

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

**STATE OF MAINE
120TH LEGISLATURE
SECOND REGULAR SESSION**

**Second Report
of the**

**COMMISSION TO ARRANGE FOR A PLAQUE
OR PLAQUES AND A FLAG OR FLAGS TO BE
DISPLAYED IN THE HALL OF FLAGS IN THE
STATE HOUSE TO HONOR THE MAINE
VETERANS OF WORLD WAR II AND THE
KOREAN WAR**

January 2003

Members:

**Sen. Kenneth T. Gagnon, Co-chair
Rep. Charles D. Fisher, Co-chair
Rep. Monica McGlocklin
Edward L. Davis
Lucille N. Greer
James W. LaChance
Donald Linscott**

Staff:

**Susan Z. Johannesman, Legislative Analyst
Office of Policy & Legal Analysis
Maine Legislature
(207) 287-1670**

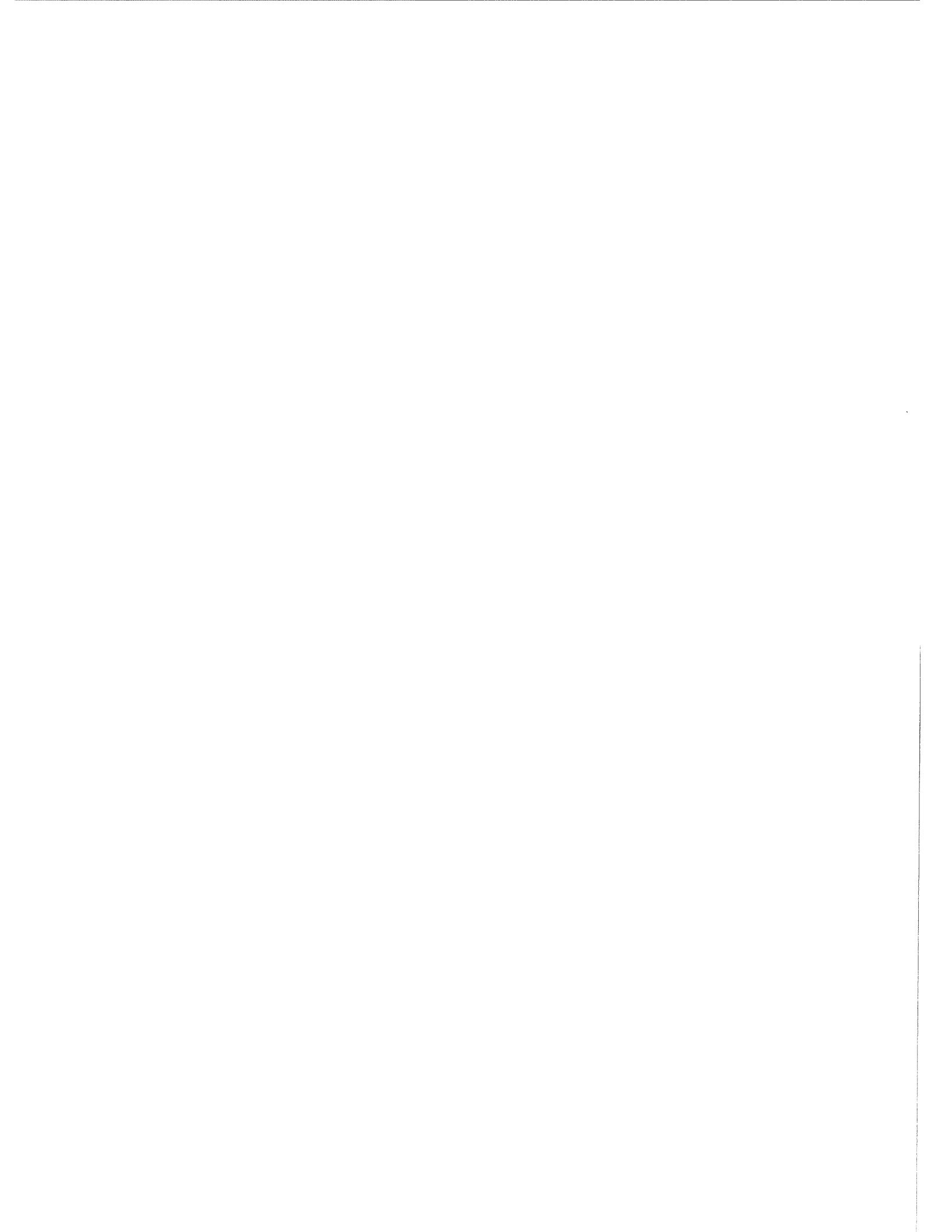
TABLE OF CONTENTS

Page

Commission Recommendations 1

APPENDICES

- A. **Resolve, to Recognize Veterans of World War II and the Korean War in the State House Hall of Flags**
- B. **Initial Report – October 10, 2002**
- C. **Meeting Summaries**
- D. **List of Members**
- E. **Draft Legislation**



Commission to Arrange for a Plaque or Plaques and a Flag or Flags to be Displayed in the Hall of Flags in the State House to Honor the Maine Veterans of World War II and the Korean War

Second Report

The Commission to Arrange for a Plaque or Plaques and a Flag or Flags to be Displayed in the Hall of Flags in the State House to Honor the Maine Veterans of World War II and the Korean War, pursuant to Resolves 2001, chapter 113 (see Appendix A), submits this second report to the Executive Director of the Legislative Council. The commission's first report was submitted to the Executive Director of the Legislative Council on October 10, 2002 (see Appendix B).

The commission's members met in public session on October 30, 2002 and December 3, 2002. Attached are summaries of the commission's deliberations during the meetings (see Appendix C) and a listing of commission members (see Appendix D).

The commission has decided to focus on the selection of plaques, instead of flags, for placement in the State House Hall of Flags. The commission has consulted with Mr. Earle Shettleworth, chair of the State House and Capitol Park Commission. The commission and Mr. Shettleworth have viewed possible locations in the State House Hall of Flags for the placement of a plaque honoring World War II veterans and a plaque honoring Korean War veterans. The commission has determined to continue to consult the State House and Capitol Park Commission as it considers possible designs for the plaques honoring World War II veterans and Korean War veterans.

The commission has consulted with Mr. Paul Faria, Public Art Associate with the Maine Arts Commission. The commission has requested that Mr. Faria serve as facilitator to the commission during the plaque selection process.

At its December 3, 2002 meeting, the commission voted in support of Senator Gagnon submitting emergency legislation to the 121st Legislature to amend Chapter 113 of Resolves 2001. The legislation proposes to amend the final reporting date for the commission, extending it to November 1, 2003. The legislation also proposes to increase the authorized number of meetings from 4 to 8. The proposed legislation is retroactive to November 1, 2002. The commission unanimously supported this request for the following reasons:

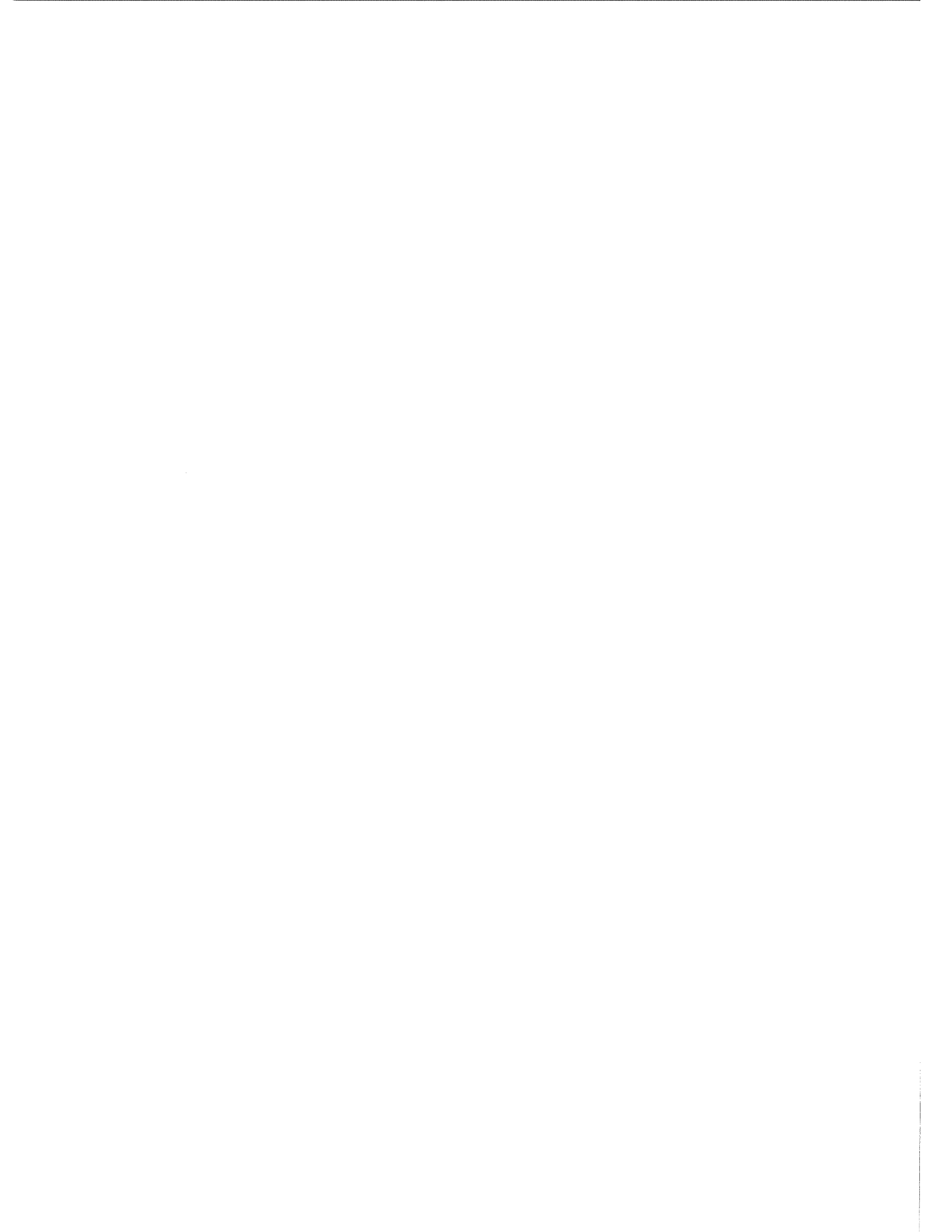
1. The commission did not have a full complement of members until after September 26, 2002 and was not able to hold its first meeting until October 30, 2002.

2. The process of soliciting designs, selecting designs, raising funds to support production of the plaques, and receiving the completed plaques could not be completed by the commission's deadline for submission of a final report (November 1, 2002) or within the time authorized by the limited extension granted by the Legislative Council.

We have attached to this document a draft (Appendix E) of the legislation to extend the commission's report deadline. Senator Gagnon will submit this legislation as a department bill in the First Regular Session of the 121st Legislature.

APPENDIX A

**Resolve, to Recognize Veterans of World War II and the Korean War in the
State House Hall of Flags**



APPROVED

CHAPTER

APR 11 '02

113

BY GOVERNOR

RESOLVES

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND AND TWO

—
S.P. 735 - L.D. 2046

**Resolve, to Recognize Veterans of World War II and the
Korean War in the State House Hall of Flags**

Sec. 1. Commission established. Resolved: That a commission is established to arrange for a plaque or plaques and a flag or flags to be displayed in the Hall of Flags in the State House to honor the Maine veterans of World War II and the Korean War; and be it further

Sec. 2. Commission membership. Resolved: That the commission consists of 7 members: 3 members appointed by the Governor, 2 members appointed by the President of the Senate, one of whom must be a Senator and 2 members appointed by the Speaker of the House of Representatives, one of whom must be a State Representative. All members must be appointed no later than 30 days following the effective date of this resolve. The Senate member appointed by the President of the Senate and the House member appointed by the Speaker of the House of Representatives serve as cochairs. When appointment of all members is completed, the cochairs shall so notify the Executive Director of the Legislative Council and shall call and convene the first meeting of the commission no later than 15 days following completion of the appointments; and be it further

Sec. 3. Duties. Resolved: That the commission shall develop a design, choose a site, accept donations and make arrangements for the plaque or plaques and a flag or flags to be displayed in the State House Hall of Flags; and be it further

Sec. 4. Staffing. Resolved: That, upon approval from the Legislative Council, the Office of Policy and Legal Analysis shall provide necessary staffing services to the commission; and be it further

Sec. 5. Meetings. Resolved: That the commission may hold up to 4 meetings; and be it further

Sec. 6. Funding. Resolved: That the commission may seek and accept outside sources of funding. Prompt notice of solicitation and acceptance of funds must be sent to the Legislative Council. All funds accepted must be forwarded to the Executive Director of the Legislative Council along with an accounting record that includes the amount of funds, date the funds were received, from whom the funds were received and the purpose and any limitation on the use of the funds. The Executive Director of the Legislative Council administers any funds received; and be it further

Sec. 7. Consultation; reports. Resolved: That the commission shall consult with the State House and Capitol Park Commission to ensure the appropriateness of the design and location of the new plaque or plaques and the selection and placement of the new flag or flags within the State House Hall of Flags. When the commission has agreed upon an appropriate location and design, but no later than October 4, 2002, the commission shall submit its initial report for review by the Legislative Council through the Office of the Executive Director. A final report must be submitted to the Executive Director of the Legislative Council by November 1, 2002. Upon submission of its required reports, the commission terminates; and be it further

Sec. 8. Compensation. Resolved: That those members of the commission who are Legislators are entitled to receive the legislative per diem as defined in the Maine Revised Statutes, Title 3, section 2 and reimbursement for travel and other necessary expenses related to their attendance at authorized meetings of the commission. Other members of the commission who are not otherwise compensated by their employers or other entities that they represent are entitled to receive reimbursement of necessary expenses incurred for their attendance at authorized meetings of the commission; and be it further

Sec. 9. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

LEGISLATURE

**Commission to Arrange for a
Plaque or Plaques and a Flag or
Flags to be Displayed in the Hall
of Flags in the State House**

Initiative: Provides for costs associated with a plaque or plaques and a flag or flags honoring Maine veterans of World War II and the Korean War in the Hall of Flags in the State House.

Other Special Revenue Funds	2001-02	2002-03
All Other	\$0	\$500

APPENDIX B

Initial Report – October 10, 2002



***Commission to Arrange for a Plaque or Plaques and a Flag or Flags
to be Displayed in the Hall of Flags in the State House to Honor the
Maine Veterans of World War II and the Korean War***

October 10, 2002

Mr. David Boulter
Executive Director
Legislative Council
115 State House Station
Augusta, ME 04333-0115

RE: Initial Report

Dear Mr. Boulter:

Section 7 of Resolves 2001, chapter 113, requires that the *Commission to Arrange for a Plaque or Plaques and a Flag or Flags to be Displayed in the Hall of Flags in the State House to Honor the Maine Veterans of World War II and the Korean War* submit an initial report to you by October 4, 2002.

Pursuant to Section 2 of chapter 113, the commission consists of 7 members: 3 members appointed by the Governor, 2 members appointed by the President of the Senate and 2 members appointed by the Speaker of the House of Representatives. Also pursuant to Section 2 of chapter 113, the cochairs shall call and convene the first meeting of the commission when appointment of all members is completed.

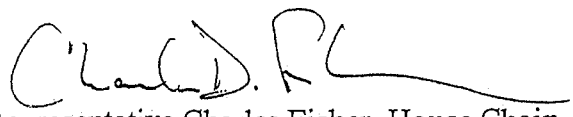
Appointment of all members to the commission has just recently been completed.

Since appointment of all members has just recently been completed, the commission was not convened prior to the October 4th initial report date. We plan on convening the commission prior to the November 1st final report date.

Should you have any questions, please contact the commission's staff, Susan Z. Johannesman at OPLA.

Sincerely,


Senator Kenneth Gagnon, Senate Chair


Representative Charles Fisher, House Chair
Commission to Arrange for a Plaque or Plaques and a Flag or Flags to be Displayed in the Hall of Flags in the State House to Honor the Maine Veterans of World War II and the Korean War

APPENDIX C
Meeting Summaries



Commission to Arrange for a Plaque or Plaques
and a Flag or Flags to be Displayed in the Hall of
Flags in the State House to Honor the Maine
Veterans of World War II and the Korean War

Summary of October 30, 2002 Meeting
Room 126 State House
Augusta, Maine

Members Attending:

Senator Kenneth T. Gagnon, co-chair
Representative Charles D. Fisher, co-chair
Mr. Donald Linscott

Mr. Edward Davis
Ms. Lucille Greer
Mr. James LaChance

Also present:

Roland LaPointe, Director, Bureau of Maine Veterans Services
Earle Shettleworth, Director, Maine Historic Preservation Commission
Susan Z. Johannesman, OPLA, Commission Staff

1. Senator Gagnon, co-chair, called the meeting to order.
2. Following introduction of Commission members, Commission staff briefly summarized the Commission's purpose and duties pursuant to Resolves 2001, Chapter 113.

3. Senator Gagnon introduced Earle Shettleworth, Director of the Maine Historic Preservation Commission, who also serves as chair of the State House and Capitol Park Commission. Mr. Shettleworth explained that the State House and Capitol Park Commission is an advisory commission that assists the Legislative Council in making decisions about preservation and development of the aesthetic and historical integrity of the State House, including architectural and decorative additions or changes. The Commission to Arrange for a Plaque or Plaques and a Flag or Flags to be Displayed in the Hall of Flags in the State House to Honor the Maine Veterans of World War II and the Korean War is specifically required to consult with the State House and Capitol Park Commission concerning the appropriateness of the design and location of the new plaque or plaques and the flag or flags.

Mr. Shettleworth reviewed the history of the Hall of Flags beginning with immediately after the Civil War. The Hall currently houses plaques commemorating the Civil War, World War I and Medal of Honor Recipients. The State House and Capitol Park Commission will be making a recommendation to the Legislative Council for placement of the newly designed Vietnam Veteran's plaque and it should be installed in the Hall soon. Mr. Shettleworth suggested that a Korean War plaque could be placed on the same wall as the Vietnam plaque and a larger plaque for World War II could be placed on the opposite wall that currently contains the World War I plaque. Commission members held a discussion on whether the size of the plaques should be uniform. General consensus was reached that the Korean War plaque should be similar in size to the Vietnam plaque and the World War II plaque could be larger to reflect the two theaters of operation – European theater and Asiatic-Pacific theater.

4. Mr. Shettleworth led the Commission on a tour of the Hall of Flags. He pointed out the available locations for the plaques. The Commission agreed that the Korean War plaque should be placed on the North Wall, next to the Vietnam plaque; and the World War II plaque should be placed directly across the Hall on the South Wall.

5. Commission members held a general discussion on possible plaque designs. Among comments and suggestions were:

- The World War II design could reflect the 2 theaters of operation.
- Young people could be involved in some way with the design.
- Young people could be involved by showing their artwork in conjunction with the unveiling of the plaques.
- The commission needs to be conscious of representing all branches of the Armed Forces in whatever design is selected.
- The Maine Arts Commission has a registry of Maine artists who may be able to assist the Commission in its design efforts.

Following this discussion, it was the consensus of the Commission that staff invite staff from the Maine Arts Commission to the Commission's next meeting to discuss a process for soliciting designs.

6. Commission staff circulated and reviewed a preliminary report to the Executive Director of the Legislative Council, which was submitted to the Executive Director on October 4, 2002.

7. Staff discussed with the Commission its November 1st deadline for completing its work. Given the delay in beginning its work, the Commission directed staff to request an extension of the November 1st report deadline from the Legislative Council. Additionally, since the Commission's enabling legislation makes no provision for an extension of the Commission's reporting deadline, the Commission directed staff to request that the Legislative Council approve the inclusion of the attached authorizing language into the Special Session budget document (see Attachment).

8. The Commission decided to not schedule the next meeting until the Legislative Council acted on the Commission's extension request.

Commission to Arrange for a Plaque or Plaques
and a Flag or Flags to be Displayed in the Hall of
Flags in the State House to Honor the Maine
Veterans of World War II and the Korean War

Summary of December 3, 2002 Meeting
Room 126 State House
Augusta, Maine

Members Attending:

Senator Kenneth T. Gagnon, co-chair	Mr. Edward Davis
Representative Charles D. Fisher, co-chair	Ms. Lucille Greer
Mr. Donald Linscott	Mr. James LaChance

Also present:

Roland LaPointe, Director, Bureau of Maine Veterans Services
Earle Shettleworth, Director, Maine Historic Preservation Commission
Susan Z. Johannesman, OPLA, Commission Staff

1. Representative Fisher, co-chair, called the meeting to order.
2. Commission staff provided a recap of the Commission's first meeting and an update on activities since the first meeting. Staff reported that the Special Session budget document was

amended to include language that amends the commission's enabling legislation to allow the Legislative Council to grant a limited extension of time to the Commission. Also, the Legislative Council at its last meeting authorized a limited extension of the Commission's report date. The Commission indicated that it will need more than a limited extension to conclude its work, therefore, Senator Gagnon will submit a bill to extend the Commission's work to November 2003 and to increase the number of authorized meetings from 4 to 8. The Commission reviewed a draft bill and Senator Gagnon requested staff to amend the draft and submit the bill.

3. The Commission discussed several issues regarding the design of the plaques.
 - The Commission revisited the issue of plaque sizes. Mr. Shettleworth suggested that the World War II plaque should be closer in size to the Congressional Medal of Honor Plaque.
 - The Commission discussed the issue of which services should be included in the plaques. The following suggestions were made:
 - World War II Plaque:
Army, Marine Corp, Navy, and Coast Guard. Also should consider WASPs, Army Air Corp and Merchant Marines.
 - Korean War Plaque:
Army, Marines, Navy, Air Force, Coast Guard.
 - A Commission member suggested that artists should consider depicting flags in the plaques.
 - Earle Shettleworth suggested that the State Museum could prepare "interpretive labels" for the plaques.
 - The Commission revisited the issue of getting students involved in the process. A suggestion was made to solicit drawings of the plaques from students and then give those drawings to the artists to either include in the plaque or not. A member suggested having each school district submit one student's design for submission.
4. Paul Faria, Public Art Associate for the Maine Arts Commission addressed the Commission. Mr. Faria provided guidance to the Commission on public art selection process.
 - Mr. Faria indicated that there are four major phases of an art selection process:
 - (1) Introduction, guidelines, understanding the project & early decisions;
 - (2) First round of art review – reviewing historical work of artists, artists experience and history, feasibility of accomplishment;
 - (3) Interviews; and
 - (4) Proposal presentation and final selection.
 - Mr. Faria suggested that the Commission ensures that all artists on the Maine Arts Commission pre-selected list get an RFP, but suggested that the Commission hold an open-call for artists.
 - Mr. Shettleworth stated that the process used by the Vietnam Commission was to accept all applications based on past work of the artist. The artist pool was then narrowed down to 5 or 6 based on the artist's past work. The Commission then held interviews.

- A recommendation was made that a subcommittee consisting of Commission members and other art professionals (Earle Shettleworth, someone from the State Museum) could review and narrow down the submittals received in the open-call.
- Mr. Faria suggested the Commission narrow the field of artists to Maine artists only.
- Commission members requested that Mr. Faria serve as a facilitator for the Commission to guide them through the art selection process. Mr. Faria indicated his interest and said he would check with the Director of the Maine Arts Commission

5. The Commission briefly discussed funding of the plaques. Mr. LaPointe indicated that General Adams coordinated the fundraising for the Vietnam Plaque. The Commission suggested that General Adams be requested to attend the Commission's next meeting to share his experience of fund raising for the Vietnam Plaque. Commission members suggested that General Tinkham might be the appropriate person to head the funding subcommittee.

6. The Commission decided to not schedule the next meeting until the Legislature's schedule is decided.

7. The meeting was adjourned.

APPENDIX D

List of Members

**COMMISSION TO ARRANGE FOR A PLAQUE OR PLAQUES AND A
FLAG OR FLAGS TO BE DISPLAYED IN THE HALL OF FLAGS IN THE
STATE HOUSE**

Resolves 2001, Ch 113

As Of Wednesday, January 08, 2003

Appointment(s) by the Governor

Edward L. Davis
P.O. Box 100
East Orland, Maine 04431
(207)-469-7981

Lucille N. Greer
PO Box 101
Norridgewock, Maine 04957
(207)-634-4243

James W. LaChance
RR #2, Box 3765
Belgrade, Maine 04917
(207)-465-9887

Appointment(s) by the President

Sen. Kenneth T. Gagnon **Chair**
1 Clearview Ave
Waterville, ME 04901
(207)-872-2338

Mr. Donald Linscott
Veterans of Foreign Wars
364 East Hardscrabble Road
Auburn, ME 04211

Appointment(s) by the Speaker

Rep. Charles D. Fisher **Chair**
117 Silk Street
Brewer, ME 04412
(207)-989-4149

Rep. Monica McGlocklin
930 Embden Pond Road
Embden, ME 04958
(207)-566-5740

Staff: Susan Johannesman (OPLA) - 287-1670

APPENDIX E
Draft Legislation



DRAFT BILL TO EXTEND COMMISSION TO NOVEMBER 1, 2003

Resolve, to Extend the Commission to Recognize Veterans of World War II and the Korean War in the State House Hall of Flags

Emergency preamble. Whereas, Acts and Resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Commission to Arrange for a Plaque or Plaques and a Flag or Flags to be Displayed in the Hall of Flags in the State House to Honor the Maine Veterans of World War II and the Korean War was established by the 120th Legislature; and

Whereas, the Commission was required to file its final report and to terminate on November 1, 2002; and

Whereas, the Commission, which consists of 7 members, requires additional time to complete its work; and

Whereas, the process to solicit and select designs and to raise the necessary funds to produce the plaque or plaques and flag or flags chosen by the Commission could not be completed by the original report deadline; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Resolve 2001, c. 113, §5, amended. Resolved: That Resolve 2001, c. 113, §5 is amended to read:

Sec. 5. Meetings. Resolved: That the commission may hold up to ~~4~~ 8 meetings; and be it further

Sec. 2. Resolve 2001, c. 113, §7, amended. Resolved: That Resolve 2001, c. 113, §7 is amended to read:

Sec. 7. Consultation; reports. Resolved: That the commission shall consult with the State House and Capitol Park Commission to ensure the appropriateness of the design and location of the new plaque or plaques and the selection and placement of the new flag or flags within the State House Hall of Flags. When the commission has agreed upon an appropriate location and design, but no later than October 4, 2002, the commission shall submit its initial report for review by the Legislative Council through the Office of the Executive Director. A final report must be submitted to the Executive Director of the Legislative Council by November 1, ~~2002~~ 2003. Upon submission of its required reports, the commission terminates; and be it further

Sec. 2. Retroactivity. Resolved: That the sections of this Resolve that amend Resolve 2001, chapter 113 apply retroactively to November 1, 2002.

DRAFT BILL TO EXTEND COMMISSION TO NOVEMBER 1, 2003

Emergency clause. In view of the emergency cited in the preamble, this Resolve takes effect when approved.

SUMMARY

This resolve extends the due date of the final report of the commission to recognize veterans of World War II and the Korean War in the State House Hall of Flags to November 1, 2003. The resolve also increases from 4 to 8 the number of meetings the commission may hold.