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**STATE OF MAINE  
119TH LEGISLATURE  
SECOND REGULAR SESSION**

**Final Report  
of the**

**Commission to Recognize Vietnam Veterans  
in the  
State House Hall of Flags**

**November 2000**

**Staff:**

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**General Earl Adams, co-chair  
Mr. Donald Simoneau, co-chair  
Mr. Barry McCrum  
Ms. Ramona Naragon  
Mr. Frank Soares**

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# Commission to Recognize Vietnam Veterans in the State House Hall of Flags

## **Final Report to the 119<sup>th</sup> Legislature Commission to Recognize Vietnam Veterans in the State House Hall of Flags**

The Commission to Recognize Vietnam Veterans in the State House Hall of Flags, pursuant to Sec. 6 of Resolves 1999, Chapter 113 (see Appendix A), submits this final report to the Executive Director of the Legislative Council. The commission's five members met in public sessions on Monday, September 25, 2000 and Tuesday, October 17, 2000. Attached are summaries (Appendices B and C) of the commission's deliberations during those meetings.

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 Vietnam Veterans. The commission has pledged to continue to consult the State House and Capitol Park Commission as it considers possible locations and designs for the plaque and flag or flags honoring Vietnam War veterans.

At its October 17, 2000 meeting, the commission voted to request the Department of Defense, Veterans and Emergency Management to submit emergency legislation to the 120<sup>th</sup> Legislature to amend Chapter 113 of Resolves 1999. The legislation proposes to amend the final reporting date for the committee, extending it to December 1, 2001. The proposed deadline extension is retroactive to November 1, 2000. The commission unanimously supported this request for the following reasons:

1. The commission did not have a full complement of members until August 29, 2000 and was not able to hold its first meeting until September 25, 2000.
2. The commission has elected to invite artists to submit design proposals for the plaque to be placed in the Hall of Flags. The process of soliciting designs, selecting a design, raising funds to support production of the plaque, and receiving the completed plaque cannot be completed by November 1, 2000, the commission's deadline for submission of its final recommendation. Resolves 1999, chapter 113 makes no provision for an extension of the commission's reporting deadline, thus requiring additional legislation to allow the commission to continue its work.

3. Renovations to the State House have necessitated the removal and temporary storage of most historical items, artwork and plaques displayed in the Hall of Flags. Any plaque or flag recommended by the commission to honor veterans of the Vietnam War cannot be placed in the Hall of Flags until renovations are completed in the summer of 2002.
4. The Legislative Council has established a Hall of Flags Committee comprised of eight legislators who are charged with making recommendations regarding the redecoration of the Hall of Flags. The Commission to Recognize Vietnam Veterans in the State House Hall of Flags has pledged to work closely with the Hall of Flags Committee in carrying out the commission's duties.

We have attached to this document a draft (Appendix D) of the legislation to extend the commission's reporting deadline. (The Department of Defense, Veterans and Emergency Management will submit this legislation as a department bill in the First Regular Session of the 120th Legislature.) Pending the adoption by the 120<sup>th</sup> Legislature of legislation to extend the commission's final reporting date, the commission plans to continue its efforts to complete its duties as assigned by the 119<sup>th</sup> Legislature.

**Appendix A**

**Chapter 113**

**H.P. 1765 – L.D. 2471**

CHAPTER 113

H.P. 1765 - L.D. 2471

**Resolve, to Recognize Veterans of the Vietnam War in the  
State House Hall of Flags**

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

**Sec. 2. Commission membership. Resolved:** That the commission consists of 5 nonlegislative members: 3 members appointed by the Governor, one member appointed by the President of the Senate and one member appointed by the Speaker of the House of Representatives. All members must be appointed no later than 30 days following the effective date of this resolve. The member appointed by the President of the Senate and the member appointed by the Speaker of the House of Representatives serve as cochairs. When appointment of all members is completed, the chairs shall so notify the Executive Director of the Legislative Council and shall call and convene the first meeting of the commission no later than August 18, 2000. The members of the commission serve without compensation or expenses; 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 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. Funding. Resolved:** That the chairs of 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 and an accounting that includes amount, date received, from whom received, purpose and limitation on use of the funds. The Executive Director of the Legislative Council administers any funds received; and be it further

**Sec. 6. 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 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 not later than October 4, 2000, the commission shall submit its initial report to the Executive Director of the Legislative Council. A final report must be submitted to the Executive Director of the Legislative Council by November 1, 2000. Upon submission of its required reports, the commission terminates; and be it further

**Sec. 7. Future process; recommendations; authorization to report out legislation. Resolved:** That the Maine Historic Preservation Commission shall develop and recommend a more formal and permanent process through which future requests for adding new plaques, flags or other commemorative items to the State House Hall of Flags will be considered. If ultimately adopted by the Legislature, this process would replace the current process of creating a special commission to develop the design and location for each new plaque, flag or other commemorative item to be placed within the State House Hall of Flags. The Maine Historic Preservation Commission shall make its recommendations in writing by November 15, 2000 to the Executive Director of the Legislative Council and to the joint standing committee of the Legislature having jurisdiction over state and local government matters. After receipt of the report, the committee may report out legislation, based on the commission's recommendations, to the First Regular Session of the 120th Legislature; and be it further

**Sec. 8. Allocation. Resolved:** That the following funds are allocated from Other Special Revenue funds to carry out the purposes of this resolve.



2000-01

**LEGISLATURE**

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

All Other

\$500

Provides for the allocation of funds for costs associated with a plaque and a flag or flags honoring veterans of the Vietnam War from Maine in the Hall of Flags in the State House.

## **Appendix B**

### **Summary of September 25, 2000 Meeting**

Commission to Recognize Vietnam Veterans in  
the State House Hall of Flags

**Summary of September 25, 2000 Meeting**  
Room 127 State House  
Augusta, Maine

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*Members Attending:*

**General Earl Adams, co-chair**  
**Mr. Donald Simoneau, co-chair**

**Ms. Ramona Naragon**  
**Mr. Barry McCrum**

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1. General Adams, co-chair, called the meeting to order, noting that the Commission's fifth member, Frank Soares, was unable to attend the meeting because his duties as director of the Bureau of Maine Veterans' Services required him to be in Washington most of the week. (A staff assistant from his office attended the meeting, however, to report to him on the Commission's deliberations.)
2. Following introduction of Commission members, General Adams briefly summarized the Commission's purpose and duties pursuant to Resolves 1999, Chapter 113.
3. General Adams 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 Recognize Vietnam Veterans in the State House Hall of Flags 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 and the flag or flags.

4. General Adams reviewed his experience with a similar commission several years ago that was charged with developing a plaque for Maine's 76 Congressional Medal of Honor winners. He said that process differed from the current effort in that it was clear from the beginning that the plaque would name all 76 winners and the campaigns for which they were honored. That also meant the plaque had to be of a size to accommodate the names of all of the MOH awardees. Once the study commission had settled on a design, it had to work with the State House and Capitol Park Commission to win design approval and to determine the plaque's location in the Hall of Flags. General Adams noted that the State House and Capitol Park Commission rejected a portion of the original design, but retained the basic plaque. He also noted that the MOH Commission made a decision early in its deliberations to seek funding for the plaque only from veterans' organizations, according to General Adams.

5. Earle Shettleworth advised the Commission that it faced two significant issues to resolve in completing its charge. The first challenge is in locating a space for the plaque in the Hall of Flags. The absence of the art that is normally displayed in the Hall because of the State House renovation projects may mislead members about what space is available for the Vietnam Veterans' plaque. The second challenge is to develop a design for the plaque that is in keeping with the color, design and other aesthetics of other plaques in the Hall. "I think if you came up with a plaque along the lines of the Medal of Honor plaque, you would be in good territory," he told the Commission. He also noted that the military flags that are normally housed in the Hall of Flags are all in storage pending the completion of the renovation projects. He said that the two side cases in the Hall traditionally have housed flags representing 20<sup>th</sup> Century conflicts. Mr. Shettleworth told the Commission that the renovation project involving the West Wing of the State House will be completed by this January. Next June, work will begin in the North Wing of the State House but will not be completed until January 2002. He said it is unlikely that the Hall of Flags would be ready for the return of portraits, flags and plaques before the summer of 2002.

6. Commission members held a general discussion on possible flag and plaque designs. In addition to their own comments, members received a number of suggestions from veterans attending the meeting. Among comments and suggestions were:

- Whatever design is ultimately selected, the Vietnam veteran should feel proud when he or she sees it.
- Young people could be educated about the Vietnam War by both the design selection process and the end result.
- The national Vietnam veterans memorial in Washington D.C. has elements that could be adapted into a plaque design.
- The commission needs to be conscious of representing all branches of the Armed Forces in whatever design is selected.
- Funding for the plaque and flag or flags should not be restricted to veterans' groups because not all Vietnam veterans belong to veterans' organizations.
- The Maine Arts Commission has a registry of Maine artists who may be able to assist the Commission in its design efforts.
- The plaque design should be as simple as possible.

- If possible, a Vietnam veteran, who is either an amateur or a professional artist, should be given the chance to design the plaque.
- There is no obvious flag to represent Maine veterans of the Vietnam War because, unlike other wars, there were no units specific to Maine that fought in Vietnam.

Following a this discussion and a tour of the Hall of Flags, it was the consensus of the Commission that staff, in consultation with the Maine Arts Commission staff, draft an invitation to submit designs for the Vietnam veterans' plaque to the Commission and to circulate this invitation among all veterans' organizations and the general public. The Commission will review the draft invitation at its next meeting.

The Commission also was apprised by Sen. Richard Carey that a committee of legislators, appointed by the Presiding Officers, has been charged with making recommendations to the Legislative Council about the future composition of the Hall of Flags. Sen. Carey, who is a member of the Hall of Flags Committee, said it was his hope that the Commission and the Committee could work together in carrying out their respective duties. He provided the Commission a list of members of the Hall of Flags Committee.

7. Staff circulated and reviewed a preliminary report to the Executive Director of the Legislative Council, which must be submitted by October 4, 2000.

8. Staff discussed with the Commission its November 1<sup>st</sup> deadline for completing its work. Given the delay in beginning its work, as well as the fact that it will be nearly 2 years before the plaque and flag or flags can be placed in the Hall of Flags, the Commission requested staff to draft proposed legislation that will reestablish the Commission, with the same membership, in the 120<sup>th</sup> Legislature. The Commission will review that draft legislation, along with a draft final report, at its next meeting.

9. The Commission set the time and date of the next meeting for Tuesday, October 17<sup>th</sup> from 10 a.m. to 2 p.m. in Room 126 of the State House.

## **Appendix C**

### **Summary of October 17, 2000 Meeting**

Commission to Recognize Vietnam Veterans in  
the State House Hall of Flags

**Summary of October 17, 2000 Meeting**

10 a.m.

Room 126 State House

Augusta, Maine

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*Members Attending:*

**General Earl Adams, co-chair**  
**Mr. Donald Simoneau, co-chair**

**Ms. Ramona Naragon**  
**Mr. Barry McCrum**  
**Mr. Frank Soares**

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**Staff: Christopher Spruce, Legislative Analyst, OPLA**

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1. Mr. Simoneau, co-chair, called the meeting to order and introduced other members of the Commission.
2. The Commission briefly reviewed a summary of the September 25, 2000 meeting.
3. Staff provided the Commission with copies of forms used by the Maine Arts Commission in soliciting artists to compete in the State's Percent for Art Competition. Staff suggested that these forms could be adapted by the Commission to invite artists to compete for the design of the plaque to honor Vietnam Veterans in the State House Hall of Flags. Staff also provided the Commission with a draft of a proposed press release announcing the competition. After much discussion and several suggestions for changes to the draft, the Commission requested staff to work with Bureau of Maine Veterans' Services staff to revise the draft press release for review by individual Commission members before it is mailed out to veterans' organizations and the news media a few days before Veterans' Day (November 11<sup>th</sup>). The Commission also agreed to review and finalize a draft of the request for proposals (RFP) that will be sent to artists who express an interest in the competition.

4. It was the consensus of Commission members that the competition for the plaque design should be open to all interested artists, although in selecting from among all submissions the Commission could decide to give preference to proposals from artists who are Vietnam veterans. Commission members indicated that they would like to consider a wide-range of ideas for the plaque design and could only accomplish that by having few limitations on who could enter the competition. It was noted that the plaque design ultimately selected by the Commission must receive the approval of the State House and Capitol Park Commission.

5. The Commission review draft legislation to continue the Commission beyond its original termination date of November 1, 2000. The draft resolve would change the final reporting date for the Commission to December 1, 2001 and would make that change retroactive to November 1, 2000. Noting that the draft resolve would be appended to the Commission's report to the Legislative Council that is due on November 1, 2000, staff advised the Commission that the draft resolve could be submitted to the next legislature by the Department of Defense, Veterans and Emergency Management or by an individual member of the 120<sup>th</sup> Legislature. It was noted that the sponsor of the original legislation, Rep. Richard H. Campbell, would not be a member of the 120<sup>th</sup> Legislature because of term limits. It was the consensus of Commission members to have the resolve submitted by the Department. The legislation includes an emergency clause that will allow it to take effect immediately after being signed by the Governor.

6. The Commission reviewed a draft of the report that it will submit to the Executive Director of the Legislative Council on November 1<sup>st</sup>. Commission members directed staff to make changes to the text of the draft to reflect decisions made earlier in the meeting. Once submitted, the report will fulfill the reporting requirements specified in its enabling legislation.

7. Commission member Frank Soares, who is Director of the Bureau of Maine Veterans' Services in the Department of Defense, Veterans and Emergency Management, offered to attach a web page to the Department's website that will display the plaque designs submitted in the design competition. Soares said the web page would allow the Commission to receive comments on the plaque designs from Internet users across the State and the Nation.

8. Submissions to the design competition will be accepted by the Bureau of Maine Veterans' Services on behalf of the Commission. Commission staff will request that a staff member at the Maine Arts Commission help provide technical assistance to the Commission in answer inquiries from artists about the competition.

9. The Commission held a brief discussion about flags that might be considered for display in the State House Hall of Flags in honor of Vietnam War veterans. Commission member Don Simoneau said that although there were no battalion level units exclusively from Maine that served in the Vietnam War, he had been apprised of at least two units that had Maine connections. The first involved two planes from the Brunswick Naval Air Station that were lost in Vietnam; the second was a Naval Reserve unit from Augusta that was sent to Vietnam. Commission member Barry McCrum said that the selection of a flag to honor Vietnam Veterans was "optional" according to the language of the legislation that established the Commission.



Commission member Soares suggested the Commission might want to consider designing a flag that will represent Maine Vietnam veterans' participation in the war.

10. One member of the audience expressed his concerns about the number of restrictions placed on the design of the plaque. He suggested the Commission talk to veterans' groups to get their ideas for the design. Commission co-chair Earl Adams noted that the enabling legislation for the Commission required it to go before the State House and Capitol Park Commission for approval of the design it puts forward. Commission co-chair Simoneau observed that input on the design selection was not an issue at this point in the Commission's deliberations because the Commission had not yet received any design concepts or even solicited them. Once proposals have been submitted, said Commission member McCrum, the Commission will fight for acceptance of the proposal that it thinks is the best.

11. The Commission will hold its next meeting on **Thursday, November 16, 2000 at 10 a.m. in Room 427** (Banking and Insurance Committee Room) of the State House.

## **Appendix D**

### **Extension Request**

*Draft legislation to extend the Commission's final reporting deadline*

Title:

**Resolve, to Amend the Reporting Deadline for the Commission to Recognize Veterans of the Vietnam War in the State House Hall of Flags**

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

**Whereas**, the Commission to Recognize Veterans of the Vietnam War in the State House Hall of Flags was established by the 119<sup>th</sup> Legislature; and

**Whereas**, the Commission was required to file its final report and to terminate on November 1, 2000; and

**Whereas**, the Commission, which consists of five public, non-legislative members, require additional time to complete their work; and

**Whereas**, the plaque and flag or flags selected by the Commission will be placed in the State House Hall of Flags; and

**Whereas**, renovations to the State House Hall of Flags have required the removal and temporary storage of most historical items, artwork and plaques displayed in the Hall; and

**Whereas**, the Hall of Flag renovations are not expected to be completed until the summer of 2002; and

**Whereas**, the process to solicit and select designs and to raise the necessary funds to produce the plaque 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 enacted by the People of the State of Maine as follows:**

**Sec. 1. Resolve 1999, c. 113, §6 is amended to read:**

**Sec. 6. 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 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 not later than October 4, 2000, the commission shall submit its initial report to the Executive Director of the Legislative Council. A final report must be submitted to the Executive Director of the Legislative Council by ~~November 1, 2000~~ December 1, 2001. Upon submission of its required reports, the commission terminates; and be it further

**Sec. 2. Retroactivity.** This resolve applies retroactively to November 1, 2000.

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

### Summary

This resolve, which is emergency legislation, proposes to extend the final reporting date for the Commission to Recognize Veterans of the Vietnam War in the State House Hall of Flags. The resolve applies retroactively to November 1, 2000.