

SENATE BILL 36

P1

(PRE-FILED)

4lr0716
CF 4lr1163

By: **Senator Mathias**

Requested: October 24, 2013

Introduced and read first time: January 8, 2014

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

AN ACT concerning

State Government – Display of the POW/MIA Flag on State Building Grounds

FOR the purpose of requiring the Secretary of General Services and the Secretary of Transportation to cause the POW/MIA flag to be flown on the grounds of certain buildings whenever the flag of the United States is flown; requiring that the POW/MIA flag be flown from the State House as provided in a certain provision of law; making conforming changes; defining a certain term; and generally relating to the display of the POW/MIA flag on the grounds of State buildings.

BY adding to

Article – State Finance and Procurement

Section 4–210

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 13–204 and 13–205

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – State Finance and Procurement

4–210.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(A) IN THIS SECTION, “POW/MIA FLAG” MEANS THE POW/MIA FLAG OF THE NATIONAL LEAGUE OF FAMILIES OF AMERICAN PRISONERS AND MISSING IN SOUTHEAST ASIA.

(B) THE SECRETARY OF GENERAL SERVICES AND THE SECRETARY OF TRANSPORTATION SHALL CAUSE THE POW/MIA FLAG TO BE FLOWN ON THE GROUNDS OF ALL STATE BUILDINGS UNDER THEIR CONTROL WHENEVER THE FLAG OF THE UNITED STATES IS FLOWN.

Article – State Government

13–204.

(A) IN THIS SECTION, “POW/MIA FLAG” MEANS THE POW/MIA FLAG OF THE NATIONAL LEAGUE OF FAMILIES OF AMERICAN PRISONERS AND MISSING IN SOUTHEAST ASIA.

[(a)] (B) The flag of the United States [and], the State flag, **AND THE POW/MIA FLAG** shall be flown from the State House as provided in this section.

[(b)] (C) When the General Assembly is in session, the flags shall be flown continuously.

[(c)] (D) When the General Assembly is not in session, the flags shall be flown:

(1) continuously on each day that the Governor designates as a public occasion; and

(2) on any other day when the weather permits, between sunrise and sunset.

[(d)] (E) The State flag shall be flown with the black stripe on the diagonal bands of the 1st quartering at the top of the flagstaff, as shown in the illustration of the State flag in “Chronicles of Colonial Maryland”.

13–205.

(a) **[(1)]** In this section [the following words have the meanings indicated.

(2) “Flag], “**FLAG** to honor and remember members of the armed forces who died in the line of duty” means:

[(i)] (1) a flag created by Honor and Remember, Inc.; or

[(ii)] (2) the flag designated by the United States Congress as the official symbol to honor and remember members of the armed forces who died in the line of duty.

[(3) “POW/MIA flag” means the POW/MIA flag of the National League of Families of American Prisoners and Missing in Southeast Asia.]

(b) (1) Subject to paragraph (2) of this subsection, each year, **[the POW/MIA flag and]** a flag to honor and remember members of the armed forces who died in the line of duty shall be flown on the State House grounds on:

(i) the third Saturday in May, for Armed Forces Day;

(ii) May 30, for Memorial Day;

(iii) the day that the United States Congress designates for the observance of Memorial Day if other than May 30;

(iv) the Saturday and Sunday that are closest to May 30, unless the United States Congress designates another day for the observance of Memorial Day, in which case, the Saturday and Sunday that are closest to the day designated by the United States Congress;

(v) July 4, for Independence Day;

(vi) **[the third Friday in September, for POW/MIA Recognition Day;**

(vii)] November 11, for Veterans’ Day;

[(viii)] (VII) the day that the United States Congress designates for the observance of Veterans’ Day if other than November 11; and

[(ix)] (VIII) the Saturday and Sunday that are closest to November 11, unless the United States Congress designates another day for the observance of Veterans’ Day, in which case, the Saturday and Sunday that are closest to the day designated by the United States Congress.

(2) If the United States Congress designates a flag as the official symbol to honor and remember members of the armed forces who died in the line of duty, the flag designated by Congress shall be flown in accordance with paragraph (1) of this subsection.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2014.