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Legislative Council Policy On the Use of the Hall of Flags

1. Introduction

Since its construction, the Hall of Flags has had a long and distinguished tradition as a Reception room and gathering area for Legislators and the public. With its historic collection of battle flags from the Civil War forward, the Hall of Flags is a place for Maine citizens to honor and reflect upon the many Maine men and women who defended our Country and made the ultimate sacrifice defending freedom and our democratic values and way of life. It is also the most public room in the Maine State House, where members of the public, Executive and Judicial officials and Legislators freely intermingle and communicate in the course of legislative affairs.

In adopting this Hall Use Policy, the Legislative Council establishes protocols for use of the Hall of Flags that: protect the safety of the public; prohibit uses that are inappropriate in the presence of schoolchildren or others; and provide for social discourse and forums for education on governmental matters in ways that bestow respect for the Hall of Flags and honor to the people and events it symbolizes.

2. Authorized Uses

The Hall of Flags may be used only for organized events that have a bona fide educational purpose relating to governmental matters, legislative affairs, legislative or gubernatorial ceremonies or other like category of activity. The Hall of Flags may not be used for any substantially private activity or event unrelated to the conduct of the public's business.

Furthermore, the Hall of Flags may not be used for acts of civil disobedience, petition signing for referenda, clemency petitions or advocacy, private events such as weddings, funerals, dinners or dances, or mercantilism. In addition, activities, including the display or distribution of materials that a person would reasonably find to be offensive, harassing, degrading or unduly disruptive or activities that are inappropriate in the presence of schoolchildren are prohibited.

3. Health and Safety

Protection of the health and safety of persons in the State House takes precedence over all activities and events in the Hall of Flags. The Legislative Council authorizes the Executive Director to establish such procedures and standards as necessary to protect the

health and safety of occupants in the State House at all times and to protect the integrity of the building and its contents. At a minimum: adequate clearances for safe ingress and egress must be maintained at all times in the Hall of Flags; equipment or activities that pose a risk of fire or explosion are prohibited; toxic, noxious or infectious materials are prohibited; and any activity requiring the disabling of smoke detectors, fire alarms or security devices is prohibited. Except for Welcome Back Day and Maine Agriculture Day, the number of tables in the Hall of Flags may not exceed 15.

4. Security

Entities using the Hall of Flags must comply with all facility security requirements and all instructions by security personnel. The Bureau of Capitol Security may remove persons who are threatening, disruptive or in violation of provisions of this policy. Persons who violate this policy or who are disruptive or threatening may be denied future use of the Hall of Flags for any organized event.

5. Limitation on Food Service

The Legislature compensates legislators for some legislative expenses including meals, and legislative staff are sufficiently compensated in their work such that it is unnecessary for others to provide legislators or staff with complementary meals. Escalating levels of food service at Hall of Flag events in recent years have had the unintended but inevitable result of increasing expectations of meal service to be provided by other groups as well as increasing costs to those groups using the Hall of Flags. Furthermore, the serving of meals is unduly disruptive, increases facility maintenance costs, detracts from the overall purposes for use of the Hall of Flags and presents potential facility security risks.

Therefore, except as provided below, the offering of food and beverages in the Hall of Flags is strictly limited to refreshments such as milk, juices, coffee, tea, soda, water, doughnuts, pastries, cookies, fruit, nuts, healthy snacks and other similar category of foods that does not constitute the offering or serving of a meal or partial meal.

Entities who use the Hall of Flags are not obligated to make available any food or beverage as a condition of their use of the hall. However, to the extent that allowable foods are offered, the proprietor of the State House café must be contacted by those entities for the opportunity to provide the desired food service. Furthermore, the Legislative Council encourages the use of locally grown or produced foods to the maximum extent practical when food is served in the State House.

Exceptions: The Legislative Council hereby authorizes such an exception for the following events: Welcome Back Day, New Member Orientation, the Pre-Legislative Conference and other legislative receptions hosted by the Legislature; Maine Agriculture Day; Maine Bankers Day; Maine Community College Day; Maine County Day(s); Maine Tourism Day; and school food service day.

6. Equipment and Furnishings

Equipment and furnishing such as chairs, tables, lights, podiums and sound systems used in the Hall of Flags must be those provided by the Legislative Council. However, The Legislative Council authorizes the use of LCD and slide projectors, laptop computers, tabletop displays and other such portable information presentation equipment to be provided by the entity authorized to use the Hall of Flags. Use of other equipment is not allowed unless it is consistent with the intent of this policy and is specifically authorized by the Clerk of the House when accepting hall reservations under paragraph 11.

7. Nonexclusive Use

The Hall of Flags is a public hall and entities authorized to reserve and use the Hall of Flags often are expected to share the hall with other entities or coordinate activities and schedules. Accordingly, such entities should neither expect nor demand exclusive use of the Hall of Flags. Legislative uses take precedent over other uses in the Hall of Flags, regardless of whether other, nonlegislative entities obtained advance reservations for its use.

8. Times Held for Legislative and Visitor Use

The Clerk of the House shall establish a reservation schedule that provides for unreserved blocks of time in the Hall of Flags each week for legislative press conferences or other unscheduled legislative activities that may arise during the course of the legislative session. In addition, the schedule must provide for convenient times when visitors to the State House may view and reflect upon the collection of historic flags uninterrupted by organized events in the Hall of Flags.

9. Prohibitions

At a minimum, the following are prohibited from the Hall of Flags:

- A. open flames except when used in a safe manner for warming dishes
- B. propane, gasoline, accelerants and other flammable materials
- C. compressed gases and helium-filled balloons
- D. toxic, noxious and infectious materials
- E. grills, frying pans and fryolators
- F. alcohol
- G. animals, except for service animals
- H. noisemakers, bullhorns and other sound amplification or broadcast devices. However, bona fide members of the news media may use broadcast equipment in the course of their work
- I. strobe lights
- J. signs and banners on wooden or rigid supports that may cause injury
- K. weapons of any type except on the person of a law enforcement who is on duty and when the presence of such weapons has first been disclosed to the Bureau of Capitol Security
- L. altering or disabling electrical, telecommunication or security devices or wiring

- M. affixing signs, banners, displays or other materials to walls, columns, flag cases or portraits
- N. active distribution of materials or leaflets
- O. soliciting, marketing or selling of goods or services

10. Security Deposit and Use Agreement

Nonlegislative entities, other than the Chief Executive, Chief Justice or Constitutional Officers, who reserve and use the Hall of Flags must, at the time of reservation or prior to use, provide a security deposit of \$100 and enter into a Use Agreement accepting the terms and conditions of use of the Hall of Flags. The agreement must require such entities to immediately report and accept financial responsibility for any damages to the facility or equipment occurring during their use of the Hall of Flags. The security deposit will be returned unless the entity that uses the Hall of Flags damages legislative equipment or facilities, does not set up or remove all items in a timely fashion, including removing all litter following use, or violates the terms of the Use Agreement. The Executive Director will notify the Clerk of the House when the director believes that an entity has caused damage to the facility, improperly used the Hall of Flags or left the Hall of Flags in an improper condition.

The security deposit may be waived for those entities using the Hall of Flags that require three or fewer tables to be set up. Furthermore, the security deposit may be waived or reduced in situations where paying the deposit would result in a serious economic hardship to the entity using the Hall of Flags.

11. Administration

The Clerk of the House of Representatives and the Executive Director of the Legislative Council, jointly, shall administer this policy. The Clerk is responsible for scheduling and reserving the Hall of Flags for authorized activities during regular business hours and for collecting applicable security deposits. The Executive Director is responsible for preparing the Hall for the scheduled activities and maintaining the Hall of Flags.

12. Authority and Effective Date

Pursuant to its authority under 3 MRSA, §162, the Legislative Council hereby adopts this Policy on the Use of the Hall of Flags on this 27th day of October, 2005.

This policy becomes effective on January 1, 2006.

BY: David E. Bowler
Maine Legislative Council