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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL**

**No. 124**

Session of  
1985

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INTRODUCED BY MOEHLMANN, WAMBACH, CIMINI, MRKONIC, BROUJOS,  
JACKSON, DAVIES AND HAYES, JANUARY 30, 1985

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REFERRED TO COMMITTEE ON MILITARY AND VETERANS AFFAIRS,  
JANUARY 30, 1985

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AN ACT

1 Creating the Pennsylvania Veterans' Memorial Commission;  
2 prescribing duties; establishing a fund; and making a general  
3 repeal.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Pennsylvania  
8 Veterans' Memorial Commission Act.

9 Section 2. Legislative findings.

10 (a) Recognition of contributions.--The General Assembly  
11 recognizes the great contributions and unselfish sacrifices made  
12 by Pennsylvania service people during armed conflicts in which  
13 the United States was a participant.

14 (b) Absence of memorial.--The General Assembly further  
15 recognizes that no adequate, appropriate and permanent memorial  
16 has ever been erected in appreciation of and in tribute to those  
17 Pennsylvania service people who gave devoted and dedicated

1 service to their country and the Commonwealth.

2 (c) Erection of memorial.--The General Assembly believes  
3 that, in consideration of the foregoing, a positive, permanent  
4 and patriotic memorial should be erected on the grounds of the  
5 Indiantown Gap National Cemetery in appreciation of the full  
6 measure of devotion given by Pennsylvania's veterans.

7 Section 3. Definitions.

8 The following words and phrases when used in this act shall  
9 have the meanings given to them in this section unless the  
10 context clearly indicates otherwise:

11 "Commission." The Pennsylvania Veterans' Memorial Commission  
12 created by this act.

13 "Fund." The Pennsylvania Veterans' Memorial Trust Fund  
14 established by this act.

15 Section 4. Pennsylvania Veterans' Memorial Commission.

16 (a) Establishment.--There is hereby established the  
17 Pennsylvania Veterans' Memorial Commission to erect on the  
18 grounds of the Indiantown Gap Memorial Cemetery an appropriately  
19 patriotic and positive physical monument or memorial as a  
20 testament of appreciation from the Commonwealth to those  
21 Pennsylvania service persons who served in armed conflicts in  
22 which the United States was a participant.

23 (b) Composition of commission.--The commission shall be  
24 composed of the following:

25 (1) Two members of the Senate to be appointed by the  
26 President pro tempore of the Senate, one from the majority  
27 party and one from the minority party. Preference shall be  
28 given to honorably discharged veterans.

29 (2) Two members of the House of Representatives to be  
30 appointed by the Speaker of the House of Representatives, one

1 from the majority party and one from the minority party.

2 Preference shall be given to honorably discharged veterans.

3 (3) The Secretary of the Department of General Services,  
4 or his designee.

5 (4) The Executive Director of the Pennsylvania  
6 Historical and Museum Commission, or his designee.

7 (5) One member, appointed by the Governor, who shall be  
8 an architect.

9 (6) Five members, appointed by the Governor, who shall  
10 be Pennsylvania veterans. At least one of these members shall  
11 be a woman.

12 (7) The Commander of the Pennsylvania War Veteran's  
13 Council, or his designee.

14 (8) The State Adjutant of the Pennsylvania Veterans of  
15 Foreign Wars, or his designee.

16 (9) The Pennsylvania State Commander of the Disabled  
17 American Veterans, or his designee.

18 (10) The State Adjutant of the Pennsylvania American  
19 Legion, or his designee.

20 (11) The Adjutant General of the Department of Military  
21 Affairs, or his designee.

22 (12) The Director of the Bureau of Veterans Affairs in  
23 the Department of Military Affairs.

24 (13) One member, appointed by the Governor, who shall be  
25 a certified public accountant.

26 (c) Terms.--All members shall service for a period of three  
27 years from the date of their appointment except that no member  
28 appointed under paragraph (1), (2), (3), (4), (7), (8), (9),  
29 (10), (11) or (12) shall serve past the date of expiration of  
30 his or her respective office.

1 (d) Vacancies.--Vacancies in the membership of the  
2 commission shall be filled in the same manner as the original  
3 appointment.

4 (e) Organization and procedure.--

5 (1) The commission shall meet initially within 90 days  
6 after enactment of this act and shall elect, by a majority of  
7 all its members, a chairman, vice-chairman and a secretary  
8 from among its members, each to serve for a term of three  
9 years.

10 (2) A majority of all members of the commission shall  
11 constitute a quorum for the transaction of business.

12 (3) The commission may adopt rules for its government,  
13 organization and procedures, not inconsistent with the  
14 provisions of this act.

15 (f) Expenses.--Commission members shall receive no  
16 compensation for their services but shall be reimbursed as  
17 hereinafter provided for all necessary travel and other  
18 reasonable expenses incurred in connection with the performance  
19 of their duties as members of the Commission  
20 Section 5. Duties of the commission.

21 In addition to other powers conferred by this act, the  
22 commission shall have the power:

23 (1) To erect a physical monument to be located on the  
24 grounds of the Indiantown Gap National Cemetery honoring  
25 Pennsylvania veterans.

26 (2) To receive for and on behalf of the Commonwealth,  
27 monetary gifts or bequests which shall be deposited in the  
28 fund.

29 (3) To accept grants and subsidies from and enter into  
30 agreements or other transactions with any Federal agency or

1 agency of the Commonwealth or other entity.

2 (4) To enter into contracts and to execute all  
3 instruments necessary or convenient for carrying on its  
4 operations.

5 (5) To issue appropriate regulations for the  
6 implementation of this act.

7 (6) To do all other things necessary or convenient to  
8 carry out the powers granted to it by this act.

9 Section 6. Pennsylvania Veterans' Memorial Trust Fund.

10 (a) Establishment and administration.--There is hereby  
11 established a separate fund in the State Treasury to be known as  
12 the Pennsylvania Veterans' Memorial Trust Fund. The fund shall  
13 be administered by the commission and all moneys in the fund are  
14 hereby appropriated to the commission on a continuing basis.

15 (b) Purpose.--The moneys in the fund shall be used:

16 (1) For the design and selection of an appropriate  
17 physical monument on the grounds of the Indiantown Gap  
18 Memorial Cemetery and other costs incidental thereto.

19 (2) For the payment of the necessary travel and other  
20 reasonable expenses incurred by members of the commission. No  
21 more than 0.5% of the fund shall be set aside for this  
22 purpose, with the remaining balance at the end of each fiscal  
23 year returned to the corpus of the fund.

24 (c) Contributions and solicitation of funds.--

25 (1) The commission is hereby authorized:

26 (i) To accept on behalf of the Commonwealth gifts,  
27 donations, legacies and usages of money from individuals,  
28 organizations, public or private corporations and other  
29 similar entities.

30 (ii) To solicit and raise moneys from public and

1 private sources.

2 (2) All moneys received or raised under this subsection  
3 shall be paid into the State Treasury and credited to the  
4 fund.

5 Section 7. General repeal.

6 All acts and parts of acts are repealed insofar as they are  
7 inconsistent with this act.

8 Section 8. Initial appointments.

9 Initial appointments to the commission shall be made within  
10 30 days of the effective date of this act.

11 Section 9. Expiration of act.

12 This act shall expire three years from the date of enactment  
13 unless it is sooner reenacted.

14 Section 10. Effective date.

15 This act shall take effect immediately.