



**CITY COUNCIL WORK SESSION AGENDA
MONDAY, FEBRUARY 05, 2024**

SPRING LAKE PARK CITY HALL, 1301 81ST AVE NE at 5:30 PM

- 1. CALL TO ORDER**
- 2. DISCUSSION ITEMS**
 - A. SBM Fire Department Updates - Chief Dan Retka
 - B. SBM Fire Board Appointment (*Buchholtz*)
 - C. Discussion of Resolution In Opposition to Redesigning the State Flag and Seal (*Nelson*)
 - D. Review Possible Updates to Schedule of Permitted Uses (*Buchholtz*)
- 3. REPORT**
 - A. Administrator Report
 - B. Council Member Reports
- 4. ADJOURN**

Individuals with disabilities needing auxiliary aid(s) may request assistance by contacting the City Clerk at 1301 81st Avenue NE, Spring Lake Park, MN 55432. Ph.763-784-6491 at least 48 hours in advance.



Memorandum

To: Mayor Nelson and Members of the City Council

From: Daniel R. Buchholtz, MMC, Administrator, Clerk/Treasurer

Date: January 22, 2024

Subject: SBM Fire Board Appointment

The SBM Fire Department bylaws grant me, as City Administrator, the authority to nominate a candidate to represent Spring Lake Park on the SBM Fire Board. I am pleased to announce that I am nominating Spring Lake Park resident Brad Delfs to represent the citizens of the city on this important board.

The SBM Board of Directors is made up of seven directors: 3 from the City of Blaine, 1 from the City of Mounds View, 1 from the City of Spring Lake Park, and 2 active (volunteer) firefighters. The individual representing the city cannot be an official or employee of the City. My nomination will be reviewed by a Nominating Committee and voted on by the Board of Directors. The three year term begins in April 2024.

Brad is a 27+ year resident of Spring Lake Park. He is the IT Director of the Network, Automation and Print Services Team at Optum. He is active in the community, having served on the Park and Recreation Commission, having served six years on the Spring Lake Park City Council, having coached youth softball and youth basketball, volunteering with the Panther Foundation and currently serving on the Spring Lake Park Planning Commission.

Brad's knowledge of the community, the City and the fire department will be a tremendous asset to the SBM Fire Board. I am confident that Brad will perform the fiduciary responsibilities required of Fire Board members with distinction and that he will keep the interests of the City and its residents in mind throughout his 3 year term.

If you have any questions, please don't hesitate to contact me at 763-784-6491.



Memorandum

To: Mayor Nelson and Members of the City Council
From: Daniel R. Buchholtz, MMC, Administrator, Clerk/Treasurer
Date: January 25, 2024
Subject: State Flag/State Seal Discussion

Pursuant to the City Council's direction at its January 16 City Council meeting, staff has prepared the following information for your review:

- A. DRAFT Resolution in Opposition to the Redesign of the State Flag and Seal
- B. *The New Official Flag and Great Seal: Report from the Minnesota State Emblems Redesign Commission to the Minnesota Legislature and Governor* – January 1, 2024
- C. Minority Report: Minnesota State Emblems Redesign Commission – December 29, 2023
- D. State Flag – Office of the Minnesota Secretary of State Steve Simon
- E. *For the Pioneer. The Seal of Minnesota.* By Mrs. Eastman – published 2/20/1850
- F. *The Territorial and State Seals of Minnesota.* <https://www.mnterritorialpioneers.org/the-great-seal-of-mn>.
- G. *Grim's Tales: What is the history of the Minnesota state seal?* Travis G. Grimler. Published January 15, 2024, Duluth News Tribune.
- H. Email from Senator Mary Kunesch, dated January 18, 2024.

If you have any questions or need additional information, please do not hesitate to contact me at 763-784-6491.

CITY OF SPRING LAKE PARK, MINNESOTA

RESOLUTION NO. 2024-XX

RESOLUTION IN OPPOSITION TO THE REDESIGN OF THE STATE FLAG AND SEAL

WHEREAS, the 2023 Legislature created a State Emblems Redesign Commission in the Laws of Minnesota, Chapter 62, Article 2, Section 118; the purpose of which is to redesign the official state flag and state seal; and

WHEREAS, the Redesign Commission was charged with bringing recommendations on the redesign to the Legislature by no later than January 1, 2024; and

WHEREAS, the official seal of the State of Minnesota has remained unchanged since 1858 and the official state flag was created in 1957 with minor modifications done in 1983; and

WHEREAS, the official state flag and seal are not only symbols of our state but also of our history and both the current official state flag and state seal contain historical information on our farming background, Native American heritage and the co-existence that is part of the rich history of our state; and

WHEREAS, there is a substantial public cost associated with making this change that does not advance the public interest; and

WHEREAS, the public reaction to the proposed designs has thus far been overwhelmingly negative.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Spring Lake Park does hereby call upon the Legislature and the Governor to reject the work of the State Emblems Redesign Commission; and

BE IT FURTHER RESOLVED that the Spring Lake Park City Council strongly encourages the Legislature and the Governor to retain the existing state seal and state flag as the official emblems for the State of Minnesota.

The foregoing Resolution was moved for adoption by Councilmember .

Upon Vote being taken thereon, the following voted in favor thereof:

And the following voted against the same:

Whereon the Mayor declared said Resolution duly passed and adopted the 5th day of February 2024.

APPROVED BY:

Robert Nelson, Mayor

ATTEST:

Daniel R. Buchholtz, City Administrator

The New Official Flag and Great Seal

Report of
the Minnesota
State Emblems
Redesign Commission
to the Minnesota
Legislature and Governor

JANUARY 1, 2024

State Emblems Redesign Commission – Selection for the New Official Flag and Great Seal for the State of Minnesota





January 1, 2024

Governor Tim Walz
130 State Capitol
St. Paul, MN 55155

Sen. Bobby Joe Champion
President of the Minnesota Senate
231 State Capitol
St. Paul, MN 55155

Rep. Melissa Hortman
Speaker of the Minnesota House
463 State Office Building
St. Paul, MN 55155

Dear Governor Walz, Lieutenant Governor Flanagan, President Champion, Speaker Hortman, and Members of the Minnesota Legislature,

The Minnesota State Emblems Redesign Commission is honored to present to the people of Minnesota, through their Governor and Legislature, designs for a new state flag and state seal.

Through extensive public input, a design contest that drew over 2,500 entries, and many hours of deliberations by the Commission, together, we have created designs that reflect the spirit of Minnesota — the people, the land and water, and the history of our state.

We are particularly inspired by broad public support for including the North Star on both the flag and the seal. Minnesota has much to be proud of — seeing this powerful, aspirational symbol is a daily reminder of our guiding light, the North Star. It will remind us of how strong we are united and the bright future that we will create together.

We look forward to extensive and proud use of these new emblems for generations to come.

Sincerely,

Luis Fitch, *Chair*
Dr. Kate Beane
Michael Harralson
President Robert Larsen
Philip McKenzie
Aaron Wittnebel

Dr. Anita Gaul, *Vice Chair*
Shelley Buck
Kim Jackson
Denise Mazone
Secretary Steve Simon

Rep. Mike Freiberg
Sen. Mary Kunesh
Lauren Bennett McGinty
Kent Whitworth

13

Voting Commission members

4

Nonvoting
Commission members

236,579

All-time views to the main MNHS SERC page

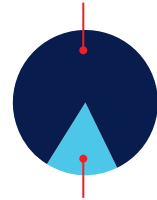
4

In-person meetings

14

Virtual meetings

2,128
Flag redesign
submissions



399
Seal redesign
submissions



1,785
North Star cameos



291
Common loon
cameos



6
Flag redesign
finalists

5
Seal redesign
finalists

8

Point star on the
New Official Flag of
Minnesota

21,882

Total public comments for redesign finalists via main MNHS SERC page

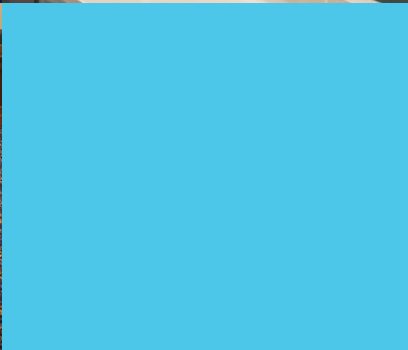
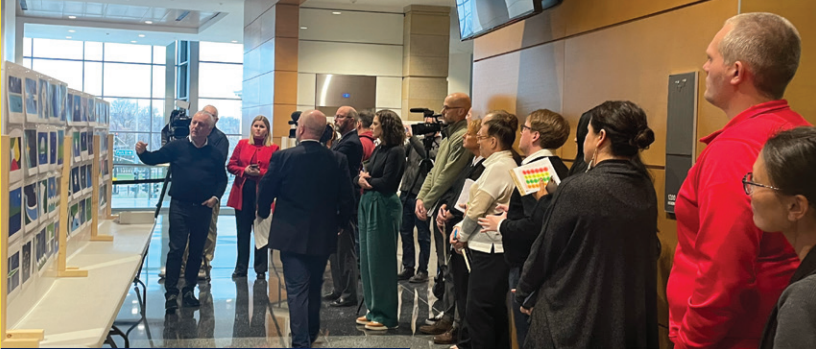
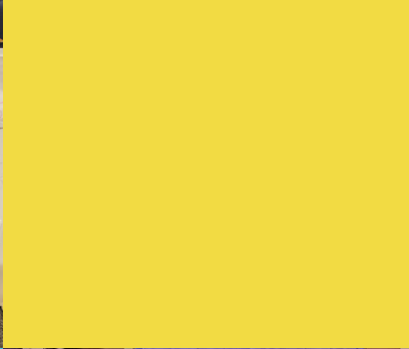
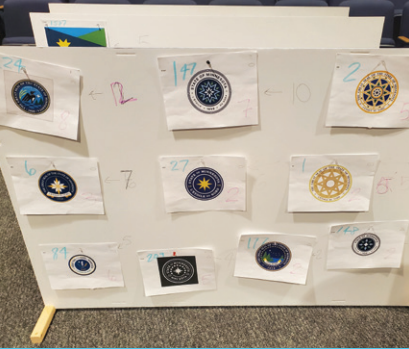
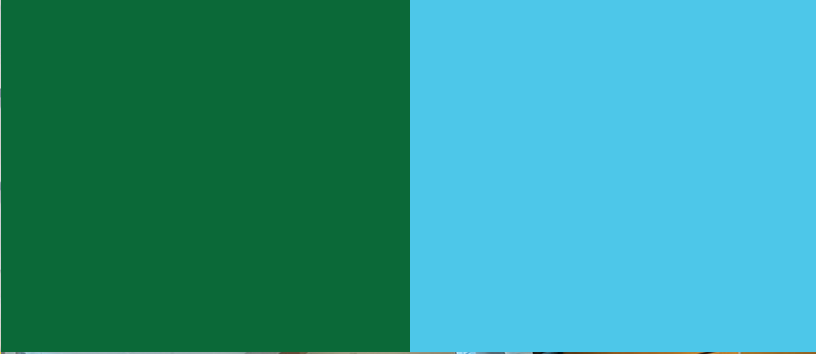


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Background

Created by legislation passed in 2023, the State Emblems Redesign Commission was formed to design a new state flag and state seal. Within a short period of time, the Commission organized itself, created a work plan including an extensive design brief, then turned to public engagement through a design contest and commentary opportunities.

This report will provide a detailed description of the background and activities of the Commission's work, including enabling legislation, the Commission's meetings, public input, and a description of the symbols and elements contained within the new state flag and state seal.

The Commission would like to thank the designers who submitted entries for the new flag and seal, members of the public who submitted comments, and Minnesotans who engaged in discussions around their dinner tables. The Commission was responsible for creating a new flag for Minnesota, informed by more than 2,100 design concepts and, in particular, the designs of Andrew Prekker, who submitted the design concept which inspired Minnesota's new flag and Ross Bruggink, who submitted the design concept which inspired Minnesota's new seal. Together, we have created a new flag and seal that represents *all* Minnesotans and the land and water which give us life.

Legislation

Legislation passed by the 2023 Legislature and signed by the Governor provided for membership of the Commission, guidance on how the Commission would conduct its work, and general instruction on what should be contained in the new state flag and state seal. Additional provisions are noted in the reference at the bottom of this section.

Primary Section of Authorizing Legislation:

Laws of Minnesota, 2023, Chapter 62, Article 2, Section 118.

(additional sections are noted below)

Sec. 118. STATE EMBLEMS REDESIGN COMMISSION.

Subdivision 1. **Establishment.** The State Emblems Redesign Commission is established. The purpose of the commission is to develop and adopt a new design for the official state flag and the official state seal no later than January 1, 2024.

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

- (1) three members of the public, appointed by the governor;
- (2) one member appointed by the Council for Minnesotans of African Heritage;
- (3) one member appointed by the Minnesota Council on Latino Affairs;
- (4) one member appointed by the Council on Asian-Pacific Minnesotans;
- (5) one member representing the Dakota community and one member representing the Ojibwe community, appointed by the executive board of the Indian Affairs Council;
- (6) the secretary of state or the secretary's designee;
- (7) the executive director of the Minnesota Historical Society or the director's designee;
- (8) the chair of the Capitol Area Architectural and Planning Board or the chair's designee;
- (9) the chair of the Minnesota Arts Board or the chair's designee; and
- (10) the executive director of Explore Minnesota Tourism or the director's designee.

(b) The following serve as ex officio, nonvoting members of the commission: (1) two members of the house of representatives, one each appointed by the speaker of the house and the minority leader of the house; and (2) two members of the senate, one representing the majority caucus appointed by the senate majority leader and one representing the minority caucus appointed by the senate minority leader.

(c) Appointments to the commission must be made no later than August 1, 2023. The voting members of the commission shall elect a chair and vice-chair. An appointee designated by the governor shall convene the commission's first meeting. Decisions of the commission must be made by majority vote. The Minnesota Historical Society must provide office space and administrative support to the commission.

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

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

Subd. 5. **Report.** The commission shall certify its adopted designs in a report to the legislature and governor no later than January 1, 2024. The commission's report must describe the symbols and other meanings incorporated in the design.

Subd. 6. **Expiration.** The commission expires upon submission of its report.

Additional Sections of the 2023 legislation related to the state's flag and seal are referenced here and printed in Appendix 1:

Laws of Minnesota, 2023, Chapter 62, Article 2, Sections 1-5; 118; 133, Subdivision 1; and Article 1, Section 24, Subdivision 2 (b)

Members of the State Emblems Redesign Commission

Members of the Commission (voting members) and Appointing Authority

Luis Fitch, <i>Chair</i>	Council on Latino Affairs
Dr. Anita Gaul, <i>Vice Chair</i>	Governor - Member of the Public
Dr. Kate Beane	Capitol Area Architectural and Planning Board (CAAPB)
Shelley Buck	Governor - Member of the Public
Michael Harralson	Governor - Member of the Public
Kim Jackson	Council on Asian Pacific Minnesotans
President Robert Larsen	Minnesota Indian Affairs Council (MIAC) - Dakota Community
Denise Mazone	Council on Minnesotans of African Heritage
Lauren Bennett McGinty	Explore Minnesota
Philip McKenzie	Minnesota State Arts Board
Secretary Steve Simon	Minnesota Secretary of State
Kent Whitworth	Minnesota Historical Society
Aaron Wittnebel	Minnesota Indian Affairs Council (MIAC) - Ojibwe Community

Ex Officio, Nonvoting Members

Senator Steve Drazkowski, Minnesota Senate - Member of the Minority
Representative Mike Freiberg, Minnesota House of Representatives - Member of the Majority
Senator Mary Kunesh, Minnesota Senate - Member of the Majority
Representative Bjorn Olson, Minnesota House of Representatives - Member of the Minority



The Great Seal of the State of Minnesota



Description of the New Seal

The seal of the State of Minnesota is used in a variety of ways. Traditionally, a seal was used to mark official documents of governments. Today, the seal is still used on official documents, including notaries' stamps, as well as stationery of government officials; it is also used in formal settings of government buildings on podiums and walls.

The new state seal is contained within a traditional round design. Elements of the seal, listed from the outside into the center of the circle, are as follows:

The outer circle of the seal contains 98 rectangular golden bars, representing the state's 87 counties and the 11 federally-recognized American Indian Tribes within the border of Minnesota;

Lettering of the seal is in Georgia bold font and states "The Great Seal of the State of Minnesota," and, moving towards the center, then contains a series of blue roundels, which are decorative only;

Symbols and Etymological History of Minnesota. The innermost part of the circle contains several symbols representing the State of Minnesota, including:

- images of **wild rice**, the official state grain of Minnesota;
- the **common loon** (*gavia immer*), the official state bird of Minnesota, including a red eye;
- a white, four-pointed **star** representing the Star of the North, or, "L'étoile du Nord," the state motto;
- the **phrase "Mni Sóta Makoce"** represents the historical roots of the name of our state. It is the Dakota language term for "Land of the sky tinted water" or "Land where the waters reflect the skies." This phrase is the source of the name of our state — Minnesota — and represents both continuity and change, in language over time. The name "Minnesota" was originally given to the Minnesota River, the longest river contained within the state, and became the state's official name upon statehood in 1858. At the time of statehood, alternate spellings of our state's name were used and considered, including "Minesota" and "Minasota," among others. The phrase "Mni Sóta Makoce" is simply the original rendering of our state's name. The phrase is in Montserrat-Variable font.

The Commission’s intent is that this phrase represents the directive in the authorizing legislation which states that “[t]he designs must accurately and respectfully **reflect Minnesota’s shared history...**” The intent of the Commission is that the phrase does not represent one group of Minnesotans, but rather was selected to demonstrate the roots of the name of our state, honoring our past, our “shared history” as called for in the legislation which created the Commission and directed its work;

- **trees** representing the official state tree, Norway Pine, and other natural areas of the state of Minnesota;
- and, a stylized representation of a body of **water**, representing Minnesota’s many lakes, rivers, and abundance of water.

Anatomy and Origins

On December 12 and 19, 2023, the State Emblems Redesign Commission voted to adopt design modifications to the official Great Seal of the State of Minnesota.

- A. **Outer circle** of the seal contains 98 rectangular yellow golden bars, representing the state’s 87 counties and the 11 federally-recognized American Indian Tribes within the border of Minnesota;
- B. **“Mni Sóta Makoce”** the Dakota language term for “Land of the sky tinted water” or “Land where the waters reflect the skies.” The phrase is in Montserrat-Variable font;
- C. **White four-pointed star** representing the Star of the North, or, “L’étoile du Nord,” the state motto;
- D. **Norway Pine** representing the official state tree;
- E. **Stylized water** representing Minnesota’s many lakes, rivers, and abundance of water;
- F. **Common loon** representing the official state bird of Minnesota;
- G. **Wild rice** representing the official state grain of Minnesota;
- H. **Lettering** of the seal is in Georgia bold font and states, “The Great Seal of the State of Minnesota.”

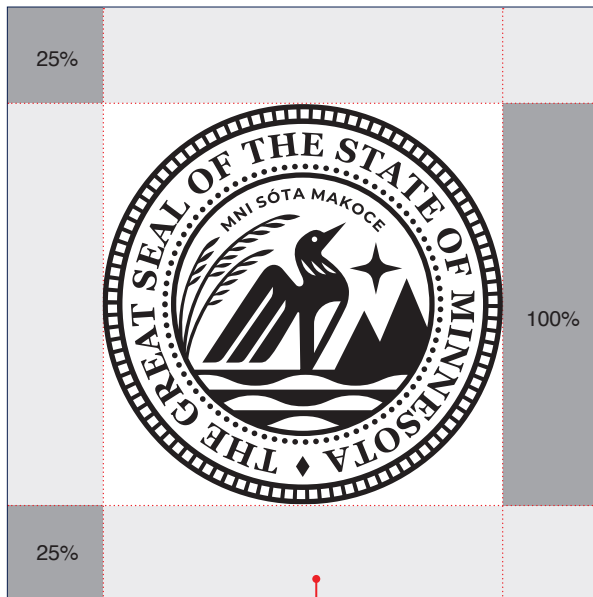


Technical Specifications

To maintain the integrity of the seal, the minimum diameter size should be 1 inch for print or 116 pixels for digital applications.

The clearspace for the seal should always be a minimum of 25% of the overall height (see below diagram).

The color version of the seal uses six colors. (see below details)



Clearspace



Digital Applications:
116 px



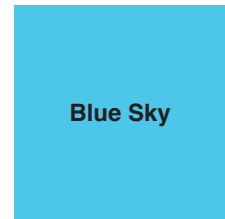
Printed Applications:
1 inch

Printed and Digital Color Applications



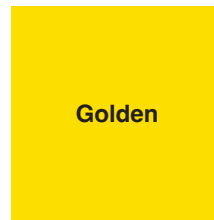
Blue Water

Pantone 648
C: 100 M: 86 Y: 35 K: 31
R: 0 G: 44 B: 90
Hex Code: #002C5A



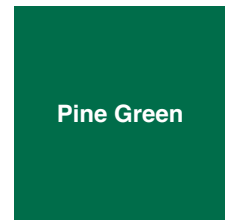
Blue Sky

Pantone 305
C: 59 M: 0 Y: 6 K: 0
R: 115 G: 198 B: 229
Hex Code: #73C6E5



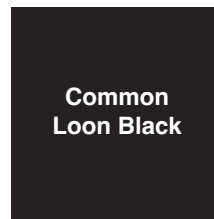
Golden

Pantone 7405
C: 0 M: 8 Y: 100 K: 1
R: 242 G: 206 B: 0
Hex Code: #F2CE00



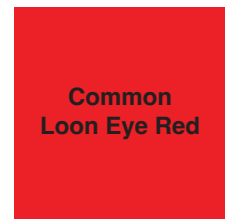
Pine Green

Pantone 7728
C: 94 M: 3 Y: 78 K: 44
R: 0 G: 104 B: 71
Hex Code: #006847



Common Loon Black

Pantone Process Black
C: 1 M: 1 Y: 0 K: 99
R: 44 G: 42 B: 41
Hex Code: #2C2A29



Common Loon Eye Red

Pantone 185
C: 0 M: 100 Y: 89 K: 0
R: 228 G: 0 B: 50
Hex Code: #E40032



The New Minnesota Flag



Obverse



Reverse



Greyscale



Folded



With flag spreader



Vertical

Description of the New Flag

The new Minnesota flag is simple, yet rich with meaning for all Minnesotans.

On its left side, the flag contains a dark blue background with a white, 8 point star. One of the points of the star points north. The dark background is in the shape of the outline of the State of Minnesota. The remainder of the flag is a solid, bright blue.

The star represents the North Star, or “L'étoile du Nord,” Minnesota’s state motto. As the northernmost state in the Continental United States, Minnesota aspires to serve as an inspiration not only for its citizens, but also the rest of the nation. The point of the star faces north, inspiring Minnesotans to follow the North Star to a better future.

The dark blue field represents the night sky, where Minnesotans from all cultures look and imagine a larger universe, while working to create a better North Star State. The dark blue field also represents the shape of the State of Minnesota, representing the land on which we all live, together.

The bright blue field on the right side of the flag **represents water**: Minnesota is the land of 10,000 lakes (actually 11,842!), 6,564 rivers and streams, including the source or Headwaters of the world-famous Mississippi River, and part of Lake Superior, the start of the Great Lakes Basin. Water is life-sustaining for all Minnesotans. It represents life, leisure, and commerce.

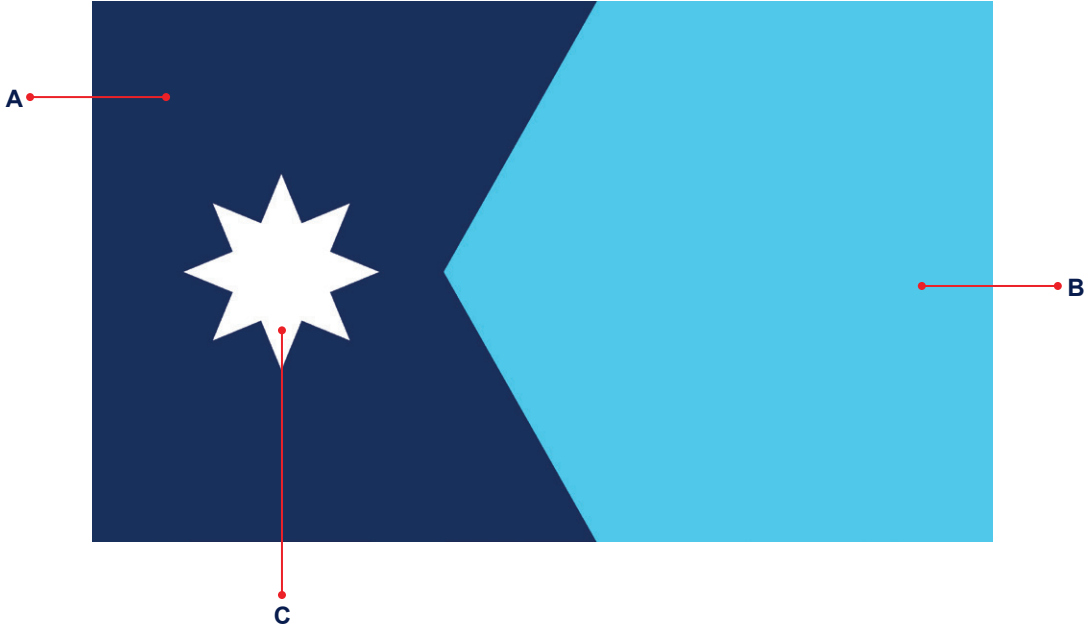
As an 8 point star, the star also represents **many cultures** over time and across the globe. More recently, the 8 point star has been used extensively in quilting by both Indigenous people and some new immigrants.

The 8 point star also evokes the image of one of the most prominent features of the **Minnesota State Capitol**. The floor of the Rotunda features inlaid African marble with a brass outline of the 8 point star as designed by Cass Gilbert. As one walks on either the first floor or the second floor of the Capitol building, one may notice the illusion of the letter M, which is made by the outline of sections of the 8 point star. The orientation of the star in the new Official Flag of Minnesota matches the orientation of the 8 point star of the Capitol Rotunda — both point to the North.

Anatomy and Origins

The Official Flag of the State of Minnesota was adopted on December 19, 2023.

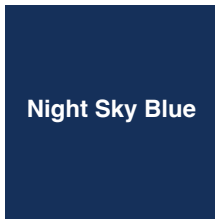
- A. **The dark blue field** representing the night sky and the shape of the state of Minnesota;
- B. **The bright blue field** representing abundance of water: Minnesota is the land of 10,000 lakes (actually 11,842!), 6,564 rivers and streams;
- C. **The 8 point star** representing the North Star, or “L’étoile du Nord,” Minnesota’s state motto.



Construction Sheet



Fabric:
Legion
Blue
or
Legion
Blue*



Night Sky Blue

Pantone 648
C: 100 M: 86 Y: 35 K: 31
R: 0 G: 44 B: 90
Hex Code: #002C5A



Fabric:
White



White

Pantone White
C: 0 M: 0 Y: 0 K: 0
R: 255 G: 255 B: 255
Hex Code: #FFFFFF



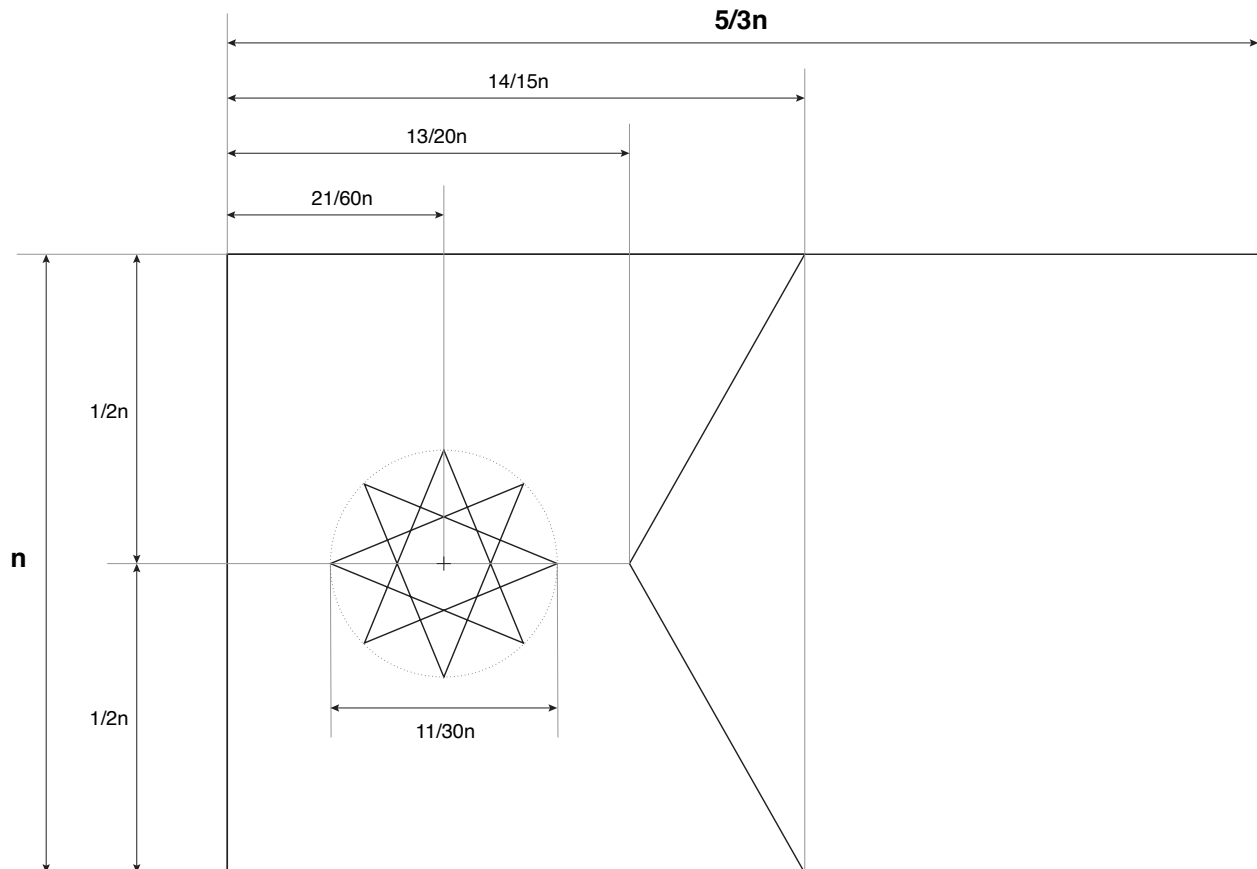
Fabric:
Bluebird
or
Process
Blue*



Water Blue

Pantone 305
C: 59 M: 0 Y: 6 K: 0
R: 115 G: 198 B: 229
Hex Code: #73C6E5

**Swatch selection subject to
change based on physical
samples and fabric variation*



The star is a regular octagram with the Schläfli symbol $\{8/3\}$.
It is constructed from 8 vertices arranged equally around a circle.
Each vertex is connected to the vertex that is 3 turns away.



Public Meetings and Engagement Summary

State Emblems Redesign Commission – Public Meetings, Public Engagement, and Participation

Despite having a relatively brief amount of time to plan and carry out its work, the [State Emblems Redesign Commission \(SERC\)](#) conducted an active schedule of meetings, each of which was public. A summary of meeting dates and actions follows:

The State Emblems Redesign Commission (SERC) met on the following dates:

Video recordings of Commission meetings can be accessed at the [SERC web page](#).

Tuesday, September 5, 2023 (virtual)

Tuesday, September 12, 2023 (virtual)

Wednesday, September 20, 2023 (virtual)

Tuesday, September 26, 2023 (virtual)

Tuesday, October 3, 2023 (virtual) part 1

Tuesday, October 3, 2023 (virtual) part 2

Tuesday, October 10, 2023 (virtual)

Tuesday, October 17, 2023 (virtual)

Tuesday, October 24, 2023 (virtual)

Tuesday, October 31, 2023 (virtual) part 1

Tuesday, October 31, 2023 (virtual) part 2

Tuesday, November 7, 2023 (virtual)

Tuesday, November 14, 2023 (virtual)

Tuesday, November 21, 2023 (hybrid–Room 1200 in the Minnesota Senate Building, 95 University Ave W, St. Paul, MN 55155)

Tuesday, November 28, 2023 (virtual)

Tuesday, December 5, 2023 (virtual)

Tuesday, December 12, 2023 (hybrid—Room 1200 in the Minnesota Senate Building, 95 University Ave W, St. Paul, MN 55155)

Friday, December 15, 2023 (hybrid—Room 1200 in the Minnesota Senate Building, 95 University Ave W, St. Paul, MN 55155)

Tuesday, December 19, 2023 (hybrid—Room 123 in the Minnesota State Capitol, 75 Rev. Dr. Martin Luther King, Jr. Blvd, St. Paul, MN 55155)

Wednesday, December 27, 2023 (virtual)

Meeting notices and agendas were posted on the SERC website in advance of meetings. All meetings were open to the public. A Zoom link was provided and publicized on the SERC website, as was the time and location of hybrid meetings. All meetings were recorded and made available online for public viewing, as were notes summarizing each meeting.

The State Emblems Redesign Commission (Commission) held its first meeting on Tuesday, September 5, 2023. At this inaugural meeting of the Commission, members learned about the Commission’s responsibilities, met one another, and elected Luis Fitch as Chair and Dr. Anita Gaul as Vice Chair.

At the meeting held September 12, Dr. Bill Convery of the Minnesota Historical Society gave a brief presentation on the history of Minnesota’s current flag and seal. Commissioners reviewed drafts of a proposed timeline for adopting a new flag and seal, as well as drafts of the creative briefs for the flag and seal.

The timeline and creative brief were approved by the Commission at the meeting held on September 19. The Commission discussed draft rules for public submission of flag and seal designs at the September 19 meeting.

These rules were approved by a vote of the Commission members at the September 26 meeting. Commissioners discussed methods and best practices for sorting through the design submissions in order to determine finalists at its October meetings. A timeline for the design selection process was also determined.

Ted Kaye of the North American Vexillological Society (NAVA) gave a presentation on the principles of “good flag design” to the Commission at its meeting on October 31. Commissioners heard expert testimony on the principles of good seal design from Dr. Jonathon Good at its meeting on November 14.

In preparation for the Commission's first in-person meeting, members selected up to 25 designs each for the flag and seal to move onto the next round. Those designs were printed for the meeting so that Commission members would have an opportunity to see what each of the designs looked like in a format other than a small image on a computer screen.

On November 21, the Commission held its first hybrid (in-person and virtual) meeting. Commissioners heard testimony from Lee Herold, Rochester, MN on good flag design. Commissioners then narrowed down the pool of over 2,500 submitted seal and flag designs to five finalists for the seal design and six finalists for the flag design.

Commissioners heard public testimony regarding the flag and seal finalists at its December 5 virtual meeting. The final design for the new state seal was also chosen by commissioners at this meeting.

At the hybrid meeting held December 12, Commissioners voted on modifications to the seal design. Commissioners then winnowed the pool of flag designs from six to three.

For the December 12th meeting, the Commission invited designers of the finalists (or their designees) for flag design concepts to present their inspiration and rationale for their designs.

At the subsequent hybrid meeting held December 15, Commissioners selected the final flag design concept. Modifications to the final flag design—as well as additional modifications to the seal design—were discussed and adopted at the Commission's hybrid meeting of December 19. Also at this meeting, Commission members approved a motion to send records of its work to Minnesota State Archives for use by future researchers and historians.

At the final meeting of the State Emblems Redesign Commission on December 27, a draft of the Commission's final report was discussed and approved. Commissioners also finalized color specifications for both the flag and seal.

Public Engagement and Participation

Authorizing legislation for flag and seal redesign (Laws of Minnesota, 2023, Chapter 62, Article 2, Section 118, Subd. 4) states: “The Commission must also solicit public feedback and suggestions to inform its work.” The Commission took this charge seriously and incorporated participation into its work.

The Commission solicited public feedback and suggestions at every stage of the redesign process, utilizing all forms of media outlets. An official State Emblems Redesign Commission website was created and administered by the Minnesota Historical Society. The main SERC website page received over 236,000 hits throughout the redesign process, a testament to a high level of public interest and engagement.

Throughout the state flag and seal redesign process, the Commission conducted its work in a transparent manner. Meeting notices and agendas were posted on the SERC website. All meetings were open to the public. A Zoom link was provided and publicized on the SERC website, as was the time and location of hybrid meetings. All meetings were recorded and made available online for public viewing, as were the notes summarizing actions taken at each meeting.

The Minnesota Historical Society Communications team sent periodic press releases and distributed a weekly newsletter to those who subscribed to the newsletter distribution list. Media outlets of all forms—digital, print, television, and radio—published the information distributed in the press releases. Media outlets around the state and the entire nation closely followed the redesign process, resulting in over 1,000 media mentions.

The six finalist flag designs were printed as full-size fabric flags and hung for display at the Mall of America in Bloomington, Minnesota, on the weekend of December 9-10, 2023, for mall shoppers to view and comment on. This display drew extensive media coverage, resulting in greater attention for the Commission’s work. A set of the six finalist flag designs was also displayed at the Becker County Museum for public review and comment.

A public submission form for seal and flag designs was launched by the Minnesota Historical Society on October 2, 2023. This resulted in 2,128 flag design submissions and 399 seal design

submissions by the October 30, 2023 deadline.

All submissions were compiled and released for public viewing and comment on the SERC website on November 7, 2023. This resulted in 5,000 comments left for Commission members' consideration. Once the Commission determined the five seal and six flag finalist designs, public comment was again solicited and received through the SERC website. Public comment was subsequently received through the SERC website after the Commission reduced the six flag finalists to three finalists at its December 12 meeting, and again after the Commission selected the final design at its December 15 meeting.

The continuous solicitation of public feedback and suggestions resulted in over 21,882 public comments submitted on the SERC website. Public testimony was also heard by Commissioners at their virtual meeting of December 5, 2023.

The Commission also received public comment from experts to guide them in decision making and the selection process. Dr. Bill Convery of the Minnesota Historical Society informed Commission members of the history of the current flag and seal. Ted Kaye of the North American Vexillological Association, author of the "Good Flag, Bad Flag" guidebook on best practices for flag design, presented information on principles of good flag design. Commissioners heard expert testimony on the principles of good seal design from Dr. Jonathon Good. Graphic designers Tyler and Janae Michaletz presented modification options for the finalist flag designs at meetings held on December 15 and December 19.

In summary, the Commission clearly fulfilled its legislative mandate to "solicit public feedback and suggestions to inform its work." Its work was transparent and open to the public at every step of the process. Public feedback and suggestions were continuously sought, resulting in broad media coverage and tens of thousands of comments received. Public testimony from members of the general public and experts was received and considered. The people of Minnesota were informed, heard, and consulted throughout the entire state flag and seal redesign process.



Acknowledgements and Appendix 1

Acknowledgements

The State Emblems Redesign Commission gratefully acknowledges:

Minnesota citizens and others who submitted design concepts, which have informed the Commission in their work to create a new state flag and state seal;

Minnesota citizens and others who shared their comments and observations on flag and seal concepts and designs. Together, we have created a new flag and seal for all Minnesotans;

Flag Design Experts: Ted Kaye, Brian Cham, and the North American Vexillological Association (NAVA), who provided their expertise in best practices in flag design pro bono to the Commission;

Lee Herold (who provided testimony to the Commission) and Reverend William Becker, who both have helped Minnesotans better understand the importance of good flag design and have advocated for an improved flag for all Minnesotans;

David Wicai and Sarina Ehrgott from the Utah Department of Cultural and Community Engagement, who shared their experience with Utah's adoption of a new flag;

Jenae and Tyler Michaletz who served as the Commission's design consultants pro bono providing revision and refinement services;

Jennifer Huang and Cameron Miller with Fish & Richardson, P.C. a Minnesota-based global intellectual property law firm for serving as pro bono counsel to the Commission;

Dr. Jonathan Good, Heraldic Fellow with the Royal Society of Canada and Mr. Bruce Patterson, Deputy Chief Herald for the Canadian Heraldic Authority for providing pro bono expert testimony and opinions on the Great Seal and the differences between it and a Coat-of-Arms or Crest to the Commission;

The Commission is very thankful to each individual, group, and agency, who supplied professional expertise, technical support, logistics, and other assistance pro bono so that we were able to complete our work on time and within the confines of our limited budget.

ACKNOWLEDGEMENTS (CONTINUED)

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Adam Sorenson from the Minnesota Attorney General's Office, who provided assistance with the Commission's work.

The Minnesota Senate, who provided the Commission with meeting space in the Minnesota Senate Building and the Minnesota State Capitol. We appreciate the efforts of Sven Lindquist, Senate Sergeant at Arms, and Jack Standish, Assistant Electronics Technician, Senate Sergeants Office.

Staff from the Minnesota Historical Society, who have contributed support for the Commission's operations. You have made meetings run smoothly, made design concepts accessible to the public, helped to facilitate public participation, assisted with media inquiries and much more. We appreciate the work of: Brett Baldwin, Jack Barrett, Dr. Bill Convery, Lindsey Dyer, Olivia Gentilcore, Jaired Johnson, Nick Jungheim, Brian Juntti, David Kelliher, Sue Leas, Cecily Marcus, Ann Oldenkamp, Allison Ortiz, Brenda Raney, and others who have supported this effort.

Appendix 1

Legislation passed by the 2023 Legislature and signed by the Governor provided for membership of the Commission, guidance on how the Commission would conduct its work, and general guidance on what should be contained in the new state flag and state seal. Additional provisions are noted in this Appendix.

Laws of Minnesota, 2023, Chapter 62, Article 2, Section 118.
(additional sections are noted below)

Laws of Minnesota, 2023, Chapter 62, Article 2, Sections 1-5; 118; 133,
Subdivision 1; and Article 1, Section 24, Subdivision 2 (b)

Section 1. Minnesota Statutes 2022, section 1.135, subdivision 2, is amended to read:

Subd. 2. **Official seal.** The seal described in subdivision 3 3a 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.

EFFECTIVE DATE. This section is effective May 11, 2024.

Sec. 2. Minnesota Statutes 2022, section 1.135, is amended by adding a subdivision to read:

Subd. 3a. **Official seal; May 11, 2024, and thereafter.** The Great Seal of the State of Minnesota is the design as certified in the report of the State Emblems Redesign Commission, as established by this act.

EFFECTIVE DATE. This section is effective May 11, 2024.

Sec. 3. Minnesota Statutes 2022, section 1.135, subdivision 4, is amended to read:

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 does not prohibit the enlargement, proportioned reduction, or embossment of the seal for its use in unofficial acts.

EFFECTIVE DATE. This section is effective May 11, 2024.

Sec. 4. Minnesota Statutes 2022, section 1.135, subdivision 6, is amended to read:

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 in effect prior to May 11, 2024, or any impression, scene, or likeness of that seal is currently affixed may be used until the supply is exhausted or until January 1, 2025, whichever occurs first. 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.

EFFECTIVE DATE. This section is effective May 11, 2024.

Sec. 5. Minnesota Statutes 2022, section 1.141, subdivision 1, is amended to read:

Subdivision 1. **Adoption.** The design of the state flag ~~proposed by the Legislative Interim Commission acting under Laws 1955, chapter 632~~, as certified in the report of the State Emblems Redesign Commission, as established by this act, is adopted as the official state flag.

Sec. 118. STATE EMBLEMS REDESIGN COMMISSION.

Subdivision 1. **Establishment.** The State Emblems Redesign Commission is established. The purpose of the commission is to develop and adopt a new design for the official state flag and the official state seal no later than January 1, 2024.

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

- (1) three members of the public, appointed by the governor;
- (2) one member appointed by the Council for Minnesotans of African Heritage;
- (3) one member appointed by the Minnesota Council on Latino Affairs;
- (4) one member appointed by the Council on Asian-Pacific Minnesotans;
- (5) one member representing the Dakota community and one member representing the Ojibwe community, appointed by the executive board of the Indian Affairs Council;
- (6) the secretary of state or the secretary's designee;
- (7) the executive director of the Minnesota Historical Society or the director's designee;
- (8) the chair of the Capitol Area Architectural and Planning Board or the chair's designee;

(9) the chair of the Minnesota Arts Board or the chair’s designee; and

(10) the executive director of Explore Minnesota Tourism or the director’s designee.

(b) The following serve as ex officio, nonvoting members of the commission: (1) two members of the house of representatives, one each appointed by the speaker of the house and the minority leader of the house; and (2) two members of the senate, one representing the majority caucus appointed by the senate majority leader and one representing the minority caucus appointed by the senate minority leader.

(c) Appointments to the commission must be made no later than August 1, 2023. The voting members of the commission shall elect a chair and vice-chair. An appointee designated by the governor shall convene the commission’s first meeting. Decisions of the commission must be made by majority vote. The Minnesota Historical Society must provide office space and administrative support to the commission.

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

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

Subd. 5. Report. The commission shall certify its adopted designs in a report to the legislature and governor no later than January 1, 2024. The commission’s report must describe the symbols and other meanings incorporated in the design.

Subd. 6. Expiration. The commission expires upon submission of its report.

Sec. 133. REPEALER.

Subdivision 1. State emblems redesign. Minnesota Statutes 2022, sections 1.135, subdivisions 3 and 5; and 1.141, subdivisions 3, 4, and 6, are repealed, effective May 11, 2024.

Note:

Repealed Sections of 1.135 can be found at: <https://www.revisor.mn.gov/statutes/cite/1.135>

Repealed Sections of 1.141 can be found at: <https://www.revisor.mn.gov/statutes/cite/1.141>

Appropriation to the Minnesota Historical Society:
Laws of MN, 2023, Chapter 62, Article 1, Section 24, Subdivision 2(b)

Subd. 2 (b) \$35,000 the first year is to support the work of the State Emblems Redesign Commission established under article 2, section 118.

MINNESOTA STATE EMBLEMS REDESIGN COMMISSION

Minority Report

Senator Steve Drazkowski District 20, Mazeppa, Commissioner, ex officio

Representative Bjorn Olson District 22A, Fairmont, Commissioner, ex officio

Aaron Wittnebel, Commissioner for the Ojibwe Community

December 29, 2023

Introduction

In 2023, the Minnesota Legislature passed a provision in the State Government Finance Omnibus Bill, Chapter 62, which created a commission to redesign the state's official seal and flag. The members were appointed, and the commission chose a final seal design on December 12 and a final flag design on December 19, 2023. The Report was finalized on December 27, and we expect it to be certified by January 1, 2024. If the legislature takes no action to change the emblems or the effective date, they will go into effect as the official flag and seal on May 11, 2024.

We three members of the commission, would like to point out defects in the process and outcome of the commission's work that led us to reject the flag and seal proposed by the commission or portions thereof as indicated.

This is in no way to disparage the extraordinary efforts of the staff of the Minnesota Historical Society (MNHS) or other members of the commission personally. We believe they were handed a challenging task without the proper resources, including time. We believe that the legislature delegated tasks and responsibilities to them that they should have taken upon themselves. Nor does this report mean to disparage the designers of the 2128 Flag submissions and 399 Seal Submissions received by the commission. Many of these showed great creativity, thought, and effort, for which we are grateful.

A tight timeline

The law went into effect on July 1, 2023. The appointment of the members was to be made no later than August 1. Secretary of State Steve Simon was a named member of the Commission and chose not to send a designee. The Arts Board and Explore Minnesota sent designees. The Historical Society was tasked with staffing the committee and had a designated representative, the Executive Director, which gave them quite a lot of influence over the process. The legislature made appointments during the summer months before the deadline; Senator Mary Kunesch and Rep. Mike Freiberg were the authors of the bill to create the commission and redesign the flag and seal. Rep. Bjorn Olson and Senator Steve Drazkowski were appointed by the minority leaders of their respective bodies. The legislators served as ex officio members who could not vote or make motions but frequently spoke during meetings.

Member	Appointment made by	Effective Date of Appointment
Michael Haralson	Governor Walz	August 2, 2023 ¹
Shelley Buck *	Governor Walz	August 2, 2023
Anita Gaul	Governor Walz	August 2, 2023
Luis Fitch	MN Council on Latino Affairs	August 2, 2023
Dr. Kate Beane*	Capitol Area Architectural and Planning Board Chair (Lt. Governor Peggy Flannagan)	August 28, 2023 ²
Robert Larsen	MN Indian Affairs Council (Dakota member)	No date is mentioned regarding his appointment His application date on the Secretary of State's website is September 6, 2023. ³

¹ All the Governor's Appointments for the Commission were announced on the same day, July 28, 2023. effective August 2, 2023.

<https://mn.gov/governor/appointments/boardscommissions/boardsnews.jsp#/detail/appld/1/id/586053>

² Secretary of State's Website. Accessed December 22, 2023.

<https://commissionsandappointments.sos.state.mn.us/Agency/328/Member/Details/36811>

³ Secretary of State's website. Accessed December 22, 2023.

<https://commissionsandappointments.sos.state.mn.us/Agency/328/Member/Details/37684>

Aaron Wittnebel	MN Indian Affairs Council (Dakota member)	July 19, 2023 ⁴
Kim Jackson	MN Council on Asian and Pacific Island Affairs	August 1, 2023
Denise Mazone	Council for Minnesotans of African Heritage	August 1, 2023

*It is worth noting that Shelley Buck and Dr. Kate Beane were also applicants for the position of Dakota representative from MIAC according to the Secretary of State's Website. Instead, they were chosen, respectively, by the Governor as one of his 3 "public" representatives and by the Lt. Governor in her capacity as Chair of the Capitol Area Architectural and Planning Board. Dr. Beane is a commissioner on the Capitol Board.

As seen from this table, a couple of the appointees were appointed after the deadline.

Defects in the Commission Law

The language creating the commission and how the result was supposed to be enacted is contained in Sections 5 and 118 of Chapter 62, Article 2 of Laws 2023. As passed into law, the provisions were contained in HF 1830, the State Government Finance Omnibus Bill of 2023.

In Chapter 62, Section 118, the members were specified as representing various offices and agencies. There was also legislative representation and public member representation. In effect, this gave an outsized role to the Walz-Flannagan administration in determining who the commissioners would be. Making the legislators ex-officio members gave them a much smaller role. If you count Secretary Simon as part of the Executive Branch, despite his obvious tie to the state seal, the whole Commission looks directed from the Executive branch.

As much as we appreciate the work of MNHS in making this Commission function, the Legislative Coordinating Commission would have been a better place to situate this commission or at least provide MNHS with the technical resources they needed. The LCC is experienced in making commission work

⁴ Secretary of State's Website. Accessed December 22, 2023.
<https://commissionsandappointments.sos.state.mn.us/Agency/328/Member/Details/3315>

open to the public. The meetings would have been advertised through the joint legislative schedules and promoted through the legislature's YouTube channels. Instead, MNHS had to build a standalone website with an obscure address and ask the public to log in to Zoom or unlisted YouTube links, which, judging from some of the complaints received, only sometimes worked, or were confusing for some to navigate.

Defects in the Process of Public Engagement and Transparency

Public Comments

Authorizing legislation for flag and seal redesign (Laws of Minnesota, 2023, Chapter 62, Article 2, Section 118, Subd. 4) states: “The commission must also solicit public feedback and suggestions to inform its work.”

The Commission Report has a section on Public Comments. They cited the steps taken to fulfill the direction to solicit public input adequately. We must qualify some of these points as follows:

(1) Outreach to formal media in the state by press release, Engagement by the commission staff, and chair with interviews upon request.

The MNHS communications team used familiar channels to promote the flag submission and comment process to their other statewide activities. However, given the shrinking number of media outlets in greater Minnesota, it's likely that coverage was better in the Twin Cities metro. Having remote, out-of-state media contact the commission is interesting but not what the legislature envisioned for public input for the commission's work.

The media mentions, which numbered about 1000 according to the report, are impressive; however, one thing must be noted—the commission did not bother to review the content. They were only interested in promotion. Some media outlets also solicited opinions from the public, such as in this *Star Tribune* article published on December 10, 2023.⁵ The story detailed the display of the six flag finalists at the Mall of America and contained critiques of the flags by random individuals. When the story was brought to their attention by Senator Drazkowski at the December 12 meeting, the

⁵ <https://www.startribune.com/minnesota-state-flag-finalists-mall-of-america-display/600325833/>

Commission was dismissive of it, and Senator Mary Kunesh remarked that the comments were from out-of-state tourists. The story contained the name and town of everyone quoted, and all were from Minnesota. This was typical of the attitude the commission displayed toward critical comments by the public.

- (2) **An official State Emblems Redesign Commission website.** Meeting notices and agendas were posted on the SERC website. All meetings were open to the public. A Zoom link was provided and publicized on the SERC website, as was the time and location of hybrid meetings. All meetings, as were the notes summarizing actions taken at each meeting, were recorded and made available online for public viewing.

As stated earlier, the stand-alone website with an opaque web address was difficult for those not “in the know” to find, even if you went to the Minnesota Historical Society website. Even legislative staffers who were fielding questions about the Commission that was created by law couldn’t find it. This also led to public confusion about online polls vs. the official comment process. For example, FairVote.org conducted an online poll based on rank-choice voting. Some members of the public thought it was an official vote, judging from comments received by legislators. We believe that having the broadcasting and media support from the legislature and its joint agency, the LCC, would have made a substantial difference in eliminating the confusion. (See the “Defects in the Construction of the Commission” section above on the issues regarding the Zoom meetings).. There was a strong marketing communications approach to the SERC Commission process, which may work for MNHS and Explore Minnesota’s agency missions when what was needed for this Commission was more of a public transparency approach.

- (3) **The Minnesota Historical Society Communications team distributed a weekly newsletter to those who subscribed to the newsletter distribution list.**

Getting on the list required scrolling down to the bottom of the long front page on the SERC site. Most of the people on this list were likely reporters and a dedicated group who followed the commission closely because they had submitted a design, were flag hobbyists, or

for some other reason. In other words, this was a highly self-selected group. This is an important fact to remember because only individuals who read this email newsletter would be notified in time to get on the list for the small amount of time set aside for public testimony.

(4) The six finalist flag designs were printed as full-size fabric flags and hung for display at the Mall of America in Bloomington, Minnesota, on the weekend of December 9-10, 2023, for mall shoppers to view and comment on. A set of the six finalist flag designs was also displayed at the Becker Historical Museum for public review and comment.

Making the flags available for public display was an excellent idea, but why only two locations?

Early in the meetings of the Commission, there was some discussion about outreach to Greater Minnesota, including sending final versions of the flag to each congressional district to solicit input around the state.

According to Commissioner Wittnebel:

“The flags were displayed in Becker due to me finding out from a reporter about the Mall of America display. It was not approved by the Commission, yet it was paid for out of the Commission’s budget to let Explore Minnesota put them on display. The original, tentative plan was to order the final flag so that one could be on public display in each Congressional District for feedback and comment. Upon being confronted, staff sent me a set, which turned out to be a spare for the MOA display to put up somewhere in the 7th Congressional District, which took place at the Becker County Museum. I found out afterward that they were a spare set and that no others had been ordered or would be displayed in other districts.”

As discussed earlier and as was the normal practice, the response by the commission to the ensuing public feedback was to ignore it.

(5) A public submission form for seal and flag designs was launched by the Minnesota Historical Society on October 2, 2023. This resulted in 2,128 flag and 399 seal design submissions by the October 30, 2023 deadline.

This is less than 30 days to inform the public of the seal and flag competition and have designers submit their designs. Although there was preliminary promotional activity before the competition opened around the formation of the commission, the website submission promotional process fit into this shorter period and favored people who were already following it.

(6) The continuous solicitation of public feedback and suggestions resulted in over 21 thousand public comments submitted on the SERC website. Commissioners also heard public testimony at their virtual meeting on December 5, 2023.

It was clear from the beginning that the constrained timeline demanded an extraordinary effort by the MNHS staff to create the website and the back end for collecting public comments. Comments made by MNHS Executive Director David Kelliher in the initial virtual meetings show he was concerned about getting a comments collection mechanism working in time.

Once comments began to come in, they were delivered to the individual commissioners as spreadsheets with thousands upon thousands of comments, in batches contemporaneous to the opening and closing of the submissions period, the choosing of the six flag finalists, five seal finalists, and just before the final revisions made to F1953. The comments were not made available for the public to see. There needed to be an attempt at addressing the comments consistently or summarizing the overwhelming number of comments. Commissioners were left to do that on their own, or they could assign staff to that task as government appointees or elected officials. There was no attempt to provide guidance on how to process these comments. A couple of issues were raised through public comments toward the end of the process. Still, these were simple refinements, like whether the Minnesota State shape would be symmetrical or asymmetrical.

The elected officials on the commission did receive public comments or had public comments directed to them. At least in the case of the two members signed on this report, they were responded to directly by legislative staff as direct communications are in the usual way. The commissioners' email addresses were not made public and were only shared through the commission process emails sent by MNHS and in reply all messages. Some commissioners mentioned receiving emails directly from the public, perhaps through their other public roles or the groups they represented.

Public Testimony

Thirty-four people signed up to testify. 2 were from England, and several mentioned they were vexillology group members. Several were there to advocate for their own flag designs. It was an extremely closed process. The only people informed about this opportunity were those who signed up for email updates on the Historical Society's website. One person contacted one of the legislator's offices and complained that as soon as she got the email, she contacted the Historical Society and was told the list was already full. If a legislative committee tried to limit testimony in this way, there would be an outcry and some attempt at making more time available to testifiers.

(7) The Commission also received public comment from experts to guide them in the selection process and decision-making.

Members did hear from the experts at almost every meeting. Entire meetings were set aside to hear from experts, designers, and historians from across the country and even other countries about what a "good" flag should look like. It's important to note the difference between design expert testimony and public testimony. The Commission Law makes this distinction by describing them in separate sentences:

"The commission may solicit and secure the voluntary service and aid of vexillologists and other persons who have either technical or artistic skill in flag construction and design, or the design of official seals, to assist in the work. The commission must also solicit public feedback and suggestions to inform its work... "

Attention must also be paid to the use of the words "may" and "must." The Commission may secure voluntary expertise. But the commission "must" solicit public input. We think that the commission reversed the importance of these tasks.

At the 12/2 meeting to select the three flag finalists, the designers were brought in to present their designs. This took up fully half of that critical meeting, the Commission listening to what the designers thought their designs meant. Commissioner Aaron Wittnebel noted that we should have been

hearing from Minnesotans what they think about the flag designs. These weren't the designers' flags anymore; they belonged to the people of Minnesota. We agree.

Two designs popular with the public get short shrift

One of the most popular flag designs from the first round of comments was submission F29, titled by its designer as “starflake.” It was clear from the sheer volume of comments that this was the most consistently popular design. Secretary Simon acknowledged this fact by asking for it to be included in the final round of designs (adding a 6th selection to the final round). Another significantly popular design idea that the Commission did not consider was putting the most popular state seal selection, S224, on a dark blue background and using that as the state flag. This outside-the-box suggestion was made by many people in the comments solicited by the Commission on the website, on social media, and Reddit.

The chair of the Commission, Luis Fitch, urged members of the commission to send their design ideas to him, and he would do mockups of design changes to the seals and flags. Senator Drazkowski suggested to him in an email (See Exhibit B), and Chair Fitch responded and reached out to the designer to create some preliminary sketches of flags with the loon seal and with loon seal elements on a flag.

Senator Drazkowski asked Chair Fitch if these would be considered at the next meeting, which would be the first hybrid meeting, and he assured him they would. But no mention was made of these designs at the next meeting. Senator Drazkowski was never given an explanation as to why by Chair Fitch.

If the members had read the comments, they would know this was a popular idea. It may not have made the final round of selections, but it might have been considered. It’s simply too bad that a popular “hive mind” type idea couldn’t even be brought to the commission because they were too wedded to listening to the experts, at the expense of the public’s opinion.

Defects in the Seal construction by the commission

We want to point out the following issues with the seal design. Since the participants in this minority report have different issues, we will label them by the member(s) asserting them.

[Senator Steve Drazkowski and Rep. Bjorn Olson]

- **The removal of the state motto from the seal design** and its replacement with a phrase in the Dakota language meaning ““land of sky tinted water” Mni Sóta Makoce.” We oppose this for several reasons. First, the charge to the commission in the law to not single out a particular race or ethnic group in our state symbols is violated. This was noted by Secretary Simon as a legally challengeable issue. Secondly, the phrase is redundant. The name “Minnesota” is derived from that phrase, so it is like having the name “Minnesota” in two languages as if the seal was essentially bilingual. What may appear to some as simply a respectful nod to the Dakota may, in fact, be legally challengeable. It is the singling out of a particular language or an elevation of the status of a language or a phrase requiring further legal support. Future legislation changing the state motto was mentioned by one of the legislators on the Commission, but this was not the charge of the commission, nor was it part of the underlying legislation.
- **The removal of the date of Statehood from the seal.** The removal was done at the request of the Capitol Board Representative, Dr. Kate Beane, who characterized Minnesota Statehood as a purely negative event. This was after Secretary of State Simon gave a speech indicating that Statehood Day was an event Minnesotans could share in and take pride in. It was an exchange that questioned the whole concept of designing new symbols for a common purpose, if no common view exists of Minnesota Statehood. Commissioner Wittnebel did some research on his own, contacted notaries and other end users of the seal, and adds his findings in the section below. One of the things he learned was that seals generally contain a year of foundation. The omission of a date of any kind makes the Minnesota Seal non-compliant with general standards of official seals. We find this peculiar, given the attention that applying general standards of flag design got in the Commission’s work.
- **The addition of rondels to the seal to make the total of rondels reflect 87 counties plus 11 tribes within the borders of Minnesota.** The state seal is a not merely symbolic, it is a symbol of authority. There is no reason to have the state symbol of authority encompass 11 other sovereign nations. These entities were not separately consulted to see if they wanted to be included in this manner. Minnesota counties were created by the state and are subject to state authority, so their representation alone is entirely appropriate.

[Aaron Wittnebel]

**Minority Report in Rebuttal of the State Emblem Redesigns Commissions' Report's
Portion on the Great Seal of the State of Minnesota**

I. Introduction

In the 2023 Regular Session of the Minnesota Legislature, HF1830 known as the State Government Finance bill was amended by the House Ways and Means Committee to include a provision for the State Emblems Redesign Commission as reported in the Journal of the House on the 48th Day of Session, Thursday, April 13, 2023 (Top of Page 4578). HF1830 was passed by Conference Committee on the 76th Day of Session, May 21, 2023 (Top of Page 10454) as reported to the House by the Secretary of Senate, Thomas S. Bottern.

The records show that there was little to no debate on the substance of the State Emblems Redesign Commission clause, except by Senator Drazkowski and Representative Kurt Daudt.

II. The Law Establishing the State Emblems Redesign Commission

Minnesota Session Laws - 2023, Regular Session

CHAPTER 62

Sec. 118. STATE EMBLEMS REDESIGN COMMISSION.

Subd. 4. Duties; form and style of recommended state emblems.

"The designs must accurately and respectfully reflect Minnesota's shared history, resources, and diverse cultural communities. Symbols, emblems, or likenesses that

represent only a single community or person, regardless of whether real or stylized, may not be included in a design. The commission may solicit and secure the voluntary service and aid of vexillologists and other persons who have either technical or artistic skill in flag construction and design, or the design of official seals, to assist in the work. The commission must also solicit public feedback and suggestions to inform its work.”

III. Questions Both Unanswered and Answered

- A. Is the annulus (label) defined as being part of the design under the enabling legislation?

Unclear.

- B. When looked at separately is the annulus (or label) and the blazon (design) defined as being the design under the enabling legislation?

No. If the Commission listened to its own expert on the official Great Seal.

“The annulus is the label of, and the blazon is the design or center icon, together they complete the Great Seal.” – Dr. Jonathan Good, Heraldic Fellow

- C. Is the placement of a non-state symbol or statement on the blazon of the Great Seal allowed under the enabling legislation?

No.

- D. Does the Commission have the authority to change the State Motto under the enabling legislation?

No.

- E. Did the Commission have a responsibility to listen to the tribal representatives assigned to serve on the Commission, over other members of the Commission appointed to represent certain state agencies who also may be enrolled tribal members?

Yes. The legislation does assign members by certain communities and agencies, except for the three Gubernatorial Appointees. With that being the case, the Commissioner for the Ojibwe Communities and the Commissioner for the Dakota Communities would speak for their communities, not the Commissioner for the Capitol Area Architectural & Planning Board.

- F. Did the Commission have a responsibility to listen to the 87 County Recorders (or Registrar of Titles) and Public Notaries regarding the Great Seal?

The Commission was responsible for soliciting feedback from the public but did not do so in matters consistent with state laws in the first, second, and final rounds of design comments. *See Minn. Stat. § 13, § 13D, and §15.17, subd. 1.*

When asked if his office would poll the Public Notaries on the potential designs for the Great Seal, at the different stages of comments; the Secretary of State stated that his office would. However, no polling or surveying of the Public Notaries was ever conducted. This is known because two Commissioners, Commissioner Mazone and I serve as Public Notaries and have colleagues who do as well and no survey or poll was ever conducted and in proving that point further, no results were ever shared with the Commission or published.

However, when I surveyed all 87 County Recordors (Registrar of Titles in Counties without a Recorder) and their staffs, who are public officials that have professional obligations in relation to the Great Seal of the State of Minnesota were asked; all 87 unanimously requested that at least the date of Statehood be placed in the annulus if the year alone was not kept. They also preferred that the State Motto was removed all together if the language proved divisive. If it was kept, they preferred that it be written in Dakota, Minnesota's first language over French.

No member of the public or the Commission was aware in advance that Commissioner Kate Beane, who represents the Capitol Area Architectural Planning Board, and Commissioner Anita Gaul, who is a Gubernatorial Appointee, were planning to propose the placement of a Dakota phrase on the blazon, which was not directly related to an official state symbol or motto. The proposed motion was kept secret until prior to the adoption of the Great Seal by the Commission, and it allowed no opportunity except for a notation that it did not comply with the criteria, and that it was not the state motto nor a state symbol.

- G. Did the Commission review the foreign laws on how each country or region (state) within a country recognizes the Great Seal of the State of Minnesota for Notary and Apostille purposes?

No, beyond this Commissioner, no other Commissioner or support staff reviewed such laws. When this was brought up during the December 12 in-person meeting of the State Emblems Redesign Commission, both Commissioner Michael Harralson, a Gubernatorial Appointee and Commissioner Kent Whitworth, Representing the Minnesota Historical Society made comments on how this Commissioner was not an attorney, although neither of them has a background in International Law either; nor did they conduct any collating of relevant research.

IV. Other Laws Directly Related to the Great Seal of the State of Minnesota

A. International Law

1. Statute of the Hague Conference on Private International Law 1955
(revised in 2007 for publication in alternative languages, English and French)
2. Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents (a/k/a The Apostille Convention of 1961)
 - a. As of 2016, 113 countries are parties to the Apostille Convention (The United States included.) All 113 will recognize document authentication and certification by the state or regional governments within the member countries that delegate such authority.
 - i. Germany, the United States of America, Brazil*, etc., allow delegation of duties.
 - ii. The United Kingdom and Commonwealth Nations do not**

*Brazil will not accept documents authenticated or certified by private agents, only State/Foreign Departments or Secretaries of State.
**Canada is a party to the Hague Convention but not a party to the section known as the Apostille Convention.
 - b. As of 2016, there are 63 countries that are not parties to the Apostille Convention but will recognize document authentication by the originating country (not but not political subdivisions such as counties, regions, or states), and will also require what is known as a C3 Document to accompany them.
3. In all 113 countries that are parties to the Apostille Convention their Foreign Office must recognize the Great Seal of Minnesota, along with the state/provincial/county subdivisions that also handle Public Notary and Apostille services on behalf of the government. In the 63 countries who are not parties to the Apostille Convention will not recognize document authentication or certification by political subdivisions; requires that the Great Seal of Minnesota is recognized by the U.S. State Department to handle authentication and certification services of Apostille.

4. U.S. Supreme Court precedence on the Hague Convention

VOLKSWAGENWERK AKTIENGESELLSCHAFT v. SCHLUNK, 486 U.S. 694, No. 86-1052 (1988)

- B. U.S. Federal Code, Regulations, and Rules

1. 15 U.S. Code § 1061 (1970)
2. 28a U.S. Code § 44 (1948)
3. 35 U.S. Code § 115 (1953)
4. 35 U.S. Code § 261 (1953)
5. 37 CFR § 1.66 (2003)
6. Fed. R. Civ. P. 44 (1948)

- C. Uniform Commercial Law (aka Uniform Commercial Code)

1. Law on Notarial Acts & Apostilles
 - a. 2021 Newly Revised – 6 States, the District of Columbia and the U.S. Virgin Islands approve of this Uniformed Law Revision.
 - b. Uniform Law – 22 States approved the Uniform Law on Notarial Acts prior to its newest revision. (Includes Minnesota)
 - c. 22 States and 4 U.S. Territories have individual laws pertaining to Notarial Acts, none which are like the other.
 - d. Nearly half of all U.S. States and Territories have their own unique laws pertaining to Notarial Acts and Apostilles.

- D. Minnesota Statutes and Administrative Rules

1. Minn. Stat. § 1.135
2. Minn. Stat. § 357.17
3. Minn. Stat. § 358.115
4. Minn. Stat. §§ 358.51-358.76
5. Minn. Stat. § 359
6. Minn. R. 2810.9920 (2007)
7. Minn. R. 2810.9950 (2017)
8. Minn. R. 2860.9920 (2007)
9. Minn. R. 2860.9930 (2007)
10. Minn. R. 4601.0100 § Subp. 18. (2015)
11. Minn. R. 5219.0300 (2011)
12. Minn. R. 6400.6100 (2021)
13. Minn. R. 7035.2805 (2006)
14. Minn. R. 7045.0524 (2013)
15. Minn. R. 7900.0500 (2002)
16. Minn. R. 8210.0500 (2019)
17. Minn. R. 8210.0600 (2016)
18. Minn. R. 8210.3000 (2016)
19. Minn. R. 8215.0500 (2018)
20. Minn. R. 8610.0160 (2023)
21. Minn. R. 9500.1206 (2021)
22. Minn. R. 9560.0030 (2016)

V. Summary of Dissent

- A. The Commission did not solicit public comment in a manner consistent with state law (*See Minn. Stat. § 13, § 13D, and §15.17, subd. 1.*), therefore the anonymous comments received cannot be counted as fulfilling this specific requirement under the Commission's enabling legislation.
- B. While I proposed the compromise of writing the State Motto in the Dakota language as reference to the history of Minnesota, and Dakota being the first language here and not French; I believe that would not have violated the clause in the enabling legislation as it would

have been a historical reference and not a symbol stylized that represents one group of people over others. However, the adoption of a phrase for to be placed on the blazon of the Great Seal, that is not a state symbol or the state motto in the Dakota Language favors the Dakota people over other groups of peoples in Minnesota. This clearly violates the statute and should be removed from the Great Seal as adopted.

- C. The State Emblems Redesign Commission in Minnesota eliminated the year of statehood from the Great Seal because it is deemed offensive, based on the opinion from the Commissioner representing the Capitol Area Architectural Planning Board who use their credentials of a PhD as being an expert on the matter, all though no disclosure on what specific subject that PhD covers. However, many other experts (including the Commission's expert, Dr. Jonathan Good, a Heraldic Fellow) believe that either the date or the year should be placed in the annulus of the Great Seal, where the current Year of statehood is positioned; this includes both the Commissioner for the Ojibwe Community and the Commissioner for the Dakota Community. The inclusion of the year of statehood on the Great Seal of the State of Minnesota is a longstanding tradition that represents the state's history and culture. The annulus is an official label that is used to display the state's name and the year or date of statehood, and it is not part of the blazon. Therefore, it is reasonable to include the year or of statehood on the Great Seal, within the annulus.

- D. Though there are a few Great Seals of other U.S. States that do not have their date or year of statehood on them currently, as they have been used since their entry into the Union; the Apostille Convention does recommend that if a change is made, that those dates or years are included on the seal. (See the *Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents.*) In this day of Artificial Intelligence, the physical seal utilizing the date or year of statehood within the annulus and stylized the same way as the rest of the annulus could be considered and extra security measure when authenticating or certifying documents.

VI. Other Issues of Concern to Address

- A. Basic Rules of Procedure for State Boards, Commissions, Committees, and Task Forces
 - 1. The Commission at its first meeting elected a Chair and Vice Chair to preside over meetings, as Commissioners are considered equals among each other. The Chair and Vice Chair exceeding their purview on several occasions, but a few specifically stuck out:
 - a. The Chair for legitimate purposes that could not wait and with full transparency afterwards to the Commission when he changed the agenda to schedule expert and public testimony for us to meet deadlines.

- b. The Vice-Chair utilized an MNHS Support Staff Member as their own personal press aide to schedule interviews nearly every week. This led to the Vice Chair making a claim during a Valley News Live interview stating that she could speak for the BIPOC Commissioners and Communities; afterward, when I suggested these Commissioners provide interviews where our opinions are asked for, we could provide them. After doing so, there were consistently times when the Vice Chair and that Staff Member made under-the-radar biased remarks purposely when I was around during discussions about the press; this complaint was reported to Chair Fitch and Mr. Kelliher, and the incidents did not stop." While we had MNHS Support Staff, like David Kelliher, Lindsey Dyer, Olivia Gentilcore, and intern Jack Barrett who went above and beyond in their duties and commitment to the Commission, Commissioners, and our work, I do feel that the other staff member referenced as the press aide was not an appropriate use of Commission funding as that particular staff member only worked with or for the Vice Chair, a very confusing situation to say the least.
 2. At the first meeting, Rules of Procedure for the Commission were brought up as something we should establish but passed over because of our short deadline to do our work.
 3. The enabling legislation for the Commission stated that all appointments to it needed to be made by August 1st. However, this Commissioner was told that certain appointments had not been made. This caused us and the state to lose one month's worth of work.
 4. The Legislature should establish an outline of rules under the advisement of the Secretary of the Senate, the Clerk of the House, and the Legislative Reference Librarian for all State Boards, Commissions, Committees, Councils, and Task Forces when they receive no such outline with specificity in statute.
- B. Conflict of Interest Disclosures
- 1.) The Commission set up a Conflict-of-Interest rule where no one who had financial interests or familial ties could submit design concepts. I was the only Commissioner to complete a Conflict-of-Interest form, that was also publicly accessible. I don't understand as a commissioner who did not receive payment, unlike four Commissioners that we know of, from an agency or other organization while serving on this Commission, why I was the only one to complete an "Ethical Practices & Conflict-of-Interest Disclosure Form." After the fact, it was brought to my attention that the artist that provided the flag design concept, "The Ojibwe Loom" had some form of previous relationship with the Commissioner for the Area Architectural Planning Board and it could not be determined if it were familial or financial in nature, as no disclosure form was provided. As recent as the time of writing my portion of the Minority Report, I have continued to be contacted by people working directly for the Lt. Governor and CAAPB upset that I did support a Native Artist, which I didn't know until after and based on the design submitted still would not have voted in favor. The same issue happened with the Vice Chair for the Commission,

who was a Gubernatorial Appointee; it was brought to light prior to our selection of flag designs during our first in-person meeting that they had a pre-existing relationship with a particular artist, who “they actively campaigned to other Commissioners to choose that artist’s design, placing him into the first final six and then the second final round of three.

- 2.) Gubernatorial Appointees in the past had to sign and turn in Campaign Finance & Disclosure Economic Interest Statement forms in addition to conflict-of-interest forms; I believe this practice should be returned, as it would be for the betterment of the public trust.
- C. Unpaid versus Paid
1. In the Commission’s Report to the Legislature and Governor it thanks all the Commissioners for volunteering and the extra work that they put into the Commission. However, that is an incorrect statement as four Commissioners were paid to participate unlike the rest of the Commission:
 - A. Kent Whitworth, Executive Director for the Minnesota Historical Society
 - B. Philip McKenzie, Chair, Minnesota State Arts Board
 - C. Lauren McGinty, Explore Minnesota
 - D. Steve Simon, Secretary of State

Two of the above, Mr. Whitworth and Mr. Philip McKenzie appointed themselves to the Commission as the heads of their appointing authorities. Secretary Simon was written into the enabling legislation. Though the work of the Commission could have serious implications for tourism in the state, I would disagree that our flag or seal should be dependent on the latest branding advisory, the most recent being from Explore Minnesota in 2018. I don’t exactly know why a seat for a Commissioner was available for Explore Minnesota when it may have been better to have supplied the Commission with additional support staff or expert testimony instead
 2. For the most part, when groups like this meet in person, it works better for everyone. Pandemic procedures are no longer in effect and not necessary at this time. It’s time for the Legislature to start requiring state boards, commissions, committees, councils, and tasks forces to meet in person instead of online. And with that, they should consider small stipends or per diems in addition to the typical expenses incurred. It wasn’t long ago that the Legislature placed the Office of State Treasurer on the ballot to eliminate as an elected official for sending faxes from his vacation home to conduct state business; I wonder how that is different from Zoom, WebEx, Google Meet, and MS Teams today?

3. I also need to point out that funds from the Commission's budget were expended on purchasing flags based on design concepts that were not yet refined at the request of Explore Minnesota to show residents and gauge feedback. I feel that this venture did more harm than good, and that Explore Minnesota should have paid for the flags, since the Commission did not have an opportunity to vote on whether the plan was sound or the funding appropriate.
4. Greater Participation. To obtain greater participation in commissions we need to look at establishing seats for each Congressional District back in, and a more representative balance between DFL, GOP, and independent members, even on Boards, Committees, Councils, and Task Forces as we once did, and had to disclose on our open appointment forms for the public record.

In closing, while I feel there are other issues that need attention as noted, my main concern and reason for this Minority Report is the inclusion of non-state symbol stylized in favor of one group over all others on the Great Seal of the State of Minnesota and the date being omitted. The flag process would have been better with clearer direction from the Legislature and a longer deadline. I am happy with the flag adopted, I'm unsure whether we would find a better one. I am so glad that we were able to accomplish the first part of the Commission's main goal by separating the Great Seal from the State Flag. However, I have serious concerns about the Great Seal and its functionality as a tool and symbol of the authority of the state of Minnesota's government. It is not a mere ceremonial symbol for press conferences (although it will also be used for those by elected officials). It was my general feeling that the liberal majority of the Commission could care less about what the Great Seal is or isn't and more interested in treating it like a middle school art project. I also believe a review by the Office of the Legislative Auditor of the State Emblems Redesign Commission is warranted. It would be good to get a set of best practices regarding Minnesota's system of Boards, Commissions, Committees, Councils, and Task Forces.

Defects in the Flag construction by the commission

[Senator Steve Drazkowski and Rep. Bjorn Olson]

Although our main criticism is with the flag and seal selection process and the committee's construction, we want to point out a few issues with the flag. Not so much with what it is but what it is not. The law commits the commission to select a flag that "must accurately and respectfully reflect Minnesota's shared history, resources, and diverse cultural communities. Symbols, emblems, or likenesses that represent only a single community or person, regardless of whether real or stylized, may not be included in a design." This flag has three elements.

- **A stylized depiction of the shape of the state** (which it happens, leaves out Angle Inlet, the part of Minnesota geography which gives us the designation of being the northernmost part of the United States.) It also over-emphasizes the state's southern half because it was agreed that the design should be symmetrical. From a design perspective, that may be true, but that's of little consolation to people in Minnesota's 7th and 8th congressional districts.
- **There is no Green or any nod to agriculture or environment** on the Flag. We are apparently only known for our water.
- **The 8-pointed star is known as a "Dakota Star, but it appears in many cultures.** It can also be a compass rose, a quilt pattern, or a Scandinavian knitting pattern. It's a religious symbol to Christians, Jews, Muslims, and Hindus, each with its own separate meaning, NOT a universal meaning that creates unity. A symbol with that many meanings does not mean "the North Star," which is usually depicted with the four compass points as more prominent as it is a directional aid in the sky. Equidistant points do not aid in showing a direction. They fan out in every direction. This North Star would get you lost.

Although not intentional, and no disrespect meant to any designer or group, country or state whose flag this final flag may resemble, the final design accepted by the commission looks to some members of the public like some of the flags designed for Somalia. To clarify, the similarity is to the country flag itself and to states within Somalia.⁶ The Commission needed to take seriously the sense of the people who noticed this and not just brush off the comment as inspired by some ill intention. In no way do we mean to argue that this is an intentional similarity, but the Commission needed to have more awareness of the totality of the effects of their reductions as they were designing and the effect their work would have after it was designed. Is the final flag identical to one of these flags? No. But the "swallowtail" created by the reduction of the state shape and the contrast between the white star and light blue next to it are probably creating that impression.

⁶ https://en.wikipedia.org/wiki/List_of_Somali_flags

EXHIBITS

Exhibit A: State Emblems Redesign Commission Law

Laws Chapter 62, 2023, Art 2, Sections 5 and 118.

Sec. 5.

Minnesota Statutes 2022, section 1.141, subdivision 1, is amended to read:

Subdivision 1

Adoption.

The design of the state flag ~~proposed by the Legislative Interim Commission acting under [Laws 1955, chapter 632](#)~~, as certified in the report of the State Emblems Redesign Commission, as established by this act, is adopted as the official state flag.

EFFECTIVE DATE.

This section is effective May 11, 2024.

*Sec. 118.***STATE EMBLEMS REDESIGN COMMISSION.**

Subdivision 1.

Establishment.

The State Emblems Redesign Commission is established. The purpose of the commission is to develop and adopt a new design for the official state flag and the official state seal no later than January 1, 2024.

Subd. 2.

Membership; meetings.

(a) The commission consists of the following members:

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

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

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

(4) one member appointed by the Council on Asian-Pacific Minnesotans;

(5) one member representing the Dakota community and one member representing the Ojibwe community, appointed by the executive board of the Indian Affairs Council;

(6) the secretary of state or the secretary's designee;

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

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

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

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

(b) The following serve as ex officio, nonvoting members of the commission: (1) two members of the house of representatives, one each appointed by the speaker of the house and the minority leader of the house; and (2) two members of the senate, one representing the majority caucus appointed by the senate majority leader and one representing the minority caucus appointed by the senate minority leader.

(c) Appointments to the commission must be made no later than August 1, 2023. The voting members of the commission shall elect a chair and vice-chair. An appointee designated by the governor shall convene the commission's first meeting. Decisions of the

commission must be made by majority vote. The Minnesota Historical Society must provide office space and administrative support to the commission.

Subd. 3.

Meetings.

Meetings of the commission are subject to Minnesota Statutes, chapter 13D.

Subd. 4.

Duties; form and style of recommended state emblems.

The commission shall develop and adopt a new design for the official state seal and a new design for the official state flag. The designs must accurately and respectfully reflect Minnesota's shared history, resources, and diverse cultural communities. Symbols, emblems, or likenesses that represent only a single community or person, regardless of whether real or stylized, may not be included in a design. The commission may solicit and secure the voluntary service and aid of vexillologists and other persons who have either technical or artistic skill in flag construction and design, or the design of official seals, to assist in the work. The commission must also solicit public feedback and suggestions to inform its work.

Subd. 5.

Report.

The commission shall certify its adopted designs in a report to the legislature and governor no later than January 1, 2024. The commission's report must describe the symbols and other meanings incorporated in the design.

Subd. 6.

Expiration.

The commission expires upon submission of its report.

Exhibit B: Loon Seal Flag email exchange and designs

(See attached pages).

Re: [EXTERNAL] Loon seal in a flag as requested

Sen. Steve Drazkowski <sen.steve.drazkowski@mnsenate.gov>

Thu 12/7/2023 11:51 AM

To: Luis Fitch <luis@unobranding.com>

Thanks so much, Luis. I agree wholeheartedly with your private comment from last night. Pushing a rock uphill is no fun, ever. It feels like that is what the current flag selections are attempting to do.

Steve.

From: Luis Fitch <luis@unobranding.com>

Sent: Thursday, December 7, 2023 9:21 AM

To: Sen. Steve Drazkowski <sen.steve.drazkowski@senate.mn>

Subject: Re: [EXTERNAL] Loon seal in a flag as requested

All these concepts will be printed, numbered, and displayed like last time. Commissioners can discuss and vote on all these new alternative directions submitted by designers, NAVA experts, and Commissioners.

LUIS FITCH

(he/him/his)

Founder and Creative Director

AIIGA MN Fellow

UNO Branding / A Strategic Cross-Cultural Design Agency

Ph. + 1 612. 874 1920 Ext. 11

[Commission Chair for the MN State Emblems Redesign](#)

www.unobranding.com

[USPS stamps](#)

From: Sen. Steve Drazkowski <sen.steve.drazkowski@senate.mn>

Date: Wednesday, December 6, 2023 at 5:29 PM

To: Luis Fitch <luis@unobranding.com>

Subject: Re: [EXTERNAL] Loon seal in a flag as requested

Thank you for your legwork on this, Luis. I believe that the last example, where the loon image is show full-page (or full-flag) is what people were suggesting.

Can we show this to the commission at the next meeting, to show the members a direction for the flag, that is different than the current one, and would match up the visual identity in both the seal and the flag?

Steve.

From: Luis Fitch <luis@unobranding.com>

Sent: Wednesday, December 6, 2023 1:15 PM

To: Sen. Steve Drazkowski <sen.steve.drazkowski@senate.mn>

Subject: [EXTERNAL] Loon seal in a flag as requested

Hello Senator,

What do think about these ideas?

See attached PDF file.

LUIS FITCH

(he/him/his)

Founder and Creative Director

AIGA MN Fellow

UNO Branding / A Strategic Cross-Cultural Design Agency

Ph. + 1 612. 874 1920 Ext. 11

[Commission Chair for the MN State Emblems Redesign](#)

www.unobranding.com

[USPS stamps](#)

From: Sen. Steve Drazkowski <sen.steve.drazkowski@senate.mn>

Date: Tuesday, December 5, 2023 at 11:59 AM

To: Luis Fitch <luis@unobranding.com>

Cc: Lindsey Dyer <lindsey.dyer@mnhs.org>, david.kelliher@mnhs.org
<David.Kelliher@mnhs.org>

Subject: Design Ask

Chair Fitch and Staff,

I am responding to your comment in the meeting today to submit suggestions.

Several commenters online suggested that we take the state seal selection S224, which we all agreed today should move forward and put on a blue background and consider it as our state flag. I want to put that forward as a suggestion.

Now I know that the idea of “the seal on a bedsheet” has been derided by designers and “vexillologists,” both amateur and professional. But I think that we are making a mistake if we use artistic criteria alone to cut us off from a solution that could work. The flag is not just a piece of artwork but something meant to symbolize our identity as Minnesotans.

As one commenter said, “Sometimes a solution is just staring you in the face.”

Steve Drazkowski









STATE FLAG



The present state flag was adopted by the 1957 legislature.

The present state flag was adopted by the 1957 legislature. The flag is royal blue with a gold fringe. Pictured in the center of the flag is the state seal. Three dates are woven into a wreath of the state flower: 1858, the statehood year; 1819, the year Fort Snelling was established; and 1893, the year the original flag was adopted. Nineteen stars ring the wreath, symbolizing the fact that Minnesota was the 19th state to enter the Union after the original 13. The largest star represents the North Star and Minnesota.

Minnesota Statutes [1957 section 1.141](#)

Local writer and editor Drew Ross found such a poem in the February 20, 1850, edition of *The Minnesota Pioneer* and [posted images of it on his Twitter account](#).

Here's my transcription of its turgid and painful words:

For the Pioneer.

The Seal of Minnesota.

By Mrs. Eastman.

(The design is: The Indian retreating as civilization advances—the white man, the plough, axe, powder horn and rifle, in the foreground—St. Anthony's Falls in the distance—

Give way, give way young warrior,

Thou and thy steed give way—

Rest not, though lingers on the hills,

The red sun's parting ray.

The rocky bluff and prairie land

The white man claims them now,

The symbols of his course are here,

The rifle, axe and plough.

Not thine, the waters bright whose laugh

Is ringing in thy ear;

Not thine the otter and the lynx,

The wolf and timid deer.

The forest tree, the fairy ring,

The sacred isle and mound

Have passed into another's hands—

Another claimant found.

Give way, give way young warrior—

Our title would you seek?

'Tis "the rich against the poor,

And the strong against the weak."

We need thy noble rivers,
Thy prairies green and wide,
And thy dark and frowning forests
That skirt the valley's side.

The Red man's course is onward—
Nor stayed his footsteps be,
Till by his rugged hunting ground
Beats the relentless sea!
We claim his noble heritage,
And Minnesota's land
Must pass with all its untold wealth
To the white man's grasping hand.

Give way, give way young warrior
Thy father's bones may rest
No longer here, where earth has clasped
Them, closely to her breast—
Here, were thy fiercest battles fought—
Here, though through the valleys rung
The voices of the victors brave,
As they, their triumph sung.

Here too with long and braided hair
Thy maidens in the dance
Rivalled the wild deer's fleetest step,
The wild deer's brightest glance.
And here they gathered oft at eve
From aged lips to hear
How flowed the warrior's heart's best blood,
How fell the maiden's tear.

Give way—I know a thousand ties
Most lovingly must cling,
I know a gush of sorrow deep
Such memories must bring.
Thou and thy noble race from earth
Must soon be passed away,
As echoes die upon the hills,
Or darkness follows day.

Yet hear me still, young warrior,
Thou and thy steed give way—
Rest not, though lingers on the hills
The red sun's parting ray.
The rocky bluff and prairie land
The white man claims them now,
The symbols of his course are here—
The rifle, axe and plough.

Washington, D.C., Jan. 10th, 1850

Ross identifies the poet as Mary Henderson Eastman, whose husband was Seth Eastman, an Army captain put in charge of Fort Snelling from 1841–1848.

Mary Eastman descended from a family of enslavers in the Tidewater area of northern Virginia, and was a writer of some renown. While she spent her time in Minnesota investigating the Indigenous people, her best-known work appears to have been a response to Harriet Beecher Stowe's abolitionist novel *Uncle Tom's Cabin*, called *Aunt Phillis's Cabin: or, Southern Life As It Is* (1852). As it says on her [encyclopedia.com](https://www.encyclopedia.com) page, the book "uses a romantic plot to present an idealized picture of slave life and to introduce stock defenses of slavery."

She wrote a number of books about the Dakota, with titles like *Dahcotah, or Life and Legends of the Sioux Around Fort Snelling*; *Romance of Indian Life*; *The American Aboriginal Portfolio*; and *Chicora and Other Regions of the Conquerors and the Conquered*. Various web pages about her indicate that she learned at least some of the Dakota language while she was at Fort Snelling, and that some of her writings were thought to be sympathetic to the people, particularly the women. I wonder how they would read today.

But obviously, this poem indicates she thought their plight over all was inevitable and natural (the way "darkness follows day"), and even correct ("we need" your rivers, etc.), though the words Manifest Destiny did not appear in her rhyming scheme.

The grasping hand of the white man needs what you had, so too bad for you. Get out of the way. We will drive you to the sea, as your "noble race" somehow "must be passed away."

In his Twitter post, Ross also notes that the version of the seal created for the territory was revised a few years later when Minnesota became a state, and that the changes were visually significant. It's hard to believe they made it semiotically worse, but they did.

Source: <https://daughternumberthree.blogspot.com/2021/11/a-poem-about-state-seal.html?fbclid=IwAR1tN4Em47V4ncz8lxvlqxqlsbqU8PugB6f9YmkWP1IBp-HqifmaBnQufJA>

Source: <https://www.mnterritorialpioneers.org/the-great-seal-of-mn>

The Territorial and State Seals of Minnesota

The Great Seal of Minnesota Territory



In 1849, Henry Sibley proposed a sketch drawn by Seth Eastman as the basis for Minnesota's Territorial Seal. It pictured a barefoot farmer working in a field near the falls of St Anthony on the Mississippi and an Indian riding into what was described as the setting sun (although it was on the right side of the sketch). The legislature agreed. A Latin phrase, "Quae sursum volo videre" (translation: "I wish to see what is beyond") was intended to be the Territory's motto. Unfortunately, when the seal was engraved the phrase was misspelled. "Quo sursum velo videre" doesn't make much sense in Latin, but is most closely translated as "I cover to see what is above."

Eastman's wife, Mary Henderson Eastman, wrote extensively about the Indian life and culture that her husband captured in his sketchpad. Her perspective reflected the widely held view that the inferior Indian culture was being replaced by a superior European

one. These views, accepted as proper and correct in the mid- to late- 1800's, would cause concern about the symbolism of the seal in the mid-1900's.

The Great Seal of Minnesota State



Minnesota was admitted to the union on May 11, 1858 and two weeks later the first secretary of state, Frances Baasen, wrote to Governor Henry Sibley, "My office being without a Seal, I can do no official act..." Governor Sibley immediately authorized the continued use of the territorial seal until a new state seal could be engraved.

The state constitution required that all official documents be stamped with the official seal of the state, and the legislature accepted submissions for design of the seal in 1857. Two designs were given serious consideration, and a bill accepting one of them was introduced in the then territorial legislature in January of 1858. No action was taken until June of 1858, when the state legislature adopted a design submitted by Robert Sweeney, an artistically talented druggist in St Paul. The adoption of his design for the seal was, however, never signed into law. A resolution authorizing the governor to have the seal engraved does appear in the legislative record for the year.

Henry Sibley had suggested the design of the territorial seal in 1849, and it is not surprising that he ignored the design authorized by the legislature and had a slightly

modified territorial seal cast as the Great Seal of the State of Minnesota. The sketch was modified so that the Indian rides into the setting sun from right to left while the farmer plows from left to right. The French motto, "L'Etoile du Nord" (Star of the North) replaced the Latin phrase in the banner at the top of the sketch. When it learned of the design, the Legislature was not happy with the Governor's decision in the matter, but the Attorney General ruled that the seal had been made legitimate through its use. In 1861, the state legislature approved the seal as cast by Governor Sibley.

A fire destroyed the capital in 1881. The legislature was in session and its members, along with some area residents, attempted to save the valuable documents and artifacts housed there. The seal was removed from the vault in which it was kept and brought out of the burning building but, in the chaos of the moment, was dropped on the street. A Dutch businessman, Peter Bergsma, did not realize at first that a bronze object he picked up near the corner of College and Wabasha streets was the state seal. He brought it back to Europe with him where it sat upon his desk. After Bergsma moved to England, he began to think he should return the seal to Minnesota. In 1881, Mr. and Mrs. William Dyer of St. Paul visited Bergsma at his home in Torquay, England. He entrusted the seal to them. When the couple returned to St. Paul, Mr. Dyer delivered the original state seal to Governor S. R. Van Sandt. A new seal had been engraved immediately after the fire, so on October 18, 1901, this precious artifact was donated to the Minnesota Historical Society.

In the 1960's, concerns were raised that the original design for the seal denigrated the Indian nations of Minnesota, so a new seal was forged that replaced the Indian on horseback with a white settler.

In 1971, the seal was no longer required on many official state documents.



In 1983 the legislature restored the Indian and provided this explanation of the seal's symbolism:

"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."

OPINION COLUMNS

Grim's Tales: What is the history of the Minnesota state seal?

An 1850 poem sheds light on what the Minnesota state seal was meant to stand for.



Illustration / Shutterstock.com



Opinion by Travis G. Grimler

January 15, 2024 at 2:57 PM

Comments

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Opinion

Even as I wrote my last Grim's Tales I was still thinking, "Sure, the state flag should change, but why the state seal?"

Since then I've learned a lot.

For those of you who have a translation of the seal's meaning based on modern sensitivities, please consider the original meaning, as

explained in a poem by Mary Henderson Eastman, wife of Seth Eastman, the artist who designed the seal.

Mary presented this poem in celebration of the seal and Minnesota's statehood.

For the Pioneer.

The Seal of Minnesota

By Mrs. Eastman, 1850

*Give way, give way young warrior,
Thou and thy steed give way —
Rest not, though lingers on the hills,
The red sun's parting ray.
The rocky bluff and prairie land
The white man claims them now,
The symbols of his course are here,
The rifle, axe and plough.*

*Not thine, the waters bright whose laugh
Is ringing in thy ear;
Not thine the otter and the lynx,
The wolf and timid deer.
The forest tree, the fairy ring,
The sacred isle and mound
Have passed into another's hands —
Another claimant found.*

*Give way, give way young warrior —
Our title would you seek?
'Tis "the rich against the poor,
And the strong against the weak."
We need thy noble rivers,
Thy prairies green and wide,
And thy dark and frowning forests
That skirt the valley's side.*

*The Red man's course is onward —
Nor stayed his footsteps be,
Till by his rugged hunting ground
Beats the relentless sea!
We claim his noble heritage,
And Minnesota's land
Must pass with all its untold wealth
To the white man's grasping hand.*

*Give way, give way young warrior
Thy father's bones may rest
No longer here, where earth has clasped
Them, closely to her breast —
Here, were thy fiercest battles fought —
Here, though through the valleys rung
The voices of the victors brave,
As they, their triumph sung.*

*Here too with long and braided hair
Thy maidens in the dance
Rivalled the wild deer's fleetest step,
The wild deer's brightest glance.
And here they gathered oft at eve
From aged lips to hear
How flowed the warrior's heart's best blood,
How fell the maiden's tear.*

*Give way — I know a thousand ties
Most lovingly must cling,
I know a gush of sorrow deep
Such memories must bring.
Thou and thy noble race from earth
Must soon be passed away,
As echoes die upon the hills,
Or darkness follows day.*

*Yet hear me still, young warrior,
Thou and thy steed give way —
Rest not, though lingers on the hills
The red sun's parting ray.
The rocky bluff and prairie land
The white man claims them now,
The symbols of his course are here —
The rifle, axe and plough.*

Modern times might make us feel the need to cling to the old seal and soften the more despicable intentions behind its creation. It's the modern re-interpretation that makes us say, "It symbolizes our pride for our heritage in hunting, logging and farming."

Mary Eastman makes it clear, though, that in 1850 it was a symbol celebrating literal genocide.

You could summarize the poem: "We don't care how important this land is. Leave, don't look back, and die. It belongs to us now."

And that makes sense in the historical context of the poem.

The seal was commissioned by Minnesota's first state governor, Henry Sibley. Eastman gave him four designs and he chose the one we are familiar with.

READ MORE OF 'GRIM'S TALES'

Former territorial Gov. Alexander Ramsey had suggested the seal could be mistaken for having an anti-Native slant and suggested replacing the stump and rifle with a teepee.

Sibley instead had Eastman add an ax.

Sibley was also the governor who, in 1892, attempted to eradicate the Dakota tribe in Minnesota by raising the bounty on Dakota scalps from \$75 to \$200.

Sure, this was a surprisingly normal mindset at the time and it may be foolish to hold historical figures to our modern morals, but we aren't talking about going back in time and arresting Sibley.

We are talking about our modern willingness to fly a flag that symbolizes a celebration of genocide, according to the wife of the man who designed it.

We all celebrate the modern 50-starred U.S. flag, and that changed for a lesser reason. The U.S. flag has changed 26 times — not because modern people didn't want to be identified for embracing genocide, but because we had more states.

From a historical standpoint, we could easily have kept the original 13 stars as a celebration of where we started. But our country changed, and on 26 different occasions we felt that was reason enough to change the flag, just to celebrate our current country.

The most recent change was to add one star in 1960.

Our state (hopefully) no longer thinks Native Americans should leave and die. Why should we fly a flag that suggests that we, as modern Minnesotans, still do? Unless you still fly the 13-star U.S. flag at your house and oppose the 50-star version, then the "history erasing" story doesn't really work.

I'm not one to suggest people are clinging out of racism. As someone who very much clings to the familiar, I understand sometimes we oppose things from more innocent, harder-to-explain sources.

But unless you knew the actual history of the flag, the actual symbolism, and either felt shame (or, God forbid, pride) in that fact, then it's clear history has nothing to do with it.

After all, how can you think this seal preserves history if you defend it but don't actually know what history it represents?

 Comments

[#conversations](#)

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 Opinion

 Tags



Opinion by Travis G.

Grimler(<https://www.duluthnewstribune.com/travis-g-grimler>)

Travis Grimler is a staff writer for the Pineandlakes Echo Journal weekly newspaper in Pequot Lakes/Pine River. He may be reached at 218-855-5853 or <https://>

Daniel Buchholtz

From: Sen. Mary Kunesch <sen.mary.kunesch@mnsenate.gov>
Sent: Thursday, January 18, 2024 9:25 PM
To: Daniel Buchholtz; Bob Nelson; Ken Wendling; April Moran; Barbara Goodboe-Bisschoff; Lisa Dircks
Cc: Rep. Erin Koegel; Emma Zellmer
Subject: SLP MN Flag Work Group

This message was sent from outside of the organization. Please do not click links or open attachments unless you recognize the source of this email and know the content is safe.

Good evening, Spring Lake Park mayor, Council Members, and City Administrator.

I am writing in response to the city council meeting that was held on January 17th, the discussion around the new state flag, and the upcoming work group on February 2.

I am your state Senator and thought I'd save you the bother of reaching out to your legislator by reaching out to you myself.

I am also the author of the bill that passed to create a commission to redesign the Minnesota state flag in the Senate and was an advisory member on the new flag/seal task force. Our committee met every Tuesday for months. We listened to experts, historians, vexillologists, professional designers, and encouraged public input. The design discussion was open to the public for every meeting, and we held in-person meetings that lasted entire days where the public was invited to share their thoughts. We took the task very seriously and to heart, and I am proud of the work we did. Were we able to make everyone happy? No, we did not. But I will challenge the man who stated 98% of Minnesotan's do not like the new flag.

I encourage you all to visit the State Emblem Redesign Commission web site to view the good work we did:
<https://www3.mnhs.org/serc>.

Mayor, I hear you when you state that your Ojibwe friends don't have an issue with the old flag. As a Lakota woman, I do. As do the vast majority of Minnesota's Indigenous people that I know and represent across our great state. They are deeply offended by that old flag and seal. I know that folks can look at just about anything and interpret it through their own lens, but it is very clear the intent of the design of the flag by Seth Eastman: "It symbolized the philosophy of manifest destiny, i.e., the white man taking over the frontier and pushing the Indians westward." Eastman's drawing, later incorporated into the state's seal, forecast the heavy price the Sioux and Chippewa nations would pay throughout the nineteenth century.

And if that were to be challenged, his wife, Mary Henderson Eastman, put to words the sentiment of the flag her husband designed: "Her words are poignant, not because she crafted her thoughts well but because they represent the zealously of the new arrivals that doomed the proud Indian nations.

"Give way, give way, young warrior,
Thou and thy steed give way;
Rest not, though lingers on the hills
The red sun's parting ray.
The rock bluff and prairie land
The white man claims them now,

The symbols of his course are here,
The rifle, axe, and plough.”

Change is not always easy for many people; the intent of adopting a new Minnesota flag was done through good intent, not malice. I would be happy to meet with the Council prior to your work group to answer any of your questions, participate in a discussion, to introduce myself, and explain why adopting a new flag and seal is the right and just thing to do.

Sincerely,

Senator Mary K Kunesh

Assistant Majority Leader

Education Finance Chair

District 39

sen.mary.kunesh@mnsenate.gov

Committee Assistant:

Emma Zellmer

(651) 296-4334

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95 University Ave W

Suite# 3209

St Paul, MN 55103



Memorandum

To: Mayor Nelson and Members of the City Council

From: Daniel R. Buchholtz, MMC, Administrator, Clerk/Treasurer

Date: January 25, 2024

Subject: Zoning Ordinance Use Table Updates

At the December 4, 2024 work session, the City Council requested that staff work on completing an update to the zoning ordinance land use table.

Staff reviewed various land use codes, as well as sought input from the Planning Commission. Based on this, staff is presenting the following draft for the City Council to review.

Highlights of the draft include: removing outdated uses from the ordinance, clarifying various uses, adding new uses (data centers, electric charging stations, etc) that were not in place when the table was originally drafted, and reviewing whether uses should be conditional uses (permitted with reasonable conditions) or permitted uses.

The first version is with redlines. The second version is clean, without the redlines.

Please review and be prepared to share any suggestions. After the work session, I will put the document into ordinance form and schedule a public hearing on the proposed use table at the February 26 Planning Commission meeting.

If you have any questions, please do not hesitate to contact me at 763-784-6491.

Schedule Of Permitted Uses By District

1. *Residential districts.* The following uses are allowed in the various residential districts either as permitted, accessory, conditional, or interim uses.

<i>Use</i>	<i>Details</i>	<i>District</i>		
		<i>R-1</i>	<i>R-2</i>	<i>R-3</i>
Boarding or rental of rooms	Note: family members, as defined in this title, may enter into rental agreements	C	C	C
Cemetery		C	C	C
Churches, chapels, temples <u>Places of worship</u>	<u>Under 30,000 square feet</u>	C	C	C
Dwellings	Cluster developments	-	-	C
Dwellings	Medium density dwellings	-	P	P
Dwellings	Mobile homes	-	-	C
Dwellings	Multiple-family dwellings over six units per building	-		C
Dwellings	Single-family detached dwellings	P	P	P
Dwellings	Two-family dwellings	C	P	P
Essential public service and utility structures or uses		P	P	P
Fallout shelter		A	A	A
Family daycare	Within the residence of the daycare provider	P	P	P
<u>Home occupations</u>	<u>As regulated by SLPC 16.36.010(F)</u>	<u>P</u>	<u>P</u>	<u>P</u>
Living quarters of persons employed on the premises		-	-	A
Off-street parking lots or garages				A
Parks and recreation	Private owned or operated areas	C	C	C
Parks and recreation	Private recreation facilities for the enjoyment of residents and guests only	A	A	A
Parks and recreation	Public owned or operated areas	P	P	P

Private garage		C	C	C
Professional offices and studios	-	€	€	€
Schools	Day schools or nurseries	C	C	C
Schools	Public or private	C	C	C
Small wireless facility in right-of-way, as regulated in SLPC 12.48		C	P	P
Swimming pool		A	A	A
Tool house, shed, and similar storage		A	A	A
Uses customarily incident to the permitted, conditional or interim uses allowed in the district		A	A	A
Other public or semi- public facilities		C	C	C
Key: A = accessory uses; P = permitted uses; C = conditional uses; I = interim uses				

2. *Commercial districts.* Conditional uses in this paragraph shall be governed by the criteria enumerated in SLPC 16.56, relating to conditional uses. Interim uses in this paragraph shall be governed by criteria enumerated in SLPC 16.58, relating to interim uses.

<i>Use</i>	<i>District</i>		
	<i>C-1</i>	<i>C-2</i>	<i>C-3</i>
Accessory uses customarily incident to the permitted, conditional or interim uses allowed in the district	A	A	A
Adult daycare facilities	C	C	C
Assembly uses, including auditoriums, religious and philanthropic uses	€	€	-
Auto and marine; sales, leasing and rental (See SLPC 11.20.040 Paragraph F,4 re: licensing and SLPC 16.36.010 Paragraph A)	-	I	-
Auto and marine; service, parts, and repair, excluding wash	C	C	-
Boarding and lodging houses	€	-	-
Boarding school	€	-	-
Brew pubs, B rewer taprooms and cocktail rooms	P	P	-
Bus stations or terminal	P	P	P
Business, commercial, or trade schools	P	P	P
Clinics, medical offices	P	P	P

<u>Cannabis or intoxicating CBD sales</u>	<u>P</u>	<u>P</u>	
Commercial recreation, indoor; such as bowling alleys, billiard halls, miniature golf, and the like	C	C	-
<u>Commercial recreation, outdoor</u>	<u>C</u>	<u>C</u>	-
<u>Construction and/or trades sales and service shops; with storage of equipment, supplies or materials inside a building</u>	<u>P</u>	<u>P</u>	-
Convalescent, assisted living and nursing homes	-	-	€
Child daycare facilities (see SLPC 16.36.010 Paragraph D)	C	C	C
Drive-in restaurants, or similar uses providing goods and services to patrons in autos	€	€	-
Dry cleaning and laundry establishments with no more than four employees for cleaning or pressing	P	P	-
Dry cleaning and laundry collection stations, and self- service	P	P	-
<u>Electric vehicle charging station</u>	<u>A</u>	<u>A</u>	<u>A</u>
Equipment rental, <u>no outside display</u>	P	P	C
<u>Equipment rental, with outside display</u>		<u>C</u>	
<u>Essential service structures, including, but not limited to, buildings such as telephone stations, booster or pressure stations, elevated tanks, lift stations, electric power substations</u>	<u>A</u>	<u>A</u>	<u>A</u>
<u>Event centers, night clubs, taverns</u>	<u>C</u>	<u>C</u>	-
<u>Farmer's market</u>	<u>I</u>	<u>I</u>	<u>I</u>
Financial institutions, <u>with no drive-up window</u>	P	P	€ P
<u>Financial institutions, with drive-up window</u>	<u>C</u>	<u>C</u>	<u>C</u>
Greenhouses, nurseries <u>Garden centers and nurseries</u>	-	<u>PC</u>	-
<u>Greenhouses (seasonal)</u>	<u>I</u>	<u>I</u>	-
<u>Health care services; including medical, dental, optometrist, chiropractic and counseling clinics, for the diagnosis, treatment and care of patients</u>	<u>P</u>	<u>P</u>	<u>P</u>
Hospitals	-	C	-
Laboratories; medical, dental	P	P	P
Medical equipment rental	-	P	€
Mortuaries, funeral homes, monument sales	C	P	-
Motels, hotels, or apartment hotels	C	C	-
<u>Motor fuel stations</u>	<u>C</u>	<u>C</u>	-
<u>Municipal and government buildings and structures, including police, fire, library, public works garages</u>	<u>C</u>	<u>C</u>	<u>C</u>

<u>Nursing homes, memory care, or retirement homes</u>	=	=	<u>C</u>
Non-alcoholic beverage bottling establishment not larger than 3,000 square feet accompanied by a retail shop or store not less than 50% of the size of the bottling establishment, where bottled product is sold	P	P	C
Off-sale liquor stores	P	P	-
Off-street parking and loading as regulated in SLPC 16.40.010	A	A	A
Offices (administrative, executive, professional, governmental, medical, research); without merchandising services	P	P	P
Offices (as above); with merchandising services	<u>CP</u>	P	C
<u>Outdoor seating or dining</u>	<u>A</u>	<u>A</u>	=
Pawnshops, secondhand goods stores (excluding motor vehicles) as regulated SLPC 16.36.010 Paragraph G (see. SLPC 11.16, Pawnshops or SLPC 11.20, Secondhand Goods Dealers, for licensing	C	C	-
Personal services and repair establishments such as barber shops, and beauty/ hair salons shops , massage therapy , shoe repair, tailoring and alterations , and the like	P	P	P
Pet and animal shops, clinics, taxidermists <u>Pet related care including dog daycare, boarding, veterinary clinics and grooming, with outdoor use</u>	<u>PC</u>	<u>PC</u>	-
<u>Pet related care including veterinary clinics with no outdoor use</u>	<u>P</u>	<u>P</u>	=
<u>Places of worship; religious uses</u>	<u>C</u>	<u>C</u>	=
Plumbing and heating showrooms and shops	-	P	-
Printing, publishing, and related distribution agencies	C	C	-
Private clubs and lodges	C	C	-
<u>Public, parochial and private schools, trade and business schools, colleges and universities</u>	<u>C</u>	<u>C</u>	=
<u>Research and development, including laboratories (medical, software, communications, scientific, etc.)</u>	<u>P</u>	<u>P</u>	<u>P</u>
Restaurants, excluding a drive up window, night clubs, and the like	P	P	-
<u>Restaurants, with drive-up window</u>	<u>C</u>	<u>C</u>	=
<u>Restaurants, with on-sale liquor</u>	<u>P</u>	<u>P</u>	=
Retail shops and stores <u>uses</u> (excluding autos, boats, and the like) such as apparel, appliances, beverage, book, carpet, drugs, <u>floral</u> , furniture, <u>grocery</u> , hardware, jewelry, paint, tobacco, sporting goods	P	P	C
Schools and studios: artistic, music, photo, decorating, dancing, health and the like	<u>C</u>	<u>C</u>	-

Sexually oriented businesses as defined in SLPC 11.48 and regulated in SLPC 16.36.010 Paragraph H	C	-	-
Signs as regulated by SLPC 16	A	A	A
Small wireless facility in right-of-way, as regulated in SLPC 12.48	P	P	P
<u>Studios: artistic, music photo, decorating, dancing, health and the like</u>	<u>C</u>	<u>C</u>	<u>-</u>
<u>Tattoo and body piercing</u>	<u>P</u>	<u>P</u>	<u>-</u>
Theaters (indoor only)	P	P	-
<u>Vending machines for ice, milk, and the like</u>	<u>P</u>	<u>P</u>	<u>-</u>
Key: A= accessory uses; P = permitted uses; C = conditional uses; I = interim uses			

3. *Light industrial district.* Conditional uses in this paragraph shall be governed by the criteria enumerated in SLPC 16.56.030 ~~Paragraph E~~, relating to conditional uses. Interim uses in this paragraph shall be governed by criteria enumerated in SLPC 16.58, relating to interim uses.

<i>Uses in I-1</i>	<i>Category</i>
Automobile repair	C
Automobile sales; <u>indoor (See SLPC 11.20.040 Paragraph F,4 re: licensing and SLPC 16.36.010 Paragraph A)</u>	I
Bottling establishments	C
Brewing taprooms and cocktail rooms	P
Building material sales and storage	P
Camera and photographic supplies manufacturing	P
<u>Cannabis manufacturing</u>	<u>C</u>
Cartage, express , freight terminals	C
Cartography, <u>technical drawing or drafting</u> and book binding	P
<u>Cleaning and maintenance services, including but not limited to, carpet, laundry, furniture, upholstery, appliances, etc.</u>	<u>C</u>
<u>Commercial dog kennel with or without dwelling for night watchperson</u>	<u>C</u>
<u>Construction trades</u>	<u>P</u>
<u>Data center</u>	<u>P</u>
Dry cleaning and laundry establishments	P
Electrical service shops	P
Engraving, printing, and publishing	P
Governmental and public utility buildings and structures	P

Jewelry manufacture	P
Light manufacturing:	P
<u>Machine shops</u>	<u>P</u>
<u>Medical, dental, and optical laboratories</u>	<u>P</u>
Off-street parking and loading as regulated by SLPC 16.40.010	A
Offices, office buildings	P
<u>Packaging/processing food products</u>	<u>C</u>
<u>Parcel delivery services</u>	<u>P</u>
<u>Pharmaceutical/medical device manufacturing</u>	<u>P</u>
<u>Printing, publishing</u>	<u>P</u>
<u>Product distribution center</u>	<u>P</u>
<u>Research and development including laboratories</u>	<u>P</u>
Retail and service establishments essential to the operation of an I-1 district and providing goods and services primarily for the use of persons employed in the district	C
Signs as regulated by <u>SLPC Ch. 16</u> this title	A
Small wireless facility in right-of-way, as regulated in SLPC 12.48	P
<u>Storage, enclosed rental</u>	<u>C</u>
<u>Vehicle repair and maintenance, including vehicle wrapping, detailing and window tinting</u>	<u>C</u>
Storage, w Warehousing, or wholesaling, or distribution business	P
<u>Woodworking shops</u>	<u>P</u>
Any manufacturing, production, processing, cleaning, storage, servicing, repair, and testing of materials, goods, or products similar to the permitted uses (P) listed above which conform with the performance standards	C
All uses customarily incident to the permitted (P), conditional (C) or interim (I) uses above	A
Key: A= accessory uses; P = permitted uses; C = conditional uses; I = interim uses	

HISTORY

Amended by Ord. [477](#) on 11/1/2021

Amended by Ord. [482](#) on 7/5/2022

Schedule Of Permitted Uses By District

1. *Residential districts.* The following uses are allowed in the various residential districts either as permitted, accessory, conditional, or interim uses.

<i>Use</i>	<i>Details</i>	<i>District</i>		
		<i>R-1</i>	<i>R-2</i>	<i>R-3</i>
Boarding or rental of rooms	Note: family members, as defined in this title, may enter into rental agreements	C	C	C
Places of worship	Under 30,000 square feet	C	C	C
Dwellings	Cluster developments	-	-	C
Dwellings	Medium density dwellings	-	P	P
Dwellings	Mobile homes	-	-	C
Dwellings	Multiple-family dwellings over six units per building	-		C
Dwellings	Single-family detached dwellings	P	P	P
Dwellings	Two-family dwellings	C	P	P
Essential public service and utility structures or uses		P	P	P
Fallout shelter		A	A	A
Family daycare	Within the residence of the daycare provider	P	P	P
Home occupations	As regulated by SLPC 16.36.010(F)	P	P	P
Living quarters of persons employed on the premises		-	-	A
Off-street parking lots or garages				A
Parks and recreation	Private owned or operated areas	C	C	C
Parks and recreation	Private recreation facilities for the enjoyment of residents and guests only	A	A	A
Parks and recreation	Public owned or operated areas	P	P	P
Private garage		C	C	C
Schools	Day schools or nurseries	C	C	C

Schools	Public or private	C	C	C
Small wireless facility in right-of-way, as regulated in SLPC 12.48		C	P	P
Swimming pool		A	A	A
Tool house, shed, and similar storage		A	A	A
Uses customarily incident to the permitted, conditional or interim uses allowed in the district		A	A	A
Other public or semi- public facilities		C	C	C
Key: A = accessory uses; P = permitted uses; C = conditional uses; I = interim uses				

2. *Commercial districts.* Conditional uses in this paragraph shall be governed by the criteria enumerated in SLPC 16.56, relating to conditional uses. Interim uses in this paragraph shall be governed by criteria enumerated in SLPC 16.58, relating to interim uses.

<i>Use</i>	<i>District</i>		
	<i>C-1</i>	<i>C-2</i>	<i>C-3</i>
Accessory uses customarily incident to the permitted, conditional or interim uses allowed in the district	A	A	A
Adult daycare facilities	C	C	C
Auto and marine; sales, leasing and rental (See SLPC 11.20.040 Paragraph F,4 re: licensing and SLPC 16.36.010 Paragraph A)	-	I	-
Auto and marine; service, parts, and repair, excluding wash	C	C	-
Brew pubs, brewer taprooms and cocktail rooms	P	P	-
Cannabis or intoxicating CBD sales	P	P	
Commercial recreation, indoor;	C	C	-
Commercial recreation, outdoor	C	C	-
Construction and/or trades sales and service shops; with storage of equipment, supplies or materials inside a building	P	P	-
Child daycare facilities (see SLPC 16.36.010 Paragraph D)	C	C	C
Dry cleaning and laundry establishments with no more than four employees for cleaning or pressing	P	P	-
Dry cleaning and laundry collection stations, and self- service	P	P	-
Electric vehicle charging station	A	A	A

Equipment rental, no outside display	P	P	C
Equipment rental, with outside display		C	
Essential service structures, including, but not limited to, buildings such as telephone stations, booster or pressure stations, elevated tanks, lift stations, electric power substations	A	A	A
Event centers, night clubs, taverns	C	C	-
Farmer's market	I	I	I
Financial institutions, with no drive-up window	P	P	P
Financial institutions, with drive-up window	C	C	C
Garden centers and nurseries	-	C	-
Greenhouses (seasonal)	I	I	-
Health care services; including medical, dental, optometrist, chiropractic and counseling clinics, for the diagnosis, treatment and care of patients	P	P	P
Hospitals	-	C	-
Mortuaries, funeral homes, monument sales	C	P	-
Motels, hotels, or apartment hotels	C	C	-
Motor fuel stations	C	C	-
Municipal and government buildings and structures, including police, fire, library, public works garages	C	C	C
Nursing homes, memory care, or retirement homes	-	-	C
Non-alcoholic beverage bottling establishment not larger than 3,000 square feet accompanied by a retail shop or store not less than 50% of the size of the bottling establishment, where bottled product is sold	P	P	C
Off-sale liquor stores	P	P	-
Off-street parking and loading as regulated in SLPC 16.40.010	A	A	A
Offices (administrative, executive, professional, governmental, medical, research); without merchandising services	P	P	P
Offices; with merchandising services	P	P	C
Outdoor seating or dining	A	A	-
Pawnshops, secondhand goods stores (excluding motor vehicles) as regulated SLPC 16.36.010 Paragraph G (see. SLPC 11.16, Pawnshops or SLPC 11.20, Secondhand Goods Dealers, for licensing	C	C	-
Personal services such as barber shops, beauty/hair salons, massage therapy, shoe repair, tailoring and alterations, and the like	P	P	P

Pet related care including dog daycare, boarding, veterinary clinics and grooming, with outdoor use	C	C	-
Pet related care including veterinary clinics with no outdoor use	P	P	-
Places of worship; religious uses	C	C	-
Plumbing and heating showrooms and shops	-	P	-
Printing, publishing, and related distribution agencies	C	C	-
Private clubs and lodges	C	C	-
Public, parochial and private schools, trade and business schools, colleges and universities	C	C	-
Research and development, including laboratories (medical, software, communications, scientific, etc.)	P	P	P
Restaurants, excluding a drive up window	P	P	-
Restaurants, with drive-up window	C	C	-
Restaurants, with on-sale liquor	P	P	-
Retail uses (excluding autos, boats, and the like) such as apparel, appliances, beverage, book, carpet, drugs, floral, furniture, grocery, hardware, jewelry, paint, tobacco, sporting goods	P	P	C
Sexually oriented businesses as defined in SLPC 11.48 and regulated in SLPC 16.36.010 Paragraph H	C	-	-
Signs as regulated by SLPC 16	A	A	A
Small wireless facility in right-of-way, as regulated in SLPC 12.48	P	P	P
Studios: artistic, music photo, decorating, dancing, health and the like	C	C	-
Tattoo and body piercing	P	P	-
Theaters (indoor only)	P	P	-
Key: A= accessory uses; P = permitted uses; C = conditional uses; I = interim uses			

3. *Light industrial district.* Conditional uses in this paragraph shall be governed by the criteria enumerated in SLPC 16.56, relating to conditional uses. Interim uses in this paragraph shall be governed by criteria enumerated in SLPC 16.58, relating to interim uses.

<i>Uses in I-1</i>	<i>Category</i>
Automobile sales; indoor (See SLPC 11.20.040 Paragraph F,4 re: licensing and SLPC 16.36.010 Paragraph A)	I
Bottling establishments	C
Brewing taprooms and cocktail rooms	P

Building material sales and storage	P
Camera and photographic supplies manufacturing	P
Cannabis manufacturing	C
Cartage, freight terminals	C
Cartography, technical drawing or drafting and book binding	P
Cleaning and maintenance services, including but not limited to, carpet, laundry, furniture, upholstery, appliances, etc.	C
Commercial dog kennel with or without dwelling for night watchperson	C
Construction trades	P
Data center	P
Dry cleaning and laundry establishments	P
Electrical service shops	P
Engraving, printing, and publishing	P
Governmental and public utility buildings and structures	P
Jewelry manufacture	P
Light manufacturing:	P
Machine shops	P
Off-street parking and loading as regulated by SLPC 16.40.010	A
Offices, office buildings	P
Packaging/processing food products	C
Parcel delivery services	P
Pharmaceutical/medical device manufacturing	P
Product distribution center	P
Research and development including laboratories	P
Retail and service establishments essential to the operation of an I-1 district and providing goods and services for the use of persons employed in the district	C
Signs as regulated by SLPC Ch. 16	A
Small wireless facility in right-of-way, as regulated in SLPC 12.48	P
Storage, enclosed rental	C
Vehicle repair and maintenance, including vehicle wrapping, detailing and window tinting	C
Warehousing, wholesaling, or distribution	P
Woodworking shops	P

Any manufacturing, production, processing, cleaning, storage, servicing, repair, and testing of materials, goods, or products similar to the permitted uses (P) listed above which conform with the performance standards	C
All uses customarily incident to the permitted (P), conditional (C) or interim (I) uses above	A
Key: A= accessory uses; P = permitted uses; C = conditional uses; I = interim uses	

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