

IC 10-18

ARTICLE 18. WAR MEMORIALS

IC 10-18-1

Chapter 1. Indiana War Memorials Commission

IC 10-18-1-1

"Commission"

Sec. 1. As used in this chapter, "commission" refers to the Indiana war memorials commission established by section 2 of this chapter. *As added by P.L.2-2003, SEC.9.*

IC 10-18-1-2

Commission established

Sec. 2. (a) The Indiana war memorials commission is established.

(b) Beginning July 1, 2015, the commission consists of nine (9) members. Each Indiana congressional district must be represented by at least one (1) member who is:

- (1) a resident of that congressional district;
- (2) a veteran of service in the armed forces of the United States of America in time of war;
- (3) a citizen of Indiana at the time of the service; and
- (4) appointed:
 - (A) in the manner;
 - (B) for the terms;
 - (C) to have the powers; and
 - (D) to perform the duties;

as provided in this chapter.

(c) The commission:

- (1) as the commission and in the commission's name, may prosecute and defend suits; and
- (2) has all other duties, rights, and powers that are:
 - (A) necessary to implement this chapter; and
 - (B) not inconsistent with this chapter.

(d) The members of the commission are not liable in their individual capacity, except to the state, for any act done or omitted in connection with the performance of their duties under this chapter.

(e) A suit against the commission must be brought in a court with jurisdiction in Marion County. Notice or summons of the suit shall be served upon the president, vice president, or secretary of the commission. In a suit against the commission, it is not necessary to name the individual members of the commission as either plaintiff or defendant. Commission members may sue and be sued in the name of the Indiana war memorials commission.

(f) The commission shall:

- (1) report to the governor through the adjutant general; and
- (2) be under the adjutant general for administrative supervision.

(g) The reduction in the membership of the commission from ten (10) to nine (9) under subsection (b) shall be accomplished as the terms of members end and new members are appointed. This

subsection expires July 1, 2015.

As added by P.L.2-2003, SEC.9. Amended by P.L.133-2012, SEC.65.

IC 10-18-1-3

Appointment of members; term; removal of members

Sec. 3. (a) The governor shall appoint members of the commission for a term of three (3) years, subject to removal as provided in this section.

(b) The commissioners:

- (1) must be persons of high standing and character; and
- (2) serve without compensation, except for reimbursement for any reasonable expenses necessarily incurred by the commissioners in the performance of their duties.

(c) The commissioners shall be selected without regard to their political affiliations. However, not more than six (6) of the commissioners at any time may be members of the same political party.

(d) The governor may, for just cause, based upon written charges specifying alleged misconduct, remove any member of the commission, after notice to the member and a public hearing.

(e) The governor shall appoint a qualified person to fill the unexpired term of a member who does not complete the member's term.

As added by P.L.2-2003, SEC.9.

IC 10-18-1-4

Certificate of appointment

Sec. 4. (a) The governor shall execute a certificate of appointment that makes reference to this chapter and sets forth the term of appointment for each member of the commission. The governor shall deposit the certificates of appointment in the office of the secretary of state, who shall record the certificates in a book kept for that purpose.

(b) The secretary of state shall notify each person appointed as a commissioner of the person's appointment. The person's acceptance of the appointment shall be signified by subscribing to an oath, to be endorsed on the certificate of appointment:

- (1) to support the Constitution of the United States and the Constitution of the State of Indiana; and
- (2) to faithfully and honestly discharge the person's duty under the law as a commissioner.

(c) The secretary of state shall deliver the certificate, when recorded, to the person named in the certificate. The certificate constitutes the commission of the person named as a member of the commission for the term specified.

(d) If a person appointed fails to qualify under this section within ten (10) days after notice of the person's appointment, the governor shall appoint another qualified person as a commissioner.

As added by P.L.2-2003, SEC.9.

IC 10-18-1-5

Election of officers

Sec. 5. (a) The commission shall elect the following:

- (1) One (1) member of the commission to serve as president.
- (2) One (1) member of the commission to serve as vice president.
- (3) One (1) qualified person who is not a member of the commission to serve as secretary of the commission.

The commission shall elect officers each year. Officers shall hold their respective offices for one (1) year or during the pleasure of the commission.

As added by P.L.2-2003, SEC.9.

IC 10-18-1-6

Bonding of officers

Sec. 6. (a) The president and vice president of the commission shall, before entering upon the discharge of their duties, give bond to the approval of the governor, each in the sum of ten thousand dollars (\$10,000), conditioned for the faithful performance of the duties as may be imposed upon them by law.

(b) The officers and any other officers required to give a bond under this chapter may furnish as surety any surety company authorized to transact business in Indiana that meets the approval of the commission, and the premium on any bond shall be paid as a part of the expenses of the commission.

As added by P.L.2-2003, SEC.9.

IC 10-18-1-7

Duties of president

Sec. 7. (a) The president shall do the following:

- (1) Preside over the meetings of the commission.
- (2) Sign all vouchers approved by the commission under this chapter.
- (3) Sign all contracts and agreements in the name of the commission that have been authorized by the commission. The secretary shall attest to contracts signed by the president.

(b) If the president is absent or unable to act, the vice president shall perform the president's duties.

As added by P.L.2-2003, SEC.9.

IC 10-18-1-8

Duties of secretary; bond

Sec. 8. (a) The secretary appointed by the commission shall take an oath to faithfully perform the duties of the secretary's office.

(b) The secretary shall do the following:

- (1) Keep a record of the proceedings of the commission.
- (2) Make a record of contracts and obligations.
- (3) Furnish each contractor with a copy of the contractor's contract that:

(A) is endorsed "approved by order of the commission";

- (B) lists the date of the approval; and
- (C) is signed by the secretary.

A contract is not valid until endorsed and delivered by the secretary.

- (4) Certify all vouchers ordered by the commission.
- (5) Keep a set of books to show the financial condition of the commission.
- (6) Make quarterly statements as provided in this chapter of the costs and expenditures of the commission, a complete list of vouchers, and for what purpose and to whom paid. The reports shall be filed with the auditor of state as provided in this chapter and are open to the inspection and use of the general assembly.

(c) The secretary shall give a bond in the sum of ten thousand dollars (\$10,000) for the faithful performance of the secretary's duties.

(d) The contracts for any purpose connected with the Indiana World War Memorial shall be recorded by the secretary in a book kept for that purpose. The secretary shall retain on file all vouchers and other valuable papers of value to the commission, to the contractor, and to the public.

As added by P.L.2-2003, SEC.9.

IC 10-18-1-9

Superintendent; bond

Sec. 9. (a) The commission may employ a superintendent.

(b) The superintendent shall give bond in an amount and with surety to be approved by the commission.

(c) The superintendent's duties and compensation shall be prescribed by the commission.

As added by P.L.2-2003, SEC.9.

IC 10-18-1-10

Care and preservation of personal property of commission

Sec. 10. (a) The commission shall employ an individual who is responsible for the care and preservation of all personal property owned by the commission that has historic significance.

(b) The individual employed by the commission under subsection (a) must meet the qualifications set by the division of state museums and historic sites of the department of natural resources.

As added by P.L.2-2003, SEC.9.

IC 10-18-1-11

Commission duties

Sec. 11. (a) The commission shall do the following:

- (1) Keep a record of the commission's proceedings.
- (2) Make a quarterly report for public use that includes the following:
 - (A) A detailed account of the expenditures of the commission.

(B) A summary of the commission's proceedings that includes:

- (i) a statement of all contracts let;
- (ii) the name of the person to whom the contracts were let; and
- (iii) the amount of each contract.

(b) The report required under subsection (a) must be filed with the auditor of state.

(c) Reports created and filed under this section are public records.
As added by P.L.2-2003, SEC.9.

IC 10-18-1-12

Rulemaking; meetings

Sec. 12. (a) The commission may adopt rules that set forth:

- (1) the time, place, and method of calling and conducting meetings; and
- (2) the manner and method of the conduct of business, including:
 - (A) the government and regulation of the commission's employees; and
 - (B) the management of the ground and premises under the commission's care and control;

as the commission considers prudent and not inconsistent with this chapter and other statutes.

(b) The commission shall meet at the call of the commission's president or at the time set forth in the commission's rules. A majority of the members constitutes a quorum for the transaction of business. However, all official action of the commission must receive the approval in a meeting of a majority of all the members of the commission.

As added by P.L.2-2003, SEC.9.

IC 10-18-1-13

Preservation of battle flags

Sec. 13. (a) The commission shall designate one (1) of its members to do the following:

- (1) Assume general charge of and preserve all Indiana battle flags.
- (2) Have custody of all battle and organization flags in the possession of the state that were used by any of the military organizations of the state:
 - (A) in any of the wars or campaigns in which the United States has been engaged; and
 - (B) in which Indiana veterans have participated.

(3) In the preservation of the battle flags, as far as possible, see that the name and the branch of service in which the organization served are attached to or preserved with the flag.

(4) Collect data in reference to each organization or military unit whose flag is in the possession of the commission and place the data with the flag or banner of each of the

organizations or military units.

(b) The commission shall do the following:

(1) Collect Indiana battle flags not in the possession of the state from the United States, patriotic societies, or individuals.

(2) Reinforce, collect the data for, and otherwise prepare all battle flags for preservation.

(3) Collect, systematize, and prepare a brief history of each flag and index and catalogue each flag.

(4) Collect, purchase, and procure all necessary materials for the preservation of the flags.

(5) For the purpose of collecting and preparing the necessary data, reinforcing the flags, and performing other duties required by this chapter:

(A) with the approval of the budget agency, employ and fix the compensation of employees as may be necessary; and

(B) purchase material of any character that is required in carrying out this chapter.

As added by P.L.2-2003, SEC.9.

IC 10-18-1-14

Indiana battle flags fund

Sec. 14. (a) The Indiana battle flags fund is established to restore and preserve Indiana battle flags.

(b) The commission:

(1) shall administer the fund; and

(2) may spend the money in the fund for the purposes of the fund.

(c) The expenses of administering the fund shall be paid from money in the fund.

(d) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested. Interest that accrues from these investments shall be deposited in the fund.

(e) All money accruing to the fund is appropriated continuously for the purposes of the fund.

(f) Money in the fund at the end of a fiscal year does not revert to the state general fund.

As added by P.L.2-2003, SEC.9. Amended by P.L.30-2013, SEC.1.

IC 10-18-1-15

Flag preservation cases

Sec. 15. (a) All flag cases completed shall be in the custody of the commission. The superintendent shall have the cases cleaned periodically as necessary.

(b) The commission may determine the method and manner in which the flags shall be preserved.

As added by P.L.2-2003, SEC.9.

IC 10-18-1-16

Indiana war memorial location; name; limitation on character and

height of buildings in vicinity

Sec. 16. (a) Out-lot five (5) and out-lot thirty-six (36), in Indianapolis, according to the original plat of the city, are dedicated and set apart as grounds for the Indiana War Memorial subject to the provisions of this chapter.

(b) Out-lots five (5) and thirty-six (36) dedicated in subsection (a), together with all or any part of squares five (5) and sixteen (16) or any part of those squares, in Indianapolis, according to the original plat of the city, that are acquired, dedicated, and set apart and added to the real estate dedicated in subsection (a) by:

(1) the state; or
(2) Indianapolis, by Marion County, or Indianapolis and Marion County jointly and then conveyed by the city, county, or city and county jointly by proper deed, grant, or contract to the state; for War Memorial and other public purposes constitutes and shall be referred to as "Memorial Place". The permanent name of "Memorial Place" shall be selected by the commission.

(c) A necessity is declared to exist to limit:

(1) the kind, character, and height of buildings upon; and
(2) the use of real estate and buildings that are located within three hundred (300) feet of the outside boundaries of; Memorial Place as constituted in this chapter. The commission may acquire, by purchase, donation, or condemnation, the right to limit the kind, character, and height of buildings upon and the use of real estate and buildings on real estate within three hundred (300) feet of the outside boundaries of Memorial Place.

(d) The commission shall erect and maintain in Indianapolis, upon or within grounds dedicated or acquired under this chapter, as the commission considers best, a suitable structure or structures:

(1) to commemorate the valor and sacrifice of the soldiers, sailors, and marines of the United States and of all others who rendered faithful, loyal, heroic, and self-sacrificing service at home and overseas in World War I;
(2) to provide a place or places of meeting and headquarters for organizations of soldiers, sailors, and marines or any other patriotic societies or associations;
(3) to keep records, archives, documents, flags, mementos, and relics; and
(4) for other public meetings and other public purposes;
to inculcate a true understanding and appreciation of the duties, benefits, and privileges of American citizenship and inspire patriotism and respect for the law to the end that peace may prevail, good will be promoted, justice be administered and established, public order maintained, and liberty and freedom under the law perpetuated.

As added by P.L.2-2003, SEC.9.

IC 10-18-1-17

Conveyance of real estate; public park

Sec. 17. (a) If squares five (5) and sixteen (16) or any part of

those squares in Indianapolis, according to the original plat of the city, are acquired, dedicated, and set apart and added to the real estate dedicated in this chapter by the state for war memorial and other public purposes by Indianapolis, by Marion County, or by the city and county jointly by proper deed, contract, or grant, by which the city or county, or the city and county jointly, convey the real estate or any part of the real estate to the state for war memorial and other public purposes, the commission may accept from the city, the county, or the city and county jointly the deed, grant, or contract by which the real estate or any part of the real estate is conveyed to the state for war memorial and other public purposes, subject to the terms, conditions, and provisions contained in the deed, grant, or contract.

(b) The commission may agree that, to the extent that the city, the county, or the city and county jointly appropriate and use money in the acquisition of the real estate or any part of the real estate, the real estate and interests in the real estate and the memorial structures erected on the real estate (to the extent of the money so appropriated and used by the city, by the county, or by the county and city jointly) shall be a city war memorial, a county war memorial, or a joint war memorial.

(c) If the real estate or any part of the real estate is acquired and conveyed to the state, the commission may erect structures on outlots five (5) and thirty-six (36) dedicated in this chapter or upon any part of the real estate so dedicated or acquired as provided in this chapter as the commission considers best.

(d) The commission shall develop any part or all of the real estate described in this chapter that has been dedicated or acquired as provided in this chapter as a memorial place, together with square twenty-five (25), known as University Square in Indianapolis, according to the original plat of the city, to secure a harmonious and unified architectural and aesthetic effect of the entire series of grounds used and dedicated for memorial purposes. The grounds must include square twenty-five (25), known as University Square, which shall be and constitute a part of the memorial park, and shall be used as a public park.

(e) The commission may sell buildings and improvements situated on outlots five (5) and sixteen (16) when they come under the commission's jurisdiction, custody, and control or remove the buildings and improvements as the commission considers best. The commission may contract with Indianapolis, with Marion County, or with the county and city jointly, concerning the use and rents of the buildings and improvements on squares five (5) and sixteen (16) until it is necessary to remove the buildings for the purpose of erecting the memorial structure or structures. The commission may contract with the city or county or the city and county jointly with reference to the sale of buildings and improvements upon the real estate that may be acquired and conveyed to the state by the city or county or by the city and county jointly for War Memorial and other public purposes. The contracts must provide how the proceeds from

the rent or sale of buildings and improvements shall be applied.
As added by P.L.2-2003, SEC.9.

IC 10-18-1-18

Commission powers

Sec. 18. The commission may do the following:

(1) Make and execute contracts and other instruments that may be required in connection with the erection and maintenance of a suitable structure or structures upon or within Memorial Place.

(2) Adopt rules for the following:

(A) The proper management, government, and use of Memorial Place and the structures situated on Memorial Place.

(B) The government of employees.

(3) Acquire by condemnation the right to limit the kind, character, and height of buildings upon and the use of real estate or buildings located within three hundred (300) feet of the outside boundaries.

(4) Adopt reasonable rules as are proper to limit the kind, character, and height of buildings located or erected within three hundred (300) feet of the outside boundaries of Memorial Place and the use of the buildings or real estate. A building constructed or maintained or business conducted in violation of any rule may be abated as a nuisance in an action begun and prosecuted by the commission.

(5) Receive donations, gifts, devises, and bequests and use them in connection with the purposes of this chapter.

(6) Establish a nonprofit corporation to do the following:

(A) Promote public support for the purposes of the commission and this chapter.

(B) Preserve and promote the historical and educational activities of the commission.

(C) Operate for the benefit of the purposes of the commission and this chapter.

The corporation is subject to audit by the state board of accounts as if it were a state agency.

(7) Transfer money donated to the commission for the purposes described in subdivision (6) to a corporation established under subdivision (6).

(8) Transfer:

(A) artifacts;

(B) images; or

(C) documents of cultural heritage, historical, or museum relevance;

under the commission's control to a corporation established under subdivision (6) without complying with IC 5-22-21 and IC 5-22-22.

As added by P.L.2-2003, SEC.9. Amended by P.L.17-2005, SEC.1.

IC 10-18-1-19

Monument Circle

Sec. 19. (a) The grounds that belong to the state in Indianapolis:

- (1) designated in the Constitution of the State of Indiana as Governor's Circle;
- (2) later called "Circle Park"; and
- (3) known and designated as "Monument Place";

shall be known and designated as "Monument Circle".

(b) All written instruments and all laws that relate to the grounds described in subsection (a) in statutes are effective for the purpose intended when the grounds are described and designated as Monument Circle.

As added by P.L.2-2003, SEC.9.

IC 10-18-1-20

Rules for government of Monument Circle

Sec. 20. The commission shall adopt rules for the government of the monument and Monument Circle. The rules are binding and effective when approved by the governor.

As added by P.L.2-2003, SEC.9.

IC 10-18-1-21

Soldier's and Sailor's Monument employees and superintendent

Sec. 21. (a) The commission:

- (1) has general control of the State Soldiers' and Sailors' Monument Circle; and
- (2) may employ a superintendent.

(b) The superintendent may, with the advice and consent of the commission, appoint engineers, elevator operators, electricians, and watchmen as are actually required, all of whom are subject to removal at any time by the commission for any reason satisfactory to the commission.

(c) The superintendent:

- (1) has direct charge and supervision of the monument and Monument Circle, subject to the orders of the commission; and
- (2) may require watchmen to act as elevator operators and elevator operators to act as watchmen.

(d) The superintendent and the engineers, watchmen, and elevator operators have police powers with all powers of a constable.

As added by P.L.2-2003, SEC.9.

IC 10-18-1-22

Superintendent; financial duties

Sec. 22. (a) The superintendent shall execute a bond in the penal sum of five thousand dollars (\$5,000), to be approved by the commission.

(b) The superintendent shall:

- (1) on the first day of each month, make a sworn statement to the auditor of state of all receipts and expenditures, with vouchers attached for the preceding month, on account of the

monument; and

(2) at the same time, pay over to the treasurer of state all money received by the superintendent from all sources in the operation of the monument for the preceding month.

The auditor of state shall draw a warrant on the treasurer of state, payable to the superintendent, engineers, elevator operators, and watchmen, for the amounts due them as salaries and to the superintendent for a total of expenditures other than salaries incurred in the management of the monument and Monument Circle as shown by the vouchers.

As added by P.L.2-2003, SEC.9.

IC 10-18-1-23

Perpetual maintenance

Sec. 23. The Soldiers' and Sailors' Monument and all approaches to the monument and all surroundings belonging to the state shall be maintained perpetually and inviolate for the purpose originally designed.

As added by P.L.2-2003, SEC.9.

IC 10-18-1-24

Desecration

Sec. 24. A person may not desecrate the Soldiers' and Sailors' Monument in Indianapolis, the street known as Monument Circle, or any of the premises or approaches surrounding the monument by building a wall, fence, or other obstruction in or about the premises, approaches, or street known as Monument Circle surrounding the monument:

- (1) to sell or offer to sell any article of merchandise;
- (2) to have or to hold any show, carnival, circus, or masquerade;
- (3) to maintain any tent or building in or about the street, premises, or approaches;
- (4) to hold a political meeting;
- (5) to in any way obstruct the view or approaches to the street, or premises; or
- (6) to use the premises, street, or approaches;

for purposes other than those intended in this chapter.

As added by P.L.2-2003, SEC.9.

IC 10-18-1-25

Intentional damage; penalty

Sec. 25. A person who intentionally damages or removes any of the property of the state on Monument Circle is liable for the payment of a penalty not less than twice the sum necessary to repair the damage or restore the lost property. The penalty may be collected by the commission in a civil action.

As added by P.L.2-2003, SEC.9.

IC 10-18-1-26

Souvenirs; fund

Sec. 26. (a) The commission may do the following:

(1) Make or sell the following:

(A) Pictures, models, books, and other representations of the monuments and grounds.

(B) Souvenirs.

(2) Establish and maintain souvenir shops on property that the commission manages.

(3) Hire and pay salaries for full-time or part-time employees for the souvenir shops.

(4) Contract with a nonprofit organization or corporation for the continuous management of the souvenir shops.

(5) Report annually to the governor on the activities, revenues, expenditures, and profits of the souvenir shops.

(b) Notwithstanding section 27 of this chapter, the following apply to the profits from souvenir shop sales:

(1) The souvenir shop fund is established. The souvenir shop fund shall be administered by the commission.

(2) Profits from the sales at souvenir shops established under subsection (a) shall be deposited in the souvenir shop fund.

(3) The treasurer of state shall invest the money in the souvenir shop fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.

(4) The expenses of administering the souvenir shop fund shall be paid from money in the fund.

(5) The commission may spend the money in the souvenir shop fund for the following purposes:

(A) Maintenance or repair of properties managed by the commission.

(B) Maintenance, repair, and acquisition of the following:

(i) Battle flags.

(ii) Appropriate artifacts.

(iii) Appropriate memorabilia.

(6) All money accruing to the souvenir shop fund is appropriated continuously for the purposes listed in subdivision (5).

(7) Money in the souvenir shop fund at the end of a state fiscal year does not revert to the state general fund.

(c) A person may not make or sell pictures, models, books, or other representations of the monuments or grounds unless the person is authorized to do so by the commission.

As added by P.L.2-2003, SEC.9.

IC 10-18-1-27

Funds for restoration and repair

Sec. 27. Money recovered or accrued under this chapter shall be used:

(1) to keep:

(A) the State Soldiers' and Sailors' Monument and subsidiary monuments; or

(B) the Monument Circle and its decorations and

improvements;
in repair; and
(2) to restore any parts of the monuments or the Monument
Circle that have been broken, destroyed, removed, or injured.

As added by P.L.2-2003, SEC.9.

IC 10-18-1-28

Superintendent and employees; powers of arrest

Sec. 28. The superintendent of the State Soldiers' and Sailors' Monument and of Monument Circle and those serving under the superintendent who are appointed by the commission have police powers and may make arrests or do other things as may be needed to enforce the laws for the protection and care of the monuments and Monument Circle.

As added by P.L.2-2003, SEC.9.

IC 10-18-1-29

Use of commission structures for public purposes

Sec. 29. The commission may grant the use for public purposes of any structures or any parts of structures erected by the commission under this chapter without rent or charge or for only a nominal rental:

- (1) to any organizations of soldiers, sailors, and marines and others as a place for their meeting and headquarters and for the keeping of records, archives, documents, flags, mementos, and relics; and
- (2) for other public meetings and other public purposes not inconsistent with the purpose of this chapter;

for the time and upon the terms and conditions as the commission determines.

As added by P.L.2-2003, SEC.9.

IC 10-18-1-30

Contracts; notice; competitive bidding

Sec. 30. (a) The commission may not enter into a contract for:

- (1) the purchase or sale of property, material, or supplies; or
- (2) the performance of work or labor, except for salaries of employees;

if the work and labor or materials and supplies cost more than ten thousand dollars (\$10,000) without first giving notice of its intention to purchase or sell the materials or supplies or to contract for the work or labor by publication in a newspaper of general circulation printed and published in the English language in Indianapolis for two (2) successive weeks before the time fixed for the letting of the contract or the sale of the property.

(b) A contract under this section must be in writing. The other contracting party shall furnish bond for the faithful performance of the contract in an amount fixed by the commission and with surety to the commission's approval, conditioned upon the faithful performance of the contract. However, if the commission decides to purchase a patented article or material or an article or material of a

special type, character, or design of construction or make that may be purchased from only one (1) person, firm, limited liability company, or corporation, their agents or representatives, or for which there is a fixed, standard price, the commission is not required to take or receive competitive bids. However, the commission shall publish in the manner set forth under subsection (a) the number and character of the article or kind and quality of material proposed to be purchased, the unit price, and the total sum to be paid.

(c) A contract made in violation of this section is void.

As added by P.L.2-2003, SEC.9.

IC 10-18-1-31

War Memorial fund

Sec. 31. (a) The Indiana War Memorial fund:

(1) is subject to the laws of this state that concern the deposits and safekeeping of public funds; and

(2) shall be deposited under the advisory supervision of the state board of finance in the same way and manner and at the same rate of interest and under the same restriction as state funds.

(b) Interest that accrues to the fund shall be added to and become a part of the Indiana War Memorial fund.

(c) The Indiana War Memorial fund and the accounts of each public officer, employee, or person entrusted by law with the raising, disposition, or expenditure of the fund or any part of the fund are subject to the same penalties and the same provisions for publicity as are provided by law for state funds and state officers.

As added by P.L.2-2003, SEC.9.

IC 10-18-1-32

Contract for additional structures

Sec. 32. The commission, with the approval of the governor, may let a contract for the erection of additional structures on the site of the Indiana World War Memorial, in accordance with plans and specifications adopted by the commission, with the approval of the governor, to any competent and reliable contractor.

As added by P.L.2-2003, SEC.9.

IC 10-18-1-33

Commemoration of those who served in World War II and Korean Conflict

Sec. 33. (a) The commission shall commemorate the valor of those loyal citizens of this state who served with the armed forces of the United States during World War II and the Korean Conflict by placing their names in the archives of the World War Memorial located at Indianapolis.

(b) The names must be placed in the archives in the same manner as those honored by Indiana who served in World War I.

As added by P.L.2-2003, SEC.9.

IC 10-18-1-34

Commemoration of those who served in Vietnam

Sec. 34. (a) The commission shall commemorate the valor of those loyal citizens of Indiana who served with the armed forces of the United States during the Vietnam conflict by placing their names in the archives of the World War Memorial located at Indianapolis.

(b) The names must be placed in the archives in the same manner as those honored by Indiana who served in World War I, World War II, and the Korean Conflict.

As added by P.L.2-2003, SEC.9.

IC 10-18-1-35

Injunctions; enforcement of chapter; taxes

Sec. 35. A suit to enjoin the enforcement of this chapter or to prevent the levy or collection of taxes under this chapter may not be commenced.

As added by P.L.2-2003, SEC.9.

IC 10-18-1-36

Tax exemption

Sec. 36. All property of every nature and kind constituting a memorial or used in connection with a memorial is exempt from taxation for all purposes.

As added by P.L.2-2003, SEC.9.

IC 10-18-1-37

Violations

Sec. 37. Except as otherwise provided in this chapter, a person who violates this chapter commits a Class B infraction.

As added by P.L.2-2003, SEC.9.

IC 10-18-1-38 Version a

Pecuniary interest of members and employees; offense

Note: This version of section effective until 7-1-2014. See also following version of this section, effective 7-1-2014.

Sec. 38. It is a Class D felony for a member of the commission or the architect, secretary, superintendent, or any other person in the employ of the commission to:

- (1) knowingly be interested in or derive any profit from any contract, employment, or purchase connected with the Indiana World War Memorial or with any action of the commission; or
- (2) knowingly be interested in any claim against the commission or the state growing out of the erection or maintenance of the Indiana World War Memorial;

other than for the compensation for their services or for their expenses as provided in this chapter.

As added by P.L.2-2003, SEC.9.

IC 10-18-1-38 Version b

Pecuniary interest of members and employees; offense

Note: This version of section effective 7-1-2014. See also preceding version of this section, effective until 7-1-2014.

Sec. 38. It is a Level 6 felony for a member of the commission or the architect, secretary, superintendent, or any other person in the employ of the commission to:

- (1) knowingly be interested in or derive any profit from any contract, employment, or purchase connected with the Indiana World War Memorial or with any action of the commission; or
- (2) knowingly be interested in any claim against the commission or the state growing out of the erection or maintenance of the Indiana World War Memorial;

other than for the compensation for their services or for their expenses as provided in this chapter.

As added by P.L.2-2003, SEC.9. Amended by P.L.158-2013, SEC.169.