

This Document can be made available in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 4804

03/11/2024 Authored by Olson, B.; Urdahl; Knudsen; Baker; Harder and others
The bill was read for the first time and referred to the Committee on State and Local Government Finance and Policy

1.1 A bill for an act
1.2 relating to state government; requiring the secretary of state to place questions on
1.3 the 2024 state general election ballot related to approval of the state flag and state
1.4 seal designs adopted by the State Emblems Redesign Commission; establishing a
1.5 State Symbol Design Commission, if a ballot question placed on the 2024 state
1.6 general election is not adopted; requiring a report; amending Minnesota Statutes
1.7 2023 Supplement, section 1.135, subdivisions 3a, 6; Laws 2023, chapter 62, article
1.8 2, sections 1; 2; 3; 4; 5; 133, subdivision 1.

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

1.10 Section 1. Minnesota Statutes 2023 Supplement, section 1.135, subdivision 3a, is amended
1.11 to read:

1.12 Subd. 3a. Official seal; May 11, 2024 2025, and thereafter. The Great Seal of the State
1.13 of Minnesota is the design as certified in the report of the State Emblems Redesign
1.14 Commission, as established by Laws 2023, chapter 62, article 2, section 118.

1.15 Sec. 2. Minnesota Statutes 2023 Supplement, section 1.135, subdivision 6, is amended to
1.16 read:

1.17 Subd. 6. State's duties. State agencies and departments using the seal, its impression,
1.18 or its likeness shall make every effort to bring any seal, impression, or likeness currently
1.19 fixed to a permanent object into accordance with this section and section 4.04. Expendable
1.20 material to which the seal in effect prior to May 11, 2024 2025, or any impression, scene,
1.21 or likeness of that seal is currently affixed may be used until the supply is exhausted or until
1.22 January 1, 2025 2026, whichever occurs first. All unused dies and engravings of the Great
1.23 Seal shall be given to the Minnesota Historical Society, along with all historical information
1.24 available about the seal, to be retained in the society's permanent collection.

2.1 Sec. 3. Laws 2023, chapter 62, article 2, section 1, the effective date, is amended to read:

2.2 **EFFECTIVE DATE.** This section is effective May 11, ~~2024~~ 2025, if the ballot question
2.3 related to adoption of the state seal, as required by this act, is approved.

2.4 **EFFECTIVE DATE.** This section is effective retroactively from July 1, 2023.

2.5 Sec. 4. Laws 2023, chapter 62, article 2, section 2, the effective date, is amended to read:

2.6 **EFFECTIVE DATE.** This section is effective May 11, ~~2024~~ 2025, if the ballot question
2.7 related to adoption of the state seal, as required by this act, is approved.

2.8 **EFFECTIVE DATE.** This section is effective retroactively from July 1, 2023.

2.9 Sec. 5. Laws 2023, chapter 62, article 2, section 3, the effective date, is amended to read:

2.10 **EFFECTIVE DATE.** This section is effective May 11, ~~2024~~ 2025, if the ballot question
2.11 related to adoption of the state seal, as required by this act, is approved.

2.12 **EFFECTIVE DATE.** This section is effective retroactively from July 1, 2023.

2.13 Sec. 6. Laws 2023, chapter 62, article 2, section 4, the effective date, is amended to read:

2.14 **EFFECTIVE DATE.** This section is effective May 11, ~~2024~~ 2025, if the ballot question
2.15 related to adoption of the state seal, as required by this act, is approved.

2.16 **EFFECTIVE DATE.** This section is effective retroactively from July 1, 2023.

2.17 Sec. 7. Laws 2023, chapter 62, article 2, section 5, the effective date, is amended to read:

2.18 **EFFECTIVE DATE.** This section is effective May 11, ~~2024~~ 2025, if the ballot question
2.19 related to adoption of the state flag, as required by this act, is approved.

2.20 **EFFECTIVE DATE.** This section is effective retroactively from July 1, 2023.

2.21 Sec. 8. Laws 2023, chapter 62, article 2, section 133, subdivision 1, is amended to read:

2.22 Subdivision 1. **State emblems redesign.** Minnesota Statutes 2022, ~~sections~~ section
2.23 1.135, subdivisions 3 and 5; and 1.141, subdivisions 3, 4, and 6, are repealed, effective May
2.24 11, ~~2024~~ 2025, if the ballot question related to adoption of the state seal, as required by this
2.25 act, is approved; and Minnesota Statutes, section 1.141, subdivisions 3, 4, and 6, are repealed
2.26 effective May 11, 2025, if the ballot question related to adoption of the state flag, as required
2.27 by this act, is approved.

2.28 **EFFECTIVE DATE.** This section is effective retroactively from July 1, 2023.

3.1 Sec. 9. REFERENDUM ON APPROVAL OF STATE FLAG AND STATE SEAL.

3.2 (a) The secretary of state must place separate questions on the ballot at the 2024 state
3.3 general election related to final adoption of the state flag and state seal designs approved
3.4 by the State Emblems Redesign Commission. Except as provided in this section, the questions
3.5 must be placed on the ballot and the results of the election canvassed in the same manner
3.6 as provided by law for a proposed state constitutional amendment. The questions submitted
3.7 must be:

3.8 (1) "Shall the state flag design approved by the State Emblems Redesign Commission
3.9 be adopted as the official flag of the state of Minnesota, effective May 11, 2025?

3.10 Yes

3.11 No "; and

3.12 (2) "Shall the state seal design approved by the State Emblems Redesign Commission
3.13 be adopted as the official Great Seal of the State of Minnesota, effective May 11, 2025?

3.14 Yes

3.15 No "

3.16 (b) The secretary of state must provide each county auditor or municipal clerk with
3.17 sufficient copies of a reproduction of the designs for the state flag and state seal, printed in
3.18 color, so that examples can be made available for public inspection in each polling place.
3.19 The county auditor or municipal clerk must ensure that these reproductions are placed in a
3.20 conspicuous location in the polling place so that voters may view them prior to casting a
3.21 ballot.

3.22 (c) If the majority of voters voting at the election vote yes on a question, the question
3.23 is approved and the design referenced in that question is finally adopted as the official flag
3.24 or official seal of the state of Minnesota, as applicable. If the majority of voters voting at
3.25 the election do not vote yes on a question, the State Symbols Design Commission must be
3.26 reconstituted as required in this act, for the purpose of considering a revised design option
3.27 for that symbol.

3.28 Sec. 10. STATE SYMBOLS DESIGN COMMISSION.

3.29 Subdivision 1. **Application; purpose.** If a ballot question required by this act for the
3.30 2024 state general election is not approved, the State Symbols Design Commission is
3.31 established. The purpose of the commission is to consider whether to propose an alternate
3.32 state flag or state seal design, as applicable, to propose to the people at the 2026 state general
3.33 election.

4.1 Subd. 2. **Membership.** The State Symbols Design Commission consists of the following
 4.2 members:

4.3 (1) two members of the public serving at-large, appointed by the governor;

4.4 (2) two members of the public who reside in each congressional district, appointed by
 4.5 majority vote of the members of the legislature representing the state legislative districts
 4.6 within the congressional district;

4.7 (3) one member of the public who is a family farmer, appointed by the commissioner
 4.8 of agriculture;

4.9 (4) one member of the public who is a worker in the mining industry, appointed by the
 4.10 Iron Range Resources and Rehabilitation Board;

4.11 (5) the executive director of Explore Minnesota Tourism, or the director's designee;

4.12 (6) the executive director of the Minnesota Historical Society, or the director's designee;

4.13 (7) one member of the public representing Minnesota's Tribal communities, appointed
 4.14 by the Indian Affairs Council;

4.15 (8) one member of the public appointed by the Council for Minnesotans of African
 4.16 Heritage;

4.17 (9) one member of the public appointed by the Minnesota Council on Latino Affairs;
 4.18 and

4.19 (10) one member of the public appointed by the Council on Asian-Pacific Minnesotans.

4.20 The commission must select a chair and other officers from among its membership.

4.21 Compensation and removal of members is governed by Minnesota Statutes, section 15.059,
 4.22 subdivisions 3 and 4. Appointments to the commission must be made no later than 30 days
 4.23 following the effective date of this section.

4.24 Subd. 3. **Meetings.** Meetings of the commission are subject to Minnesota Statutes,
 4.25 chapter 13D. The commission must conduct at least one meeting to receive public input in
 4.26 each congressional district of the state. Selected meeting locations must be balanced between
 4.27 urban centers and rural areas of the state.

4.28 Subd. 4. **Duties.** The commission must consider whether to recommend an alternate
 4.29 state flag or state seal design, as applicable, to submit to voters at the 2026 state general
 4.30 election. The commission's decision must be based on public feedback it receives about the
 4.31 current state flag or state seal design, and on public feedback it receives about the details
 4.32 contained in any alternate design. Any proposed design must accurately and respectfully

5.1 reflect Minnesota's shared history, resources, and diverse cultural communities, including
 5.2 cultural communities representing rural areas and urban areas of the state. The commission
 5.3 may solicit and secure the voluntary service and aid of vexillologists and other persons who
 5.4 have either technical or artistic skill in flag or seal construction and design, provided that
 5.5 the commission's decisions and any final design choices must primarily rely on the input
 5.6 the commission receives from members of the public who reside in Minnesota and who are
 5.7 not vexillologists.

5.8 Subd. 5. **Report.** No later than July 1, 2026, the commission must submit a report to the
 5.9 governor, legislature, and secretary of state detailing its work. The report must summarize
 5.10 the public input received and, if applicable, include a description and technical specifications
 5.11 for any proposed design the commission recommends for submission to the people. A design
 5.12 description must identify the symbols and other meanings incorporated in the submitted
 5.13 design, and document the public input the commission received to support inclusion of
 5.14 those symbols or meanings.

5.15 Subd. 6. **2026 state general election; ballot question.** If an alternate state flag or state
 5.16 seal design is recommended for submission by the State Symbol Design Commission, the
 5.17 secretary of state must place a question on the ballot at the 2026 state general election for
 5.18 each recommended design. Except as provided in this section, the questions must be placed
 5.19 on the ballot and the results of the election canvassed in the same manner as provided by
 5.20 law for a proposed state constitutional amendment. As applicable, the questions submitted
 5.21 must be:

5.22 (1) "Should the state flag design approved by the State Symbol Design Commission be
 5.23 adopted as the official flag of the state of Minnesota?

5.24 Yes

5.25 No "; and

5.26 (2) "Should the state seal design approved by the State Symbol Design Commission be
 5.27 adopted as the official Great Seal of the State of Minnesota?

5.28 Yes

5.29 No "

5.30 (b) The secretary of state must provide each county auditor or municipal clerk with
 5.31 sufficient copies of a reproduction of the designs for the state flag and state seal, printed in
 5.32 color, so that examples can be made available for public inspection in each polling place.

5.33 The county auditor or municipal clerk must ensure that these reproductions are placed in a

6.1 conspicuous location in the polling place so that voters may view them prior to casting a
6.2 ballot.

6.3 (c) If the majority of voters voting at the election vote yes on a question, the question
6.4 is approved, and the revisor of statutes is directed to prepare legislation containing necessary
6.5 conforming amendments to statutes to reflect the approved design.

6.6 **EFFECTIVE DATE.** This section is effective January 1, 2025, if a ballot question
6.7 required by this act for the 2024 state general election is not approved.