the state emblems redesign
 2.31 commission's recommended designs during the 2021 regular session in an effort to ensure
 2.32 that a new official state seal and a new official state flag may each be adopted and become

3.1 effective no later than May 11, 2021. The legislature is encouraged to adopt procedures that
3.2 allow for the current official state flag and official state seal to be retired and replaced in a
3.3 respectful manner, and its history preserved in an appropriate location on the State Capitol
3.4 complex.

3.5 Sec. 3. **REPEALER.**

3.6 Minnesota Statutes 2018, sections 1.135; and 1.141, are repealed effective May 11,
3.7 2021.

1.135 STATE SEAL.

Subdivision 1. **Purpose.** This section prescribes the design and states the historical symbolism of the Great Seal of the State of Minnesota.

Subd. 2. **Official seal.** The seal described in subdivision 3 is the "Great Seal of the State of Minnesota." When the seal, the impression of the seal, the scene within the seal, or its likeness is reproduced at state expense, it must conform to subdivision 3 and section 4.04. A seal, impression, scene, or likeness which does not conform to these provisions is not official.

Subd. 3. **Design.** The design of the seal is as described in this subdivision.

(a) The seal is composed of two concentric borders. The outside forms the border of the seal and the inside forms the border for the illustrations within the seal. The area between the two borders contains lettering.

(b) The seal is two inches in diameter. The outside border has a radius of one inch and resembles the serrated edge of a coin. The width of the border is 1/16 of an inch.

(c) The inside border has a radius of three-fourths of an inch and is composed of a series of closely spaced dots measuring 1/32 of an inch in diameter.

(d) Within the area between the borders "The Great Seal of the State of Minnesota" is printed in capital letters. Under that is the date "1858" with two dagger symbols separating the date and the letters. The lettering is 14-point century bold.

(e) In the area within the inside border is the portrayal of an 1858 Minnesota scene made up of various illustrations that serve to depict a settler plowing the ground near the Falls of St. Anthony while he watches an Indian on horseback riding in the distance.

(f) For the purposes of description, when the area within the inside border is divided into quadrants, the following illustrations should be clearly visible in the area described.

(1) In the upper parts of quadrants one and two, the inscription "L'Etoile du Nord" is found on the likeness of a scroll whose length is equal to twice the length of the inscription, but whose ends are twice folded underneath and serve to enhance the inscription. The lettering is 7-point century bold.

(2) In quadrant two is found a likeness of a sun whose ambient rays form a background for a male Indian in loincloth and plume riding on horseback at a gallop. The Indian is sitting erect and is holding a spear in his left hand at an upward 60-degree angle to himself and is looking toward the settler in quadrant four.

(3) In quadrant one, three pine trees form a background for a picturesque resemblance of St. Anthony Falls in 1858.

(4) In quadrants three and four, cultivated ground is found across the lower half of the seal, which provides a background for the scenes in quadrants three and four.

(5) In quadrant three, a tree stump is found with an ax embedded in the stump and a period muzzleloader resting on it. A powder flask is hanging towards the end of the barrel.

(6) In quadrant four, a white barefoot male pioneer wearing clothing and a hat of that period is plowing the earth, using an animal-drawn implement from that period. The animal is not visible. The torso of the man continues into quadrant two, and he has his legs spread apart to simulate movement. He is looking at the Indian.

Subd. 4. **Additional effects; size.** Every effort shall be made to reproduce the seal with justification to the 12 o'clock position and with attention to the authenticity of the illustrations used to create the scene within the seal. The description of the scene in this section does not preclude the graphic inclusion of the effects of movement, sunlight, or falling water when the seal is reproduced. Nor does this section prohibit the enlargement, proportioned reduction, or embossment of the seal for its use in unofficial acts.

Subd. 5. **Historical symbolism of seal.** The sun, visible on the western horizon, signifies summer in the northern hemisphere. The horizon's visibility signifies the flat plains covering much of Minnesota. The Indian on horseback is riding due south and represents the great Indian heritage of Minnesota. The Indian's horse and spear and the Pioneer's ax, rifle, and plow represent tools that were used for hunting and labor. The stump symbolizes the importance of the lumber industry in Minnesota's history. The Mississippi River and St. Anthony Falls are depicted to note the importance

of these resources in transportation and industry. The cultivated ground and the plow symbolize the importance of agriculture in Minnesota. Beyond the falls three pine trees represent the state tree and the three great pine regions of Minnesota; the St. Croix, Mississippi, and Lake Superior.

Subd. 6. **State's duties.** State agencies and departments using the seal, its impression, the scene within the seal or its likeness shall make every effort to bring any seal, impression, scene, or likeness currently fixed to a permanent object into accordance with this section and section 4.04. Expendable material to which the seal or any impression, scene, or likeness is currently affixed may be used until the supply is exhausted. All unused dies and engravings of the Great Seal shall be given to the Minnesota Historical Society, along with all historical information available about the seal, to be retained in the society's permanent collection.

1.141 STATE FLAG.

Subdivision 1. **Adoption.** The design of the state flag proposed by the Legislative Interim Commission acting under Laws 1955, chapter 632, is adopted as the official state flag.

Subd. 2. **Photograph.** The secretary of state shall file a photograph of the state flag. The secretary shall also retain custodial control over the sample design flag of the commission for use by the public for copies.

Subd. 3. **Description.** The design of the flag shall conform substantially to the following description: The staff is surmounted by a bronze eagle with outspread wings; the flag is rectangular in shape and is on a medium blue background with a narrow gold border and a golden fringe. A circular emblem is contained in the center of the blue field. The circular emblem is on a general white background with a yellow border. The word MINNESOTA is inscribed in red lettering on the lower part of the white field. The white emblem background surrounding a center design contains 19 five pointed stars arranged symmetrically in four groups of four stars each and one group of three stars. The latter group is in the upper part of the center circular white emblem. The group of stars at the top in the white emblem consists of three stars of which the uppermost star is the largest and represents the North Star. A center design is contained on the white emblem and is made up of the scenes from the Great Seal of the State of Minnesota, surrounded by a border of intertwining *Cypripedium reginae*, the state flower, on a blue field of the same color as the general flag background. The flower border design contains the figures 1819, 1858, 1893.

The coloring is the same on both sides of the flag, but the lettering and the figures appear reversed on one side.

Subd. 4. **Official flag.** The flag described above is the official flag of the state of Minnesota.

Subd. 5. **Hours of flying.** The official state flag shall be flown on the State Capitol grounds at all times between sunrise and sunset.

Subd. 6. **Folding of state flag for presentation or display.** The following procedures constitute the proper way to fold the Minnesota State Flag for presentation or display. Fold the flag four times lengthwise so that one section displays the three stars of the state crest and the text "L'Etoile du Nord." Fold each side behind the displayed section at a 90-degree angle so that the display section forms a triangle. Take the section ending with the hoist and fold it at a 90-degree angle across the bottom of the display section and then fold the hoist back over so it is aligned with the middle of the display section. Fold the other protruding section directly upwards so that its edge is flush with the display section and then fold it upwards along a 45-degree angle so that a mirror of the display section triangle is formed. Fold the mirror section in half from the point upwards, then fold the remaining portion upwards, tucking it between the display section and the remainder of the flag.

Subd. 7. **Folding of state flag for storage.** When folding the Minnesota State Flag for storage, the proper procedure is to fold and store the flag in the same manner as the national colors.