

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 93

Session of  
1989

INTRODUCED BY KUKOVICH, BELFANTI, MICHLOVIC, RYBAK, KOSINSKI, TIGUE, COWELL, VROON, JOHNSON, BORTNER, GODSHALL, MARKOSEK, DISTLER, MELIO, DeLUCA, FOX, TRELLO, SCHULER, ANGSTADT, HERMAN, CARLSON, McCALL, McHALE, CARN, PERZEL, DIETTERICK, CAWLEY, COLAFELLA, MRKONIC, LANGTRY, HALUSKA, MORRIS, LASHINGER, DALEY, MILLER, FREEMAN, STABACK, LESCOVITZ, PRESSMANN, JACKSON, B. SMITH, GEIST, NAHILL, RAYMOND, WASS, DOMBROWSKI, COY, LEVDANSKY, CORRIGAN, LUCYK, E. Z. TAYLOR, BILLOW, NOYE, BLAUM, J. L. WRIGHT, MAYERNIK, REBER, VEON, LEH, EVANS, PRESTON, RITTER, JOHNSON, SAURMAN, VAN HORNE, MAIALE, LaGROTTA, YANDRISEVITS, CHADWICK, PISTELLA, BUNT, MICOZZIE, COLE, McVERRY, KENNEY, BUSH, WOZNIAK, ITKIN, GRUPPO AND HAYDEN, JANUARY 24, 1989

REFERRED TO COMMITTEE ON MILITARY AND VETERANS AFFAIRS,  
JANUARY 24, 1989

AN ACT

1 Creating the Vietnam Veterans' Memorial Council; prescribing  
2 duties; and establishing a fund.

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

5 Section 1. Short title.

6 This act shall be known and may be cited as the Vietnam  
7 Veterans' Memorial Council Act.

8 Section 2. Legislative findings.

9 (a) Recognition of contributions.--The General Assembly  
10 recognizes the great contributions and unselfish sacrifices made  
11 by Pennsylvania service people during the Vietnam Conflict.

12 (b) Absence of memorial.--The General Assembly further

1 recognizes that no adequate, appropriate and permanent memorial  
2 has ever been erected in appreciation of and in tribute to those  
3 Pennsylvania service people who gave devoted and dedicated  
4 service to their country and this Commonwealth.

5 (c) Erection of memorial.--The General Assembly believes  
6 that, in consideration of the foregoing, a positive, permanent  
7 and patriotic memorial should be erected on State grounds or  
8 property owned by the Commonwealth in appreciation of the full  
9 measure of devotion given by Vietnam veteran service people.

#### 10 Section 3. Definitions.

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

14 "Council." The Vietnam Veterans' Memorial Council created by  
15 this act.

16 "Fund." The Vietnam Veterans' Memorial Trust Fund  
17 established by this act.

#### 18 Section 4. Vietnam Veterans' Memorial Council.

19 (a) Establishment.--There is hereby established the Vietnam  
20 Veterans' Memorial Council to undertake, supervise and  
21 coordinate the design, selection and erection, on State grounds  
22 or property owned by the Commonwealth, of an appropriately  
23 patriotic and positive physical monument or memorial as a  
24 testament of appreciation from the Commonwealth to those  
25 Pennsylvania service persons who served in the Republic of  
26 Vietnam during the Vietnam Conflict period.

27 (b) Composition of council.--The council shall be composed  
28 of the following:

29 (1) The duly elected president of the Veterans of the  
30 Vietnam War, or his designee.

1           (2) The duly elected president of the Vietnam Veterans  
2 of America.

3           (3) The duly elected president of the Paralyzed Veterans  
4 of America.

5           (4) One nonvoting member, appointed by the Governor, who  
6 shall be an architect.

7           (5) One nonvoting member, appointed by the Governor, who  
8 shall be a certified public accountant.

9           (c) Terms.--All members shall serve for a period of three  
10 years from the date of their appointment.

11          (d) Organization and procedure.--

12           (1) The council shall meet initially within 90 days  
13 after the effective date of this act and shall elect, by a  
14 majority of all its members, a chairman, vice chairman and a  
15 secretary from among its members, each to serve for a term of  
16 three years.

17           (2) A majority of all the members of the council shall  
18 constitute a quorum for the transaction of business.

19           (3) The council may adopt rules for its government,  
20 organization and procedures, not inconsistent with the  
21 provisions of this act.

22           (e) Expenses.--Council members shall receive no compensation  
23 for their services but shall be reimbursed as hereinafter  
24 provided for all necessary travel and other reasonable expenses  
25 incurred in connection with the performance of their duties as  
26 members of the council.

27 Section 5. Duties of council.

28          In addition to other powers conferred by this act, the  
29 council shall have the power:

30           (1) To develop a comprehensive plan and design for a

1 physical monument, to be located on State grounds or property  
2 owned by the Commonwealth, honoring Vietnam veterans.

3 (2) To coordinate and supervise the gathering of various  
4 designs for the monument, to make a final design selection  
5 and to select an appropriate physical site for erection of  
6 the monument on State grounds or property owned by the  
7 Commonwealth.

8 (3) To receive, for and on behalf of the Commonwealth,  
9 monetary gifts or bequests which shall be deposited in the  
10 Vietnam Veterans' Memorial Trust Fund.

11 (4) To accept grants and subsidies from and enter into  
12 agreements or other transactions with any Federal agency or  
13 agency of the Commonwealth or other entity.

14 (5) To enter into contracts and to execute all  
15 instruments necessary or convenient for carrying on its  
16 operations.

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

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

21 Section 6. Vietnam Veterans' Memorial Trust Fund.

22 (a) Establishment and administration.--There is hereby  
23 established a separate fund in the State Treasury to be known as  
24 the Vietnam Veterans' Memorial Trust Fund. The fund shall be  
25 administered by the State Treasurer.

26 (b) Purpose.--The moneys in the fund shall be used for the  
27 design and selection of an appropriate physical monument to be  
28 erected on State grounds or property owned by the Commonwealth  
29 and other costs incidental thereto.

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

1           (1) The State Treasurer is hereby authorized:

2           (i) To accept, on behalf of the Commonwealth, gifts,  
3           donations, legacies and usages of money from individuals,  
4           organizations, public or private corporations and other  
5           similar entities.

6           (ii) To solicit and raise moneys from public and  
7           private sources.

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

11 Section 7. Expenditure of funds prohibited.

12          No taxpayer funds shall be expended for the design, selection  
13          or erection of the Vietnam Veterans' Memorial.

14 Section 8. General repeal.

15          All acts and parts of acts are repealed insofar as they are  
16          inconsistent with this act.

17 Section 9. Expiration.

18          This act expires in three years, unless extended by statute.

19 Section 10. Effective date.

20          This act shall take effect immediately.